

YOLO LOCAL AGENCY FORMATION COMMISSION

Regular Meeting AGENDA

July 27, 2023 - 9:00 a.m.

BOARD OF SUPERVISORS CHAMBERS
625 COURT STREET, ROOM 206
WOODLAND, CA 95695

COMMISSIONERS

OLIN WOODS, CHAIR (PUBLIC MEMBER)
GARY SANDY, VICE CHAIR (COUNTY MEMBER)
NORMA ALCALA (CITY MEMBER)
BILL BIASI (CITY MEMBER)
LUCAS FRERICHS (COUNTY MEMBER)

ALTERNATE COMMISSIONERS

ANGEL BARAJAS (COUNTY MEMBER)
RICHARD DELIBERTY (PUBLIC MEMBER)
GLORIA PARTIDA (CITY MEMBER)

CHRISTINE CRAWFORD
EXECUTIVE OFFICER

ERIC MAY
COMMISSION COUNSEL

Meetings of the Yolo Local Agency Formation Commission (LAFCo) are held in person in the Board of Supervisors chambers, located at 625 Court Street, Room 206, Woodland, CA. LAFCo will broadcast most meetings via Zoom. Those not able to attend the LAFCo meeting in person will have the opportunity to provide public comment via Zoom; however, LAFCo cannot guarantee that the Zoom system will be available for the entirety of every meeting. The only ways to guarantee that your comment is received and considered by LAFCo are to attend the meeting in person or submit your comment in writing in advance of the meeting.

The Zoom link / phone number and instructions for participating in the meeting through Zoom are set forth in the "Public Participation Instructions" on the final page of this agenda.

NOTICE:

This agenda has been posted at least five (5) calendar days prior to the meeting in a location freely accessible to members of the public, in accordance with the Brown Act and the Cortese-Knox-Hertzberg Act. The public may subscribe to receive emailed agendas, notices and other updates by contacting staff at lafco@yolocounty.org.

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. If you wish to submit written material at the hearing, please supply 8 copies.

FPPC - Notice to All Parties and Participants in LAFCo Proceedings

All parties and participants on a matter to be heard by the Commission that have made campaign contributions totaling more than \$250 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.

Contributions and expenditures for political purposes related to any proposal or proceedings before LAFCo are subject to the reporting requirements of the Political Reform Act and the regulations of the Fair Political Practices Commission, and must be disclosed to the Commission prior to the hearing on the matter.

AGENDA

PLEASE NOTE - The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Chair or Commission members.

CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Public Comment: This is an opportunity for members of the public to address the Commission on subjects relating to LAFCo purview but not relative to items on this Agenda. The Commission reserves the right to impose a reasonable time limit on any topic or on any individual speaker.

CONSENT AGENDA

4. Approve the LAFCo Meeting Minutes of May 25, 2023
5. Correspondence

PUBLIC HEARING

6. Public Hearing to consider approval of **Resolution 2023-03** adopting the Joint Powers Agency (JPA) Service Review for the Woodland Davis Clean Water Agency (WDCWA) (LAFCo No. 23-02)

REGULAR AGENDA

7. Consider **Resolution 2023-04** authorizing the City of Woodland to provide out of agency water and sewer services to APN 027-270-074 located on the southeast corner of County Road 99 and County Road 19A and find the project is categorically exempt from CEQA (LAFCo No. 23-04)
8. Continued item to consider nominations for the CALAFCO 2023 Achievement Awards

EXECUTIVE OFFICER'S REPORT

9. A report by the Executive Officer on recent events relevant to the Commission and an update of staff activity for the month. The Commission or any individual Commissioner may request that action be taken on any item listed.
 - a. 07.27.2023 Long Range Planning Calendar
 - b. EO Activity Report - May 22 through July 21, 2023
 - c. CALAFCO Legislative Summary

COMMISSIONER REPORTS

10. Action items and reports from members of the Commission, including announcements, questions to be referred to staff, future agenda items, and reports on meetings and information which would be of interest to the Commission or the public.

CLOSED SESSION

11. Public Employee Performance Evaluation
(Pursuant to Government Code Section 54957)

Position Title: LAFCo Executive Officer

ADJOURNMENT

12. Adjourn to the next Regular LAFCo Meeting

I declare under penalty of perjury that the foregoing agenda was posted by 5:00 p.m. Friday, July 21, 2023, at the following places:

- On the bulletin board outside the east entrance of the Erwin W. Meier County Administration Building, 625 Court Street, Woodland, CA;
- On the bulletin board outside the Board of Supervisors Chambers, 625 Court Street, Room 206, Woodland, CA: and,
- On the LAFCo website at: www.yololafco.org.

ATTEST:

Terri Tuck, Clerk
Yolo LAFCO

A.D.A. NOTICE

If requested, this agenda can be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 and the Federal Rules and Regulations adopted in implementation thereof. Persons seeking an alternative format should contact the Commission Clerk for further information. In addition, a person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting should contact the Commission Clerk as soon as possible and at least 24 hours prior to the meeting. The Commission Clerk may be reached at (530) 666-8048 or at the following address: Yolo LAFCo, 625 Court Street, Suite 107, Woodland, CA 95695.

PUBLIC PARTICIPATION INSTRUCTIONS:

Meetings of the Yolo Local Agency Formation Commission (LAFCo) are held in person in the Board of Supervisors chambers, located at 625 Court Street, Room 206, Woodland, CA. If you cannot attend the LAFCo meeting in person but desire to follow the meeting remotely, make a public comment, or comment on a specific item on the agenda, you may do so by:

- Join through Zoom on your computer at <https://yolocounty.zoom.us/j/82365298419>, Webinar ID: 823 6529 8419, or participate by phone by calling 1-408-638-0968, Webinar ID: 823 6529 8419. Please note there is no participant code, you will just hit # again after the recording prompts you.
- If you are joining the meeting via Zoom and wish to make a comment on an item, press the "raise a hand" button. If you are joining the meeting by phone, press *9 to indicate a desire to make comment. The moderator will call you by name or phone number when it is your turn to comment. Press *6 to unmute. The Commission reserves the right to impose a reasonable limit on time afforded to any topic or to any individual speaker.

- If you wish to submit a written comment on a specific agenda item or on an item not on the agenda, please email the Commission Clerk at lafco@yolocounty.org or send to 625 Court Street, Suite 107, Woodland, CA 95695. Please include meeting date and item number. Please submit your comment by 3:00pm the day prior to the meeting, if possible, to provide the Commission a reasonable opportunity to review your comment in advance of the meeting. All written comments are distributed to the Commission, filed into the record, but will not be read aloud.

Please note: LAFCo cannot guarantee that the Zoom system will be available for the entirety of every meeting. The only ways to guarantee that your comment is received and considered by LAFCo are to either attend the meeting in person or submit your comment in writing in advance of the meeting.

Consent 4.

LAFCO

Meeting Date: 07/27/2023

Information

SUBJECT

Approve the LAFCo Meeting Minutes of May 25, 2023

RECOMMENDED ACTION

Approve the LAFCo Meeting Minutes of May 25, 2023.

Attachments

LAFCo Minutes 05.25.23

Form Review

Form Started By: Terri Tuck
Final Approval Date: 07/17/2023

Started On: 07/17/2023 11:36 AM

YOLO LOCAL AGENCY FORMATION COMMISSION

MEETING MINUTES

May 25, 2023

The Yolo Local Agency Formation Commission met on the 25th day of May 2023, at 9:00 a.m. in the Yolo County Board of Supervisors Chambers, 625 Court Street, Room 206, Woodland CA, and via teleconference. Voting members present were Chair and Public Member Olin Woods, County Member Lucas Frerichs, and City Member Bill Biasi. Voting Members absent were County Member Gary Sandy and City Member Norma Alcala. Others present were Executive Officer Christine Crawford, Clerk Terri Tuck, and Counsel Eric May.

CALL TO ORDER

Chair Woods called the Meeting to order at 9:03 a.m.

Item № 1 Pledge

Lucas Frerichs led the Pledge of Allegiance.

Item № 2 Roll Call

PRESENT: Biasi, Frerichs, Woods ABSENT: Alcala, Sandy

Item № 3 Public Comments

There were no public comments.

OATH OF OFFICE

Item № 4 Lucas Frerichs, Board of Supervisor (Regular County Member)

Lucas Frerichs was sworn in prior to the meeting.

CONSENT

Item № 5 Approve the LAFCo Meeting Minutes of April 20, 2023

Item № 6 Review and file Fiscal Year 2022/23 Third Quarter Financial Update

Item № 7 Approve a budget adjustment for the Fiscal Year 2022/23 adopted budget to move \$15,000 from Services and Supplies into Salaries and Benefits, resulting in no net increase to the overall budget

Item № 8 Correspondence

Minute Order 2023-16: The recommended actions were approved.

MOTION: Frerichs SECOND: Biasi

AYES: Biasi, Frerichs, Woods

NOES: None

PUBLIC HEARING**Item № 9 Consider adoption of the final LAFCo Budget for Fiscal Year 2023/24**

After an overview report by staff, the Chair opened the Public Hearing. There were no comments, and the Public Hearing was closed.

Minute Order 2023-17: The recommended action was approved, adopting the final LAFCo Budget for Fiscal Year 2023/24 including \$549,686 of total finance sources (\$488,501 in revenue and \$68,185 as use of fund balance) and \$549,686 of total finance uses (\$544,686 appropriated and \$5,000 for reserves), as shown in Attachment A to the staff report.

MOTION: Biasi SECOND: Frerichs
AYES: Biasi, Frerichs, Woods
NOES: None

REGULAR**Item № 10 Consider CALAFCO 2023 Board of Directors nominations for one city member and one public member for the Central Region and designate a voting delegate and alternate for the election**

Minute Order 2023-18: Per Yolo LAFCo Administrative Policies and Procedures, the Commission approved Chair Woods as the voting delegate for the upcoming election. The Executive Officer was chosen as the alternate should Chair Woods not make it to the Conference to vote. No action was taken regarding nominations of a city member or a public member to the CALAFCO 2023 Board of Directors.

MOTION: Frerichs (A) SECOND: Biasi
AYES: Biasi, Frerichs, Woods
NOES: None

Item № 11 Consider nominations for the CALAFCO 2023 Achievement Awards

Minute Order 2023-19: By consensus the Commission directed staff and Chair Woods to confer and bring back nominations, if any, to the next meeting for consideration.

Item № 12 Executive Officer's Report

The Commission was given written reports of the Executive Officer's activities for the period of April 17 through May 19, 2023, and was verbally updated on recent events relevant to the Commission, including the Long Range Planning Calendar and Legislative Update.

Staff commented that at its May 23rd meeting, the Board of Supervisors continued a consent agenda item to amend the resolution initiating a LAFCo application to dissolve the Elkhorn FPD until June 6th, awaiting more information to inform their decision.

The June 22nd LAFCo meeting will be cancelled for lack of items and the next regular meeting will be July 27th. In terms of new applications, staff is reviewing an application from Steve and Kit Boschken for extended water and sewer services from the City of Davis

via Bretton Woods to 25597 County Road 99. Staff is also anticipating proposal applications from The Promenade (aka Nishi) to annex to the City of Davis and from the County to dissolve the Elkhorn Fire Protection District.

Staff commented that the YEDSpring2023 Summit: Youth Roadmap to our Future held yesterday was well attended and acknowledged the significant help from Yolo County Office of Education staff. Staff noted most attended in person and very few attended remotely even though it was offered in a hybrid format.

Item № 13 Commissioner Reports

There were no reports.

Item № 14 Adjournment

Minute Order 2023-20: By order of the Chair, the meeting was adjourned at 9:32 a.m.

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

ATTEST:

Terri Tuck
Clerk to the Commission

LAFCO

Meeting Date: 07/27/2023

Information

SUBJECT

Correspondence

RECOMMENDED ACTION

Receive and file the following correspondence:

- A. ATT A - Email Re Davis Project Scoring Rubric 06.05.2023
 - B. ATT B - LAFCo Support Letter for AB1753
 - C. ATT C - CALAFCO Conference Save The Date Flyer
 - D. CHW Newsletter - Summer 2023
-

Attachments

ATT A-Email Re Davis Project Scoring Rubric 06.05.2023

ATT B-Support letter for AB1753

ATT C-CALAFCO Conference Save the Date Flyer

ATT D-CHW Newsletter-Summer 2023

Form Review

Form Started By: Terri Tuck

Final Approval Date: 07/17/2023

Started On: 07/17/2023 11:40 AM

Christine Crawford

From: Christine Crawford
Sent: Monday, June 5, 2023 3:03 PM
To: 'gpartida@cityofdavis.org'; 'bvaitla@cityofdavis.org'; 'warnold@cityofdavis.org';
 'jchapman@cityofdavis.org'; 'dneville@cityofdavis.org'
Cc: Mike Webb, City Manager; Sherri Metzker (SMetzker@cityofdavis.org); Kelly Stachowicz
 (kstachowicz@cityofdavis.org); 'Clerkweb@cityofdavis.org'
Subject: Yolo LAFCo Comments Re Draft Scoring Rubric Weight for SOI - Item 8

Davis City Councilmembers,

I've reviewed the Draft Scoring Rubric for Item 8 on the April 6th City Council agenda and want to express my strong concern that project location in the sphere of influence (No. 92) is weighted by only one point (i.e., the same value as a bus stop or sidewalk curb cuts). I realize current Councilmembers have not gone through a comprehensive LAFCo Sphere of Influence (SOI) Update process before, as it has not been done since 2008. I am therefore writing to convey the significant meaning and value of the SOI.

For background, an SOI is "a plan for the probable physical boundaries and service area of a local agency, as determined by the commission." (Government Code §56076.) Importantly, **an unincorporated area cannot be annexed into a city unless that area is within the city's SOI.** (Government Code § 56375.5.) State policy provides that new development should be steered to the existing jurisdiction or the existing SOI before going outside those areas, with a preference for non-prime farmland. (Government Code § 56377.)

A comprehensive update to the City of Davis' SOI was last completed in 2008 **following a 10-month long process which included comprehensive analysis of capacity and agricultural issues, public workshops, CEQA analysis, and public hearings.** SOI's are viewed as a type of land use entitlement and the first of a two-step process before LAFCo, with the second set being LAFCo's final approval of the annexation. Indeed, **it is beneficial to the City to prioritize annexations in the SOI, which have fewer legal barriers when compared to projects outside the SOI.**

Yolo LAFCo policies also reflect this strong preference for developing vacant land already within a city's existing SOI first (Yolo LAFCo Policy 4.1). The information required to expand a city's SOI would include justification of land demand for growth including the Regional Housing Needs Analysis (RHNA) (Yolo LAFCo Policy 6.5). The Policies also state land substantially surrounded by existing agency boundaries should be annexed before other lands (Yolo LAFCo Policy 4.4).

In sum, SOIs are a significant consideration for identifying the City's path for future growth. **I urge the City Council to amend the Rubric to weight the SOI with the significant value it deserves, especially as it applies to projects outside the City.**

Thank you for your consideration,
 Christine

Christine M. Crawford, AICP
Yolo LAFCo Executive Officer
 (916) 798-4618 – mobile
 (530) 666-8048 – office

YOLO
LOCAL
AGENCY
FORMATION
COMMISSION



COMMISSION
CHAIR
OLIN WOODS
Public Member

VICE CHAIR
GARY SANDY
Supervisor - 3rd District

NORMA ALCALA
Councilmember
City of West Sacramento

BILL BIASI
Mayor
City of Winters

LUCAS FRERICHS
Supervisor - 2nd District

ALTERNATES
ANGEL BARAJAS
Supervisor - 5th District

RICHARD DELIBERTY
Public Member

GLORIA PARTIDA
Councilmember
City of Davis

STAFF
CHRISTINE M. CRAWFORD, AICP
Executive Officer

TERRITUCK
Administrative Specialist II/Clerk

COUNSEL
ERIC MAY

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June 7, 2023

The Honorable Anna Caballero, Chair
Senate Governance and Finance Committee
1021 O St., Ste. 7620
Sacramento, CA 95814

**RE: Support of AB 1753, Local Government: Reorganization Omnibus Bill
Set for hearing 6/7/2023 – Senate Governance and Finance Committee**

Dear Senator Caballero:

The Yolo Local Agency Formation Commission (LAFCo) is pleased to **Support Assembly Bill 1753**, sponsored by the California Association of Local Agency Formation Commissions (CALAFCO), which makes technical, non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act).

This annual bill includes technical non-substantive changes to the Act which governs the work of LAFCos. These changes are necessary as Commissions implement the Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. By making these minor technical corrections, AB 1753 will increase the clarity of the Act for all stakeholders.

AB 1753 helps ensure the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state and Yolo LAFCo respectfully requests your support.

Please do not hesitate to reach out with questions or concerns about our position.

Yours sincerely,
Yolo LAFCo Legislative Ad Hoc Subcommittee

Bill Biasi, City Member

Lucas Frerichs, County Member

cc: Members and Consultants, Senate Governance and Finance Committee
The Honorable Cecilia Aguiar-Curry, California State Assembly
René LaRoche, Executive Director, CALAFCO

SAVE THE DATE!

Item 5-ATT C

Join us for the 2023 CALAFCO Annual Conference

On **October 18-20, 2023**, network with other members and participate in sessions exploring policy issues related to growth, sustainability, and preservation.

Our diverse speakers will explore current issues and solutions on topics such as climate change effects and response, housing, water availability, public education about LAFCo and much more. The Annual Conference is an unmatched opportunity to leverage your role in bringing community stakeholders together!

No other event like this brings together such a diverse group of elected officials.

Past topics have included:



Access to water and affordable housing – the ongoing issues and LAFCos' involvement



Preparing for the unexpected and how LAFCo can support escalating disaster preparedness



LAFCo as a partner in creative solutions to governance and service issues



Understanding and dealing with looming pension liabilities



Groundwater management

And more!

Hyatt Regency Monterey
1 Old Golf Course Road,
Monterey, CA 93940



www.calafco.org

CALAFCO | 1129 Firehouse Alley, Sacramento, CA 95814
Phone: (916) 442-6536 | Email: info@calafco.org



THE SKY IS THE LIMIT

Multi-Agency Partnerships and Sustainability Projects at the Monterey Regional Airport

2023 Annual Conference Mobile Workshop

Explore the unique history, programs, sustainability projects, and partnerships of the Monterey Peninsula Airport District. The day will kick off with refreshments provided by the Airport District and includes presentations from Airport District and partner agency representatives about multi-agency collaboration and sustainability projects.

Wednesday, October 18, 2023
7:15 a.m. – 12:30 p.m.

Monterey Peninsula Airport District

200 Fred Kane Drive, Suite 200, Monterey, CA 93940

Enjoy a brisk 40-minute group walk to the event, leaving at 6:45 a.m. or board the bus in front of the hotel at 7:15 a.m.

Bus departs **promptly** at 7:30 a.m.



TOPICS INCLUDE:



Overview/History of the Monterey Peninsula Airport District



Sustainable Infrastructure: Solar Electricity and Water Service



Partnerships in Service Delivery – Fire Protection/ Emergency Medical Services, Law Enforcement Services, and Jet Center Services



Planned Modernization and Safety at the Airport, Regulatory Requirements, and Funding Sources



“Art at the Airport Program” – Partnerships with Monterey County Historical Society, Youth Arts Program, and Iconic Events

REGISTER TODAY!

Visit <https://bit.ly/23Conference> to pay online via credit card or complete the registration form attached to pay by check.

REGISTRATION DEADLINE: Friday, September 29, 2023

COST: \$75 per person, includes refreshments (Workshop is limited to the first 90 registrants.) Registration fees are refundable (less \$30), if a request is received in writing no later than September 29, 2023.

Please dress warmly in layers, as much of the workshop will be outside.

Remember to register for the 2023 CALAFCO Annual Conference!

Visit www.calafco.org for conference details or call us at 916-442-6536.

Bike Tour on Tuesday, October 17th



Thank you to our Mobile Workshop sponsor!



HOTEL RESERVATIONS AT THE HYATT REGENCY MONTEREY HOTEL AND SPA ON DEL MONTE GOLF COURSE are available at the special CALAFCO rate of \$205 per night (excludes taxes and fees), if booked before September 18, 2023. Visit www.hyatt.com/en-US/group-booking/MRYDM/G-CL10 or call 877-803-7534 and reference the CALAFCO event.

More information is available at www.calafco.org

MONTEREY BAY COASTAL BIKE TOUR

Tuesday, October 17, 2023 | 2 p.m. – 4 p.m.

Come early to Monterey and join the Monterey
LAFCO staff on a pre-conference bike ride!



WHERE: On the Monterey Bay Coastal Recreation Trail



MEET: In downtown Monterey at the large anchor
in front of Monterey History & Art at the Stanton Center,
adjacent to Custom House Plaza



DEPART: 2 p.m.

This fun, easy ride will be along the oceanfront recreation trail in Monterey and Pacific Grove. **FREE to everyone** and no advance registration is needed. Bring your own bicycle or rent one in town. Meet at the anchor outside of the Stanton Center (by Fisherman's Wharf and Custom House Plaza). This CALAFCO tradition started in 2012!



Monterey Bay Bike Tour participants at
the 2012 CALAFCO Conference

For more information, visit www.calafco.org





COLANTUONO
HIGHSMITH
WHATLEY, PC

Newsletter | Summer 2023

Update on Public Law Development Impact Fees at Risk

By Michael G. Colantuono, Esq.

Litigation challenging fees on developments to fund the services and facilities they require has abounded lately. Oakland had a significant recent win and Palo Alto has a case pending review in the Supreme Court.

In *Discovery Builders, Inc. v. City of Oakland*, a multi-decade development project involved an agreement between the City and the developer for fee-funding of the City's considerable cost to implement the mitigation and monitoring program associated with the project EIR. That 2005 agreement stated the agreed fees covered "all of the Developer's obligations for fees to the City due to the Project." In 2016, the City adopted new citywide impact fees for affordable housing, transportation, and capital facilities for city services. The developer of a later phase of the development paid the fees under protest under the Mitigation Fee Act (AB 1600) and sued to invalidate the fees. The trial court granted the writ, concluding the City could not escape its promise to limit fees. It also applied equitable principles of laches (unreasonable delay) and estoppel (promises or conduct on which others rely) and found both common law vested rights in the developer's reliance on its permits and statutory vesting under a vesting tract map.

The San Francisco Court of Appeal reversed, concluding that if the contract amounted to a perpetual promise to impose no new fees, the City could not contract away its police power in that way. It applied the agreement's severability clause to excise the no-new-fees promise. The Court noted that the ban on contracting away the police power applies widely in land use cases and that local governments cannot grant by contract an exemption from generally applicable law. The Court also found the developer's estoppel claim was both waived (although the trial court relied on it, the developer did not raise or brief it) and because public policy makes estoppel against government very rare.

(continued on page 3)

Welcome, Jennifer Woo Burns!

Jennifer Woo Burns joins CHW's labor and employment practice group on August 1st, based in our Solana Beach office. She brings 30 years of experience, including roles in law firms and in-house, serving as General Counsel and Human Resources Director.

Jennifer adds to our depth in policy development, training, and representation on a range of labor and employment issues. She has advocated before DFEH, the EEOC, the Labor Commissioner and the Unemployment Appeals Board.

Welcome Jennifer!

Supreme Court Hears Voting Rights Act Case

By: Matthew T. Summers, Esq.

Cities and special districts will soon have clear guidance from the California Supreme Court on the California Voting Rights Act's demand that many of them convert from at-large to district-based elections for Council- and Boardmembers. On June 27th, the Court heard argument in *Pico Neighborhood Association v. City of Santa Monica*, considering: "What must a plaintiff prove in order to establish vote dilution under the California Voting Rights Act?" Based on the tenor of the Justices' questions, at least some appear inclined to adopt a definitive standard, perhaps even a minimum minority percentage for CVRA vote-dilution claims. Decision is due by September 25th.

In 2002, California was the first state to adopt its own law modeled on the Federal Voting Rights Act. The CVRA lowers the evidentiary burden for challenges to allegedly discriminatory voting practices, such as at-large voting. Under the CVRA, a plaintiff need only show that "racially polarized" voting exists in a community, e.g., that minority and majority voters vote differently — as they commonly do. Unlike the federal law, plaintiffs need not show that a sufficiently numerous and geographically compact minority group exists to form a "majority minority district." Whether at-large voting systems dilute minority votes is the key question in the Santa Monica case.

Plaintiffs allege Santa Monica's at-large elections dilute the votes of Latinx residents. The City argues Latinx candidates have succeeded in recent elections and plaintiffs' victory would force one of three from the Council as two live in the Pico neighborhood (including the husband of a plaintiff in the suit). The City also notes its voters twice rejected district elections.

The Justices grappled at oral argument with what a plaintiff must prove to establish vote dilution. Questions focused on fashioning a workable standard.

Justices asked both parties about the difference between a minority group's "ability to elect" and its "ability to influence" an election. Plaintiffs argued the CVRA requires only an "ability to influence" — a majority minority district need not be possible. Santa Monica argued that sufficiently numerous minority groups can influence at-large elections. Given Plaintiffs' hesitance to adopt a numerical threshold for a minority population sufficient to bring a CVRA claim, several Justices expressed concern Plaintiffs' standard would apply the CVRA more widely than the Legislature intended.

The City argued Plaintiffs' standard would compel race-based classifications, and can harm minority groups. The City argued that a group's ability to influence arises from coalitions which are easier to form in citywide elections. Plaintiffs conceded it would be difficult to show a CVRA violation if a district cannot be created without at least a 20-25% minority electorate. If the Supreme Court adopts that standard, agencies with diffuse minority populations that switched to districts might be able to return to at-large voting. The Court's decision should answer these questions.

We've Got Webinars!

CHW offers webinars on a variety of topics, including the CVRA and redistricting, housing statutes, new laws on accessory dwelling units (ADUs), and police records issues. A webinar allows advice and guidance and Q&A in an attorney-client-privileged setting. The fee is \$1,800 per agency.

To schedule a webinar, contact Bill Weech at BWeech@chwlaw.us or (213) 542-5700. If there's a topic you would like a webinar on, let us know!

AB 205 – Are Fixed Rates Right for Your Utility?

By Matthew C. Slentz, Esq.

Governor Newsom signed Assembly Bill 205 on June 30, 2022. A trailer bill to the FY 2022–23 budget, it significantly changed regulation of investor-owned utilities, such as PG&E and Southern California Edison. Among its provisions is a requirement that fixed charges — flat rates collected to recover fixed costs for infrastructure and other capital costs — be imposed on an income-graduated basis so low-income ratepayers pay less than high-income ratepayers. The Public Utilities Commission previously capped fixed charges for all electric customers at \$10 per month. Under new income tiers the industry proposes, monthly fixed charges may range from \$15 to \$128, offsetting lower “volumetric” rates for energy use.

Collecting fixed costs through a fixed rate component has several advantages. Much of the utilities’ costs are fixed, and do not vary with consumption. Collecting some of those costs through a fixed rate makes utility revenues stable and predictable, and provides better price signals to customers, who can more accurately see the costs of consumption in their volumetric rates. Basing fixed rates on income also avoids making an increase to fixed costs regressive by raising costs on those who use less (and are often least able to pay). By lowering the cost of electricity for most users, the Legislature sought to incentivize electrification of California’s energy market — encouraging electricity over natural gas appliances and internal combustion engines.

Can municipal utilities use this rate structure? Not entirely. Collecting fixed costs through a fixed rate component is an accepted ratemaking practice. The California Constitution generally requires a utility’s rates not exceed its costs, although rates for some services — such as gas and electricity — only need to bear a “fair and reasonable” relationship to a customer’s benefits from or burdens on the service. With a properly conducted cost of service analysis,

municipal utilities can justify recovering their fixed costs through fixed rates. However, basing fixed costs on income will mean some ratepayers pay more than the reasonable cost of service because they can afford to, likely making such rates a “tax” under California’s Propositions 13, 218 and 26. Such a tax requires voter approval, and not every public entity has taxing authority (cities and counties do, but many special districts do not). Additionally, California courts are split on whether, under Proposition 218, a tax may ever be imposed in relation to water, sewer, or trash services without two-thirds voter approval. Public agencies should therefore carefully weigh the costs and benefits, including the risk of litigation, before setting utility rates based on income.

Development Impact Fees

(continued from page 1)

By contrast, Palo Alto lost a case in the San Jose Court of Appeal which concluded, surprisingly, that a fee a developer paid voluntarily in lieu of providing required parking was subject to the Mitigation Fee Act as a fee “imposed” to fund facilities to serve new development. It concluded, because the City had not consistently made the one- and five-year findings AB 1600 requires as to the parking in-lieu fees, the developer was entitled to a refund. Palo Alto retained CHW to petition the California Supreme Court for review and that Court has until July 27th to decide whether to grant review.

Plainly, development impact fees are a fertile area of litigation right now. Cities and counties are well advised to adopt such fees on solid nexus studies, spend fees promptly, and diligently make the required one- and five-year findings, even if consulting services are required to do so.

This area of the law is developing, so stay tuned!

COLANTUONO
HIGHSMITH
WHATLEY, PC

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LAFCO

Meeting Date: 07/27/2023

Information

SUBJECT

Public Hearing to consider approval of **Resolution 2023-03** adopting the Joint Powers Agency (JPA) Service Review for the Woodland Davis Clean Water Agency (WDCWA) (LAFCo No. 23-02)

RECOMMENDED ACTION

1. Receive staff presentation on the JPA Service Review and open the Public Hearing for any comments on this item.
2. Close the Public Hearing and consider the information presented in the staff report and during the Public Hearing. Discuss and direct staff to make any necessary changes.
3. Consider approval of Resolution 2023-03 adopting the JPA Service Review for WDCWA.

FISCAL IMPACT

No fiscal impact. The JPA Service Review was prepared "in-house" and appropriate funds were budgeted.

REASONS FOR RECOMMENDED ACTION

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act), is LAFCo's governing law and outlines the requirements for preparing periodic Municipal Service Reviews (MSRs) and Sphere of Influence (SOI) updates. MSRs and SOIs are tools created to empower LAFCo to satisfy its legislative charge of "discouraging urban sprawl, preserving open space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances". While MSRs are not legally required of Joint Powers Agencies/Authorities, LAFCo has been requested by the cities and County (i.e. JPA member agencies) to provide MSR-like service reviews of selected types of JPAs in the county. LAFCo has the authority to furnish informational studies and analyze independent data to make informed recommendations regarding the efficient, cost-effective, and reliable delivery of services to residents, landowners, and businesses via these JPAs. With this intention, LAFCo has modified its MSR checklist to conduct service reviews of JPAs.

BACKGROUND

Agency Information

The Woodland-Davis Clean Water Agency (WDCWA or "Agency") is a joint powers authority formed in 2009 responsible for managing a sustainable, high-quality water supply for the cities of Woodland and Davis, and UC Davis. The Agency constructed and is now managing a regional surface water supply project to serve more than two-thirds of the urban population of Yolo County. The Agency is overseen by a six-member Board comprised of two City Council Members from each city, and two non-voting members, one each from UC Davis and Yolo County.

The water treatment facility can supply up to 30 million gallons of water per day, with an option for future expansion to 34 million gallons per day. Of the 30 million gallons per day, Woodland's share of treated surface water is 18 million gallons per day, Davis' share is 10.2 million gallons per day, and UC Davis' share is 1.8 million gallons per day. Approximately 4.5 miles of pipeline transports "raw" water from the surface water intake on the Sacramento River to the water treatment plant located south of Woodland. From there, the treated water travels 7.8 miles via pipeline to Davis, and approximately 1.4 miles to Woodland. The cost for project development and implementation was \$279.2 million. The bulk of the project was funded through customer water rates. With the completion and acceptance of all project capital facilities in 2016, the Agency's focus has transitioned to overseeing operations and maintenance of facilities, management of water supply and deliveries pursuant to applicable water rights and delivery contracts and servicing long-term debt obligations.

The WDCWA General Manager is the City of Woodland Principal utilities Engineer and the WDCWA Operations

Manager is the City of Davis Public Works Utilities & Operations Director. The Agency contracts for part-time Board Secretary services. The Agency has a significant contractual agreement with CH2M Hill for operation of the Water Supply Project.

Agency Involvement

LAFCo staff worked with the WDCWA General Manager and Operations Manager to provide required information. An administrative draft was shared with WDCWA staff and comments/edits were straightforward and resolved easily. LAFCo published a 21-day hearing notice and staff have not received any public comments and there have been no changes to the draft since the version posted for public review on July 6th.

JPA Service Review Determinations and Recommendations

This is the inaugural JPA Service Review for the WDCWA and overall, the review finds the JPA operating well, especially considering the significant project undertaken. The JPA is accountable and stable, and has adequate funding and reserve to pay off its debt balances. However, accounting for the JPA could be improved and needs additional attention.

Six of the seven MSR determinations are applicable to JPAs (the determination for disadvantaged unincorporated communities was removed for the JPA Service Review checklist). WDCWA's determinations and recommendations for Commission review and consideration are as follows:

Growth and Population MSR Determination:

Growth and population projections are not anticipated to impact the subject agency's service needs and demands or suggest a change in services. The WDCWA manages the operation of the water diversion project and treatment facility that can supply up to 30 million gallons of water per day, with an option for future expansion to 34 million gallons per day. It is the responsibility of the cities of Woodland and Davis to manage demand and capacity to supply water. Groundwater will continue to be used in Davis during periods when demand for water cannot be met with surface water supplies alone. The City of Woodland can utilize Aquifer Storage Recovery (ASR) wells to meet additional demand and planned in its 2035 General Plan.

Capacity and Adequacy of Public Facilities and Services Determination

WDCWA's infrastructure is relatively new considering its lifespan, with construction being completed in 2016. The water treatment facility can supply up to 30 million gallons of water per day, with an option for future expansion to 34 million gallons per day. The WDCWA water service provides an additional source of water supply to the cities to improve their water quality and resiliency to adapt to climate changes. Groundwater will continue to be used in Davis during periods when demand for water cannot be met with surface water supplies alone. The City of Woodland can utilize Aquifer Storage Recovery (ASR) wells to meet additional demand.

Financial Ability Determination

The 5-year trend indicates that WDCWA is in a relatively stable financial position. Since project construction was completed and all reimbursements resolved in 2019, the WDCWA has operated with a positive cash flow in the last three fiscal years. WDCWA holds a significant amount of debt at \$218 million as of its latest audit in 2020 and roughly 60% of its expenditures goes towards debt service payments that will extend until 2047.

The WDCWA may benefit from more involved financial oversight. The Agency was regularly audited each year up until 2020 but has not had an audit since. The fiscal year 2019/20 audit was completed late, and then the accounting transitioned from the City of Davis to the City of Woodland at the beginning of FY2020/21. Auditors are now in place to catch up and perform all audits after fiscal year 2019/20 was completed. Past audits have not included fund balance information, which is unusual in LAFCo staff experience. The quarterly financial reports present unaudited fund balance information, but it does not detail the different reserves used such as the Contingency Reserve Fund, which would be valuable information to operations staff.

There is a discrepancy in the WDCWA's financial reports between the closing yearend balance June 30, 2020, and the July 1, 2020, opening balance by more than \$2 million that will need to be resolved in the upcoming audits. The 5-year trend shows the WDCWA's fund balance has decreased 12% over the last five years, however, this could be due to this discrepancy.

Recommendation(s):

- The WDCWA Treasurer should review financial data on a regular basis and ensure any discrepancies are identified, investigated and corrective action taken in a timely manner.
- WDCWA audits should include a Statement of Revenues, Expenditures, and Changes in Fund Balance including

detail of any individual reserve accounts.

Shared Services Determination

WDCWA was formed as a shared agency operation including the cities of Woodland and Davis, and UC Davis (and Yolo County as a non-voting member that does not receive a water supply). It also partnered with Reclamation District 2035 on the Sacramento River intake facility. WDCWA also coordinates with multiple regional and state entities to efficiently provide an additional water supply to member agencies.

Accountability, Structure and Efficiencies Determination

There are no recommended changes to the organization's governmental structure or operations. In the past WDCWA has had audits performed on an annual basis, but there has been a gap since FY 2020, although auditors have recently been secured by the Agency to get caught up. WDCWA also needs to update its website content to improve its transparency.

Recommendation(s):

- Update WDCWA content to improve website transparency. See the most recent Yolo Local Government Website Transparency Scorecard posted on the LAFCo website to see where improvements are needed:

<https://www.yololafco.org/yolo-local-government-website-transparency-scorecards>.

Attachments

ATT A-WDCWA JPA Service Review Reso 2023-03 July 27, 2023

ATT B-Public Review Draft Woodland-Davis Clean H2O Draft JPA Review Jul 6, 2023

Form Review

Inbox

Christine Crawford (Originator)
Form Started By: Christine Crawford
Final Approval Date: 07/19/2023

Reviewed By

Christine Crawford

Date

07/19/2023 09:53 AM
Started On: 06/27/2023 03:47 PM

YOLO LOCAL AGENCY FORMATION COMMISSION

Resolution № 2023-03

**ADOPTING THE JOINT POWERS AGENCY/AUTHORITY (JPA) SERVICE REVIEW FOR
THE WOODLAND-DAVIS CLEAN WATER AGENCY (WDCWA)
(LAFCo No. 23-02)**

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

WHEREAS, Section 56378(a) provides for a local agency formation commission to initiate and make studies of existing governmental agencies, including inventorying those agencies and determining their maximum service area and service capacities requesting studies, joint powers agreements, and plans of joint powers agencies and joint powers authorities; and

WHEREAS, the cities within Yolo County (the Cities of Davis, West Sacramento, Winters, and Woodland) and the County of Yolo adopted the Yolo Local Government Transparency and Accountability Program at the meeting of each respective governing body in fall 2017, which requested that the Yolo Local Agency Formation Commission (LAFCo) add selected types of joint powers authorities/agencies (JPA) to its municipal service review process; and

WHEREAS, the Yolo Local Government Transparency and Accountability Program implementation requests LAFCo conduct Municipal Service Reviews every five years of selected types of JPAs whose service area is mostly within the county and includes: (1) JPAs that provide municipal services; (2) JPAs that employ staff; and/or (3) JPAs with boards comprised of agency staff; and

WHEREAS, in fiscal year 2022/23, LAFCo conducted a JPA Service Review of WDCWA; and

WHEREAS, staff has reviewed the JPA Service Review pursuant to the California Environmental Quality Act (CEQA) and determined that a JPA Service Review is not a “project” per CEQA Guidelines Section 21065 because it is not an activity which may cause a direct or indirect physical change to the environment; and

WHEREAS, the Executive Officer set a public hearing for July 27, 2023, for consideration of the draft JPA Service Review and caused notice thereof to be posted, published, and mailed at the times and in the manner required by law at least twenty-one (21) days in advance of the date; and

WHEREAS, on July 27, 2023, the draft JPA Service Review came on regularly for hearing before LAFCo, at the time and place specified in the Notice; and

WHEREAS, at said hearing, LAFCo reviewed the draft JPA Service Review, and the Executive Officer's Report and Recommendations, and all other matters presented as prescribed by law; and

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

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

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED that the Yolo Local Agency Formation Commission hereby adopts Resolution No. 2023-03 adopting the JPA Service Review for the Woodland-Davis Clean Water Agency (WDCWA) dated July 27, 2023, and incorporated herein by this reference, subject to the following finding and recommendations:

FINDING

Finding: Approval of the JPA Service Review is consistent with all applicable state laws and local Yolo Local Government Transparency and Accountability Program.

Evidence: The JPA Service Review was prepared consistent with the requirements in the Cortese-Knox-Hertzberg Act for requesting information from and furnishing studies for government agencies. Staff followed the steps outlined in the Yolo Local Government Transparency and Accountability Program including: Compiling publicly and readily available information; requesting any additional information from the JPA, minimizing JPA staff time; developing JPA recommendations regarding each of the determinations; completing an administrative draft report for preview by JPA management; responding to any comments and preparing a draft report available for public review; publishing a hearing notice for public review and comment of the draft JPA Service Review; adopting the JPA Service Review at a public hearing, finalizing the report, and posting it online; and sharing findings with city/county managers, including any cumulative recommendations on ways to streamline and improve efficiencies with the governance structures countywide.

RECOMMENDATIONS

1. The WDCWA Treasurer should review financial data on a regular basis and ensure any discrepancies are identified and investigated, and that corrective action be taken in a timely manner.
2. WDCWA audits should include a Statement of Revenues, Expenditures, and Changes in Fund Balance including detail of any individual reserve accounts.
3. Update WDCWA online content to improve website transparency. See the most recent Yolo Local Government Website Transparency Scorecard posted on the LAFCo website to see where improvements are needed: <https://www.yololafco.org/yolo-local-government-website-transparency-scorecards>.

PASSED AND ADOPTED by the Yolo Local Agency Formation Commission, State of California, this 27th day of July 2023, by the following vote:

Ayes:
Noes:
Abstentions:
Absent:

Olin Woods, Chair
Yolo County Local Agency Formation Commission

Attest:



Christine Crawford, Executive Officer
Yolo County Local Agency Formation Commission

Approved as to form:



Eric May, Commission Counsel

Joint Powers Agency Service Review for the



WOODLAND-DAVIS
Clean Water Agency

LAFCo No. 23-02



Public Hearing Draft July 6, 2023



Joint Powers Agency Service Review for the Woodland-Davis Clean Water Agency (LAFCo No. 23-02)

SUBJECT AGENCY:

Woodland-Davis Clean Water Agency
Regional Water Treatment Facility Office
855 County Road 102
Woodland, CA 95776
www.wdcwa.com

Board Members:

Josh Chapman, Chair (Davis City Council)
Tom Stallard, Vice-Chair (Woodland City Council)
Bapu Vaitla, Director (Davis City Council)
Rich Lansburgh, Director (Woodland City Council)
Camille Kirk*, Director (UC Davis)
Angel Barajas*, Director (Yolo County)
**Participating Agency, Non-Voting Member*

Staff Contact(s):

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tim.busch@cityofwoodland.org

Stan Gryczko, WDCWA Operations Manager (City of Davis Public Works Utilities & Operations Director)
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sgryczko@cityofdavis.org

CONDUCTED BY:

Yolo Local Agency Formation Commission
625 Court Street, Suite 107
Woodland, CA 95695
(530) 666-8048
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Gary Sandy, Vice Chair, County Member
Norma Alcala, City Member
Bill Biasi, City Member
Lucas Frerichs, County Member

Commission Alternates:

Richard DeLiberty, Public Member
Angel Barajas, County Member
Gloria Partida, City Member

Staff:

Christine Crawford, Executive Officer
Terri Tuck, Admin Specialist/Commission Clerk
Eric May, Counsel

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BACKGROUND

ROLE AND RESPONSIBILITY OF LAFCO

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

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

PURPOSE OF A JPA SERVICE REVIEW

LAFCo has broad discretion in conducting informational studies, including geographic focus, scope of study, and the identification of alternatives for improving the efficiency, cost-effectiveness, accountability, and reliability of public services. In 2017, the cities and the County requested LAFCo apply its MSR process to some of the local joint power authorities/agencies (JPAs) in order to provide additional oversight¹. The intent of the JPA Services Review is to provide a comprehensive inventory and analysis of the services provided by local JPAs, service areas, and evaluation of the finances, structure and operation of the local agency and discuss possible areas for improvement and coordination. From the state required MSR determinations, the following determinations remain relevant to the comprehensive inventory and analysis of local JPAs:

1. Growth and population projections for the service area;
2. Present and planned capacity of any public facilities, adequacy of services, and infrastructure needs or deficiencies;
3. Financial ability of agencies to provide services;
4. Status of, and opportunities for, shared services and facilities; and
5. Accountability for community service needs, including governmental structure and operational efficiencies.

The JPA Service Review is organized according to these determinations listed above. Information regarding each of the above issue areas is provided in this document. This report has been organized in a checklist format to focus the information and discussion on key issues that may be particularly relevant to the subject agency.

¹ Yolo Local Government Transparency and Accountability Program adopted by the cities and County Oct/Nov 2017

AGENCY PROFILE

The Woodland-Davis Clean Water Agency (WDCWA or "Agency") is a joint powers authority formed in 2009 responsible for managing a sustainable, high-quality water supply for the cities of Woodland and Davis, and UC Davis. The Agency constructed and is now managing a regional surface water supply project to serve more than two-thirds of the urban population of Yolo County. The Agency is overseen by a six-member Board comprised of two City Council Members from each city, and two non-voting members, one each from UC Davis and Yolo County.

The primary goals of the surface water project include:

- Provide a new water supply to help meet existing and future needs
- Improve drinking water quality
- Improve the quality of treated wastewater

Project Detail

The project includes a jointly owned and operated intake on the Sacramento River (WDCWA in partnership with Reclamation District 2035), a raw water pipeline connecting the intake to a regional water treatment facility, and separate pipelines delivering treated water to Woodland, Davis, and UC Davis. Woodland and Davis each made improvements to their own water supply infrastructure, including distribution pipelines, water storage tanks and booster pump stations. Construction of the project facilities, including the regional water treatment facility began April 2014.

The project diverts up to 45,000 acre-feet of water per year from the Sacramento River under WDCWA's SWRCB water right. Water rights were granted in March 2011 and are subject to conditions imposed by the State. Water diversions are limited during summer and other dry periods. A more senior water right for 10,000 acre-feet was purchased from the Conaway Preservation Group (a majority landowner of Reclamation District 2035) to provide summer water supply. Groundwater will continue to be used in Davis during periods when demand for water cannot be met with surface water supplies alone. The City of Woodland will rely on its Aquifer Storage Recovery (ASR) wells to meet peak demand and continue to maintain groundwater wells as a backup supply.

The water treatment facility can supply up to 30 million gallons of water per day, with an option for future expansion to 34 million gallons per day. Of the 30 million gallons per day, Woodland's share of treated surface water is 18 million gallons per day, Davis' share is 10.2 million gallons per day, and UC Davis' share is 1.8 million gallons per day. Approximately 4.5 miles of pipeline transports "raw" water from the surface water intake on the Sacramento River to the water treatment plant located south of Woodland. From there, the treated water travels 7.8 miles via pipeline to Davis, and approximately 1.4 miles to Woodland.

The cost for project development and implementation was \$279.2 million. The bulk of the project is funded through customer water rates. Actions to reduce Project cost impacts to customers, included:

- Secured state and federal funding to reduce projected rate increases.
- Partnering with Reclamation District 2035 to jointly finance, construct, own, and operate the water intake facility.
- Awarding a Design-Build-Operate (DBO) service contract for the construction of project facilities. The Agency selected CH2M Hill, a highly qualified contractor, to design, build, operate and maintain the water treatment facility. This resulted in lower construction costs and reduced fixed costs for operations for up to 15 years.
- Appropriately sizing the water treatment facility based on detailed studies of current and future anticipated demand for water.

With the completion and acceptance of all project capital facilities in 2016, the Agency's focus has transitioned to overseeing operations and maintenance of facilities, management of water supply and deliveries pursuant to applicable water rights and delivery contracts and servicing long-term debt obligations.

Agency Staff

The Cities of Davis and Woodland charge the WDCWA for administrative services provided throughout the year for use of administrative staff, accounting systems, and other administrative services provided to the Agency. The WDCWA General Manager is the City of Woodland Principal Utilities Engineer and the WDCWA Operations Manager is the City of Davis Public Works Utilities & Operations Director. The Agency also contracts for a part-time Board Secretary. The Agency has a significant contractual agreement with CH2M Hill for operation of the Water Supply Project.

MUNICIPAL SERVICE REVIEW

POTENTIALLY SIGNIFICANT MSR DETERMINATIONS

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

- | | |
|--|---|
| <input type="checkbox"/> Growth and Population | <input type="checkbox"/> Shared Services |
| <input type="checkbox"/> Capacity, Adequacy & Infrastructure to Provide Services | <input checked="" type="checkbox"/> Accountability, Structure, and Efficiencies |
| <input checked="" type="checkbox"/> Financial Ability | <input type="checkbox"/> Status of Previous MSR Recommendations |

LAFCO MUNICIPAL SERVICE REVIEW:

- On the basis of this initial evaluation, the required determinations are not significant, and staff recommends that an MSR is NOT NECESSARY. The subject agency will be reviewed again in five years per Government Code Section 56425(g).
- The subject agency has potentially significant determinations and staff recommends that a comprehensive MSR IS NECESSARY and has been conducted via this checklist.

| 1. Growth and Population | Significant Issue | Potentially Significant | No Issue |
|--|--------------------------|--------------------------|-------------------------------------|
| Growth and population projections for the affected area. | | | |
| a) <i>Will development and/or population projections over the next 5-10 years impact the subject agency's service needs and demands?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) <i>Do changes in demand suggest a change in services?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

According to the State Department of Finance population projections², the City of Davis population decreased from 66,687 as of January 1, 2021 to 64,869 in 2022, a decrease of -2.7%. The City of Woodland population is estimated to have also declined from 60,999 as of January 1, 2021 to 60,137 in 2022, a

² State of California Department of Finance Population Estimates for Cities, Counties, and the State – January 1, 2021 and 2022

decrease of -1.4%. However, projections suggest the population countywide will go up 8% by 2030 and 19% in 2040³.

Growth and Population MSR Determination:

Growth and population projections are not anticipated to impact the subject agency’s service needs and demands or suggest a change in services. The WDCWA manages the operation of the water diversion project and treatment facility that can supply up to 30 million gallons of water per day, with an option for future expansion to 34 million gallons per day. It is the responsibility of the cities of Woodland and Davis to manage demand and capacity to supply water. Groundwater will continue to be used in Davis during periods when demand for water cannot be met with surface water supplies alone. The City of Woodland can utilize Aquifer Storage Recovery (ASR) wells to meet additional demand and planned in its 2035 General Plan.

Recommendation(s):

None.

2. Capacity and Adequacy of Public Facilities and Services

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

| | Significant Issue | Potentially Significant | No Issue |
|--|--------------------------|--------------------------------|-------------------------------------|
| a) <i>Are there any deficiencies in the infrastructure, equipment, and capacity of agency facilities to meet <u>existing</u> service needs for which the agency does not have a plan in place to resolve (including deficiencies created by new state regulations)?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) <i>Are there any issues regarding the agency’s capacity and ability to meet the service demand of reasonably foreseeable <u>future</u> needs?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) <i>Are there any service needs or deficiencies for disadvantaged unincorporated communities related to sewers, municipal and industrial water, and structural fire protection within or contiguous to the agency’s sphere of influence?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) <i>Is the agency needing to consider climate adaptation in its assessment of infrastructure/service needs?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

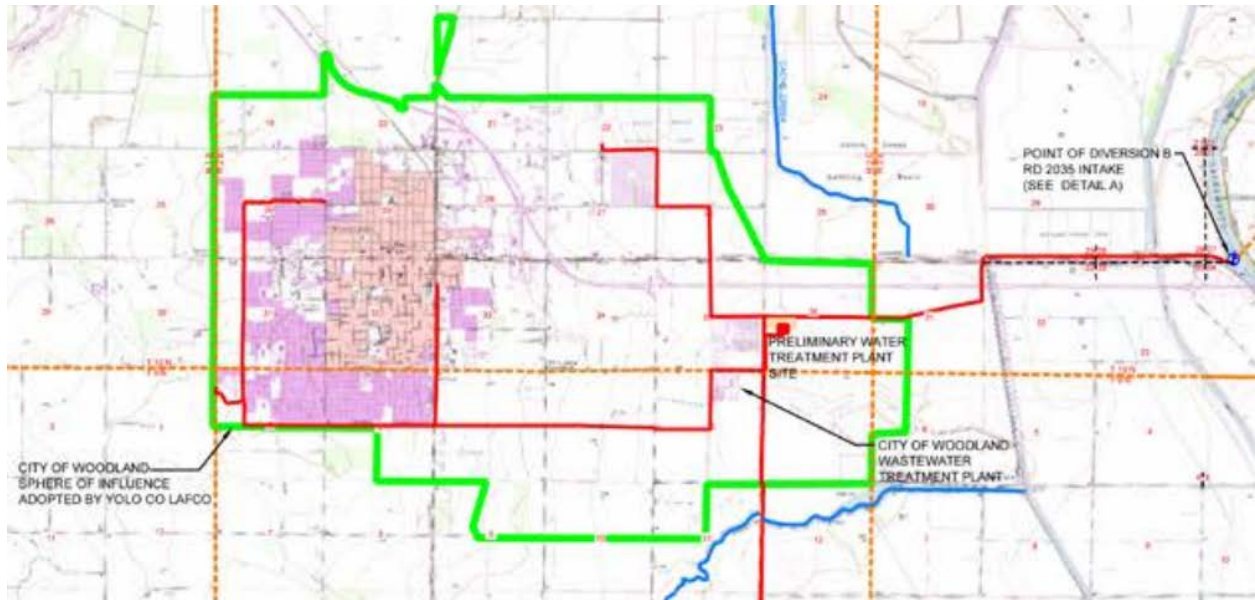
WDCWA’s infrastructure is relatively new considering its lifespan with construction being completed in 2016. Approximately 5.1 miles of pipeline transport "raw" water from the surface water intake on the Sacramento River to the water treatment plant located south of Woodland. From there, the treated water is conveyed via pipeline 7.8 miles to Davis, and up to 1.4 miles to Woodland. Additional information regarding project construction can be found on WDCWA’s website here: <https://www.wdcwa.com/project-history>

Upon completion of the project, the Agency conveyed the infrastructure roughly within the cities to each city, whereby they would be responsible for the ownership, operation, maintenance, repair, replacement, modification, and improvement going forward. The WDCWA owns the infrastructure generally in the unincorporated areas, and there is a defined point where infrastructure and water ownership transfers to

³ Report P-2A: Total Estimated and Projected Population for California and Counties: July 1, 2010 to 2060. Projections Prepared by Demographic Research Unit, California Department of Finance, July 2021.

the cities. The Agency has no obligation to operate, maintain, repair, replace, modify, or improve any member individually owned project facilities.

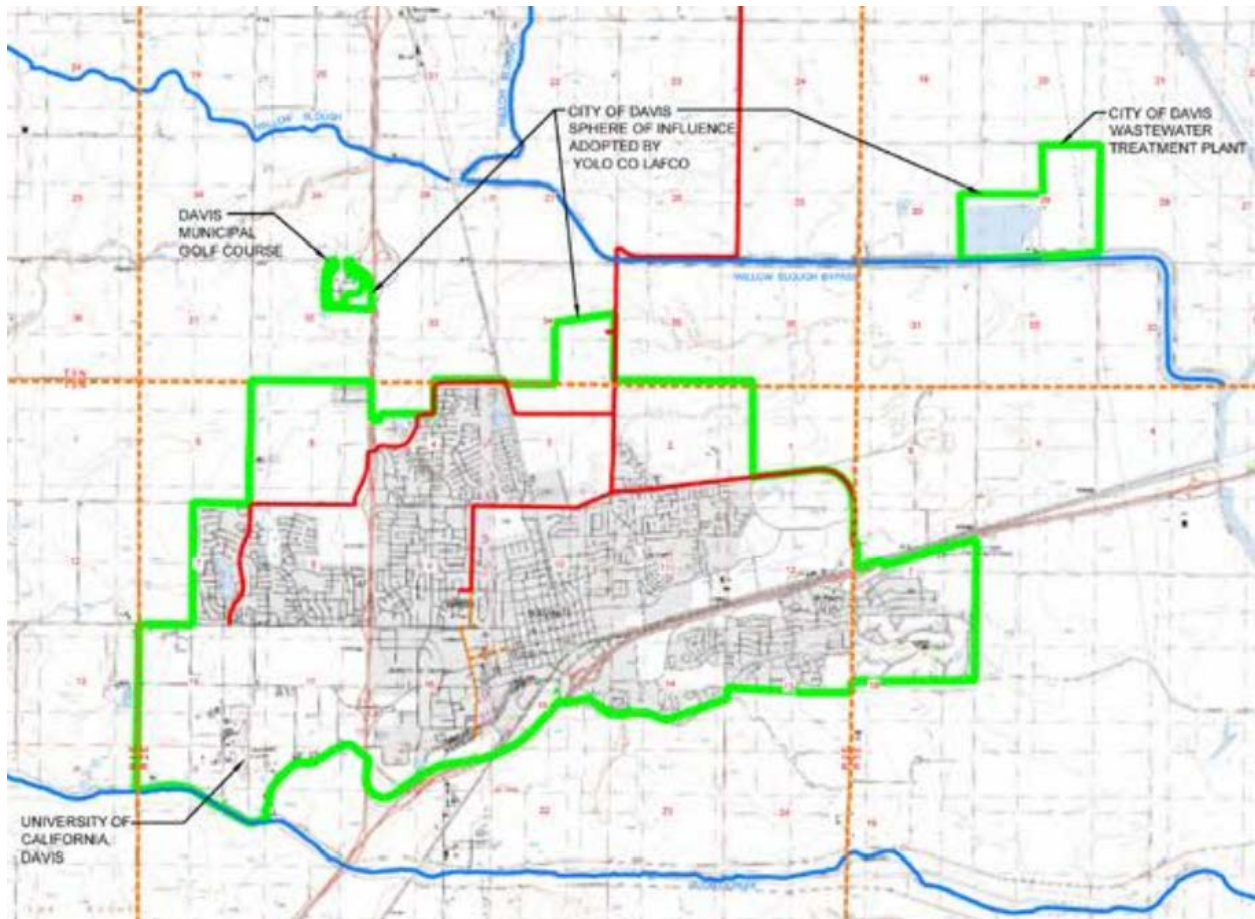
Woodland Area WDCWA Infrastructure



The water treatment facility can supply up to 30 million gallons of water per day, with an option for future expansion to 34 million gallons per day. The WDCWA water service provides an additional source of water supply to the cities to create more system resiliency. Groundwater will continue to be used in Davis during periods when demand for water cannot be met with surface water supplies alone. The City of Woodland can utilize Aquifer Storage Recovery (ASR) wells to meet additional demand.

State law regarding service needs or deficiencies for disadvantaged unincorporated communities related to water are not applicable to JPAs. Regardless, disadvantaged unincorporated communities contiguous to the cities of Woodland and Davis have been connected to city water service. WDCWA was formed and the project implemented to create additional water supplies for resiliency to adapt to climate changes.

Davis Area WDCWA Infrastructure



Capacity and Adequacy MSR Determination:

WDCWA's infrastructure is relatively new considering its lifespan, with construction being completed in 2016. The water treatment facility can supply up to 30 million gallons of water per day, with an option for future expansion to 34 million gallons per day. The WDCWA water service provides an additional source of water supply to the cities to improve their water quality and resiliency to adapt to climate changes. Groundwater will continue to be used in Davis during periods when demand for water cannot be met with surface water supplies alone. The City of Woodland can utilize Aquifer Storage Recovery (ASR) wells to meet additional demand.

Recommendation(s):

None.

YOLO LAFCO MUNICIPAL SERVICE REVIEW/SPHERE OF INFLUENCE STUDY

4. Financial Ability

Financial ability of agencies to provide services.

| | Significant Issue | Potentially Significant | No Issue |
|--|-------------------------------------|-------------------------------------|-------------------------------------|
| a) <i>Is the subject agency in a stable financial position, i.e. does the 5-year trend analysis indicate any issues?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) <i>Is there an issue with the organization's revenue sources being reliable? For example, is a large percentage of revenue coming from grants or one-time/short-term sources?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) <i>Is the organization's revenue sufficient to fund an adequate level of service, necessary infrastructure maintenance, replacement and/or any needed expansion? Is the fee inconsistent with the schedules of similar local agencies</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) <i>Does the subject agency have a capital improvement plan (CIP)? Has the agency identified and quantified what the possible significant risks and costs of infrastructure or equipment failure? Does the agency have a reserve policy to fund it?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) <i>Does the agency have any debt, and if so, is the organization's debt at an unmanageable level? Does the agency need a clear debt management policy, if applicable?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) <i>Can the subject agency improve its use of generally accepted accounting principles including: summaries of all fund balances, summaries of revenues and expenditures, general status of reserves, and any un-funded obligations (i.e. pension/retiree benefits)? Does the agency have accounting and/or financial policies that guide the agency in how financial transactions are recorded and presented?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) <i>Does the agency staff need to review financial data on a regular basis and are discrepancies identified, investigated and corrective action taken in a timely manner? The review may include reconciliations of various accounts, comparing budgets-to-actual, analyzing budget variances, comparing revenue and expense balances to the prior year, etc. If the agency uses Yolo County's financial system and the County Treasury, does the agency review monthly the transactions in the County system to transactions the agency submitted to the County for processing?</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| h) <i>Does the agency board need to receive regular financial reports (quarterly or mid-year at a minimum) that provide a clear and complete picture of the agency's assets and liabilities, fully disclosing both positive and negative financial information to the public and financial institutions?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The 5-year financial trend for the total of all these funds is shown below⁴. The audits prepared for the WDCWA through 2020 do not include a Statement of Revenues, Expenditures, and Changes in Fund Balance (only net position) which is not typical, and therefore, the fund balance information is sourced instead from each year's 4th Quarter Financial Report. However, these are unaudited numbers and there's

⁴ WDCWA 4th Quarter Financial Reports for the years ended 2018-2022

YOLO LAFCO MUNICIPAL SERVICE REVIEW/SPHERE OF INFLUENCE STUDY

a discrepancy between the reported yearend balance for FYs 2019/20 and opening balance for FY 2020/21 as highlighted below that needs to be resolved.

**WOODLAND-DAVIS CLEAN WATER AGENCY JPA
STATEMENT OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCES**

| | 2018 | 2019 | 2020 | 2021 | 2022 |
|--|---------------------|---------------------|---------------------|---------------------|---------------------|
| Revenue | | | | | |
| City of Davis | \$ 5,924,596 | \$ 7,442,824 | \$ 7,228,082 | \$ 6,889,240 | \$ 6,908,401 |
| City of Woodland | 4,758,706 | 10,003,745 | 10,408,430 | 9,818,917 | 10,315,791 |
| UC Davis | 243,919 | 387,490 | 439,772 | 414,800 | 389,246 |
| Interest Earnings | 70,796 | 121,253 | 205,647 | - | - |
| Other | - | 633,357 | 325,890 | 154,156 | 909,783 |
| Total revenue | \$10,998,017 | \$18,588,669 | \$18,607,821 | \$17,277,113 | \$18,523,221 |
| Expenditures | | | | | |
| Administration/Contract Services | \$ 882,380 | \$ 534,736 | \$ 568,305 | \$ 504,073 | \$ 629,860 |
| Operations and Maintenance | 6,085,802 | 5,970,240 | 6,894,801 | 6,042,421 | 6,429,866 |
| Capital Project Costs | 366,496 | 913,690 | - | - | - |
| Debt Service | 8,104,630 | 9,991,788 | 10,656,968 | 10,656,969 | 10,656,969 |
| Subtotal Expenditures | \$15,439,308 | \$17,410,454 | \$18,120,074 | \$17,203,463 | \$17,716,694 |
| Capital Project Reimbursement | (3,671,281) | 1,648,367 | - | - | - |
| Total Disbursements/Commitments | \$11,768,027 | \$19,058,821 | \$18,120,074 | \$17,203,463 | \$17,716,694 |
| Net income (loss) | \$ (770,010) | \$ (470,152) | \$ 487,747 | \$ 73,650 | \$ 806,527 |
| Fund Balance | | | | | |
| Beginning fund balances | 11,409,496 | 10,639,486 | 10,169,344 | 8,454,267 | 8,527,917 |
| Ending fund balances | \$10,639,486 | \$10,169,334 | \$10,657,091 | \$ 8,527,917 | \$ 9,334,444 |
| Change in total Fund Balances | | | | | |
| Amount Increase (Decrease) | \$ (770,010) | \$ (470,152) | \$ 487,747 | \$ 73,650 | \$ 806,527 |
| % Increase (Decrease) | -6.75% | -4.42% | 4.80% | 0.87% | 9.46% |
| Debt | | | | | |
| Payments as % of total expenditures | 55% | 63% | 59% | 62% | 60% |

Financial Position and Ability to Provide/Maintain Services

The 5-year trend indicates that WDCWA is in a relatively stable financial position. Its fund balance has decreased 12% over the last five years, however, this could be due to the FY 2020/21 discrepancy in the opening balance being reported \$2.2 million lower than the previous closing balance that has yet to be resolved. In addition, the Agency did lower the reserve amount, which was maintained at a higher-level during construction, since ongoing operations costs and revenues are consistent. Revenues have

increased over the last five years and are keeping pace with expenditures for the last three FYs (since project construction was completed).

Agency revenues are entirely derived from contributions from member agencies. To support Agency operations, maintenance and debt obligations, the cities of Woodland and Davis have adopted respective multi-year water rate ordinances consistent with the public approval process required by Proposition 218. Therefore, WDCWA's revenue sources are reliable.

Capital costs of the Agency, as defined by the JPA Agreement, include costs of construction, financing, acquiring, planning, designing, environmental documentation and permitting, and the funding of a reasonable construction reserve. As defined in the JPA Agreement, all project facilities, other than any "individually-owned project facilities" as specified in the JPA Agreement, shall be owned by and held in the name of the Agency for the benefit of project participants. Upon completion of construction of any individually owned project facility, the Agency will convey all of its right, title and interest in the completed individually owned project facility to the Member Cities, whereby the Member Cities would be responsible for the ownership, operation, maintenance, repair, replacement, modification and improvement. The Agency has no obligation to operate, maintain, repair, replace, modify or improve any individually owned project facilities.

With the completion and acceptance of all project capital facilities in 2016, the Agency's focus has transitioned to overseeing operations and maintenance of facilities, management of water supply and deliveries pursuant to applicable water rights and delivery contracts and servicing long-term debt obligations. The most significant expenses in order of magnitude include debt service (60% of total expenses in FY 2022), operations and maintenance (36% of total expenses in FY 2022), and administration/contract services (4% of total expenses in FY 2022).

In September 2015, the Agency established a Contingency Reserve Fund which can be used to pay for (among other things) project capital improvements, repairs and replacements to the extent not covered under the Service Contract or Repair and Replacement Account. The balance in the Contingency Reserve Fund, as of June 30, 2020, was \$1,532,370.

WDCWA does not have a formal CIP at this time, however, WDCWA does occasionally have projects that are considered CIPs. Most such "projects" are rather minor repairs or design/construction component changes to improve operations. Since the Agency's infrastructure is new, it will likely need a formal CIP in future when larger repairs/replacements become necessary.

Agency Debt

The development and construction of the Project was completed within the budget of \$204.5 million, exclusive of \$67.0 million for local facilities constructed and funded directly by the cities of Woodland and Davis. UC Davis funded an additional \$7.7 million for campus-serving facilities. The bulk of the project was financed through a combined \$206.8 million in low-interest State Revolving Fund loans secured by the cities of Davis and Woodland, to be re-paid through water rate revenues collected from water customers. The City of Davis holds WDCWA funds.

Per WDCWA's latest audit in 2020, it carries a significant amount of debt (\$218 million) with total assets valued at \$239 million. Debt payments are roughly 60% of total expenditures. Its current debt service payments extend until 2047. Its revenue sources are stable from water rates paid to the cities, which are contributed to the WDCWA.

Accounting Practices

WDCWA uses generally accepted accounting principles including summaries of revenues and expenditures and general status of reserves. Its Board received quarterly financial reports; however, quarterly reports could be improved by detailing the balances of all fund balances, including the Contingency Reserve Fund established in 2015.

WDCWA funds were originally held at the City of Davis but have transferred and are now held by the City of Woodland. Staff may need to review financial data on a regular basis for discrepancies to be identified,

investigated and corrective action taken. LAFCo staff notified WDCWA on March 21, 2023, regarding a significant discrepancy in the closing June 30, 2020 and opening July 1, 2020 balance and it has not been resolved yet.

Financial Ability MSR Determination:

The 5-year trend indicates that WDCWA is in a relatively stable financial position. Since project construction was completed and all reimbursements resolved in 2019, the WDCWA has operated with a positive cash flow in the last three fiscal years. WDCWA holds a significant amount of debt at \$218 million as of its latest audit in 2020 and roughly 60% of its expenditures goes towards debt service payments that will extend until 2047.

The WDCWA may benefit from more involved financial oversight. The Agency was regularly audited each year up until 2020 but has not had an audit since. The fiscal year 2019/20 audit was completed late, and then the accounting transitioned from the City of Davis to the City of Woodland at the beginning of FY2020/21. Auditors are now in place to catch up and perform all audits after fiscal year 2019/20 was completed. Past audits have not included fund balance information, which is unusual in LAFCo staff experience. The quarterly financial reports present unaudited fund balance information, but it does not detail the different reserves used such as the Contingency Reserve Fund, which would be valuable information to operations staff.

There is a discrepancy in the WDCWA's financial reports between the closing yearend balance June 30, 2020, and the July 1, 2020, opening balance by more than \$2 million that will need to be resolved in the upcoming audits. The 5-year trend shows the WDCWA's fund balance has decreased 12% over the last five years, however, this could be due to this discrepancy.

Recommendation(s):

- The WDCWA Treasurer should review financial data on a regular basis and ensure any discrepancies are identified, investigated and corrective action taken in a timely manner.
- WDCWA audits should include a Statement of Revenues, Expenditures, and Changes in Fund Balance including detail of any individual reserve accounts.

5. Shared Services and Facilities

Status of, and opportunities for, shared facilities.

| | Significant Issue | Potentially Significant | No Issue |
|---|--------------------------|--------------------------------|-------------------------------------|
| a) <i>Are there any opportunities for the organization to share services or facilities with neighboring, overlapping, or other organizations that are not currently being utilized?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

None.

Shared Services MSR Determination:

WDCWA was formed as a shared agency operation including the cities of Woodland and Davis, and UC Davis (and Yolo County as a non-voting member that does not receive a water supply). It also partnered with Reclamation District 2035 on the Sacramento River intake facility. WDCWA also coordinates with multiple regional and state entities to efficiently provide an additional water supply to member agencies.

Recommendation(s):

None.

YOLO LAFCo MUNICIPAL SERVICE REVIEW/SPHERE OF INFLUENCE STUDY

6. Accountability, Structure, and Efficiencies

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

| | Significant Issue | Potentially Significant | No Issue |
|--|-------------------------------------|--------------------------|-------------------------------------|
| a) <i>Are there any recommended changes to the organization's governmental structure or operations that will increase accountability and efficiency (i.e. overlapping boundaries that confuse the public, service inefficiencies, and/or higher costs/rates)?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) <i>Does the agency need to secure independent audits of financial reports that meet California State Controller requirements? Are the same auditors used for more than six years? Are audit results <u>not</u> reviewed in an open meeting?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) <i>Is the agency insured or in a risk management pool to manage potential liabilities?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) <i>Are there any issues with filling board vacancies and maintaining board members? Is there a lack of board member training regarding the organization's program requirements and financial management?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) <i>Are there any issues with staff capacity and/or turnover? Is there a lack of staff member training regarding the organization's program requirements and financial management?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) <i>Does the agency have adequate policies (as applicable) relating to personnel/payroll, general and administrative, board member and meetings, and segregating financial and accounting duties among staff and/or board to minimize risk of error or misconduct (see suggested policies list)?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) <i>Does the organization need to improve its public transparency via a website (see https://www.yololaftco.org/yolo-local-government-website-transparency-scorecards)?</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The Agency is overseen by a six-member Board comprised of two City Council Members from each city, and two non-voting members, one each from UC Davis and Yolo County. The WDCWA General Manager is the City of Woodland Principal utilities Engineer and the WDCWA Operations Manager is the City of Davis Public Works Utilities & Operations Director. The Agency contracts for part-time Board Secretary services. The Agency has a significant contractual agreement with CH2M Hill for operation of the Water Supply Project.

WDCWA is audited on an annual basis and posts audits and budget information on its website. It has not had an audit performed since 2020, but auditors are now in place to perform all audits after fiscal year 2019/20 was completed and get caught up.

The Agency is a member of the Yolo County Public Agency Risk Management Insurance Authority which provides annual coverage for general liability and automobile liability. The excess coverage for both general liability and automobile liability insurance is \$40,000,000 with a deductible of \$5,000. The Agency has not had any settlements in excess of the coverage in the last three years.

The JPA agreement provides for bylaws regarding board meetings and members. Other policies are covered by the cities of Woodland and Davis in particular as managing/holding the agency finances.

YOLO LAFCo MUNICIPAL SERVICE REVIEW/SPHERE OF INFLUENCE STUDY

WDCWA received a 65% score in the most recent 2022 Yolo Local Government Website Transparency Scorecard⁵.

Accountability, Structure, and Efficiencies MSR Determination:

There are no recommended changes to the organization’s governmental structure or operations. In the past WDCWA has had audits performed on an annual basis, but there has been a gap since FY 2020 although auditors have recently been secured by the Agency to get caught up. WDCWA also needs to update its website content to improve its transparency.

Recommendation(s):

- Update WDCWA content to improve website transparency. See the most recent Yolo Local Government Website Transparency Scorecard posted on the LAFCo website to see where improvements are needed: <https://www.yololafco.org/yolo-local-government-website-transparency-scorecards>.

7. Status of Previous MSR Recommendations

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

| | Significant Issue | Potentially Significant | No Issue |
|--|--------------------------|--------------------------------|-------------------------------------|
| a) <i>Are there any recommendations from the agency’s previous MSR that have not been implemented?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

None.

Status of Previous MSR Recommendations Determination:

This is the first JPA Service Review conducted on WCDWA. Therefore, there are no previous recommendations to provide status on.

Recommendation(s):

None.

⁵ <https://www.yololafco.org/yolo-local-government-website-transparency-scorecards>

LAFCO

Meeting Date: 07/27/2023

Information

SUBJECT

Consider **Resolution 2023-04** authorizing the City of Woodland to provide out of agency water and sewer services to APN 027-270-074 located on the southeast corner of County Road 99 and County Road 19A and find the project is categorically exempt from CEQA (LAFCo No. 23-04)

RECOMMENDED ACTION

Adopt Resolution 2023-04 authorizing the City of Woodland to provide out of agency water and sewer services to APN 027-270-074 located on the southeast corner of County Road 99 and County Road 19A and find the project is categorically exempt from CEQA (LAFCo No. 23-04)

FISCAL IMPACT

None. LAFCo will be reimbursed for staff time associated with processing this request in accordance with the adopted fee schedule.

REASONS FOR RECOMMENDED ACTION

In accordance with the Cortese-Knox-Hertzberg Act Section 56133, the Commission may authorize the City to provide extended services outside its jurisdictional boundary to an area within its sphere of influence in anticipation of a later change of organization. In May 2022, LAFCo approved an extension of City of Woodland water and sewer services for the construction of the Yolo Cold Storage Facility, a 224,000 square foot regional-serving cold storage facility used for the cold and dry storage of palletized agricultural commodities that require controlled temperatures to serve the region. LAFCo is now being asked to approve an additional extension of City services to the adjacent vacant parcel for future development per existing zoning. There are no additional parcels at this interchange zoned for development that are not already served by City services and the surrounding parcels are all zoned Agriculture-Intensive, therefore it would not be growth inducing.

BACKGROUND

The Out of Agency Services approval is consistent with Yolo LAFCo's Project Policies, specifically its Standards of Evaluation (Section 3.3), and the City of Woodland Sphere of Influence. Extended services already serve the adjacent parcel to the southeast, would only serve this 4.0 +/- parcel already zoned C-H (Highway Services Commercial), and would not be considered growth-inducing. LAFCo anticipates an application for annexation in 3-5 years. Yolo County Department of Community Services staff supports this request as its General Plan policies strongly encourage water and sewer services over individual well and septic systems and would result in a more desirable development if connected to municipal services. Water and sewer supply would be provided by the City of Woodland through connections to existing water and sewer mains extended for the adjacent Yolo Cold Storage Facility. The City of Woodland has agreed to provide services and has provided LAFCo with a will-serve letter contingent upon the developer and the City agreeing to terms for construction and connection, specifically the payment of impact fees and agreeing to future annexation.

CEQA

Staff has reviewed the project and recommends that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15303(d) (New Construction or Conversion of Small Structures) of the CEQA Guidelines, including "water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction." It is also exempt pursuant to CEQA Guidelines Section 15304(f) (Minor Alterations to Land) including "minor trenching and back filling where the surface is restored". Yolo LAFCo's approval authorizes extension of water and sewer services to the subject parcel for future development per existing C-H (Highway Services Commercial) zoning and CG (Commercial General) designation in the Yolo County General Plan. Yolo County General Plan policies also strongly encourage water and sewer services over individual well and septic systems for environmental reasons. Therefore, the proposed project qualifies for the exemption under CEQA Guidelines Sections 15303(d) and 15304(f).

Attachments

ATT A-Project Location and Yolo County Zoning

ATT B-Resolution 2023-04 City of Woodland OOA APN 027-270-074 July 27, 2023

ATT C-City of Woodland Will Serve Letter APN 027-270-074 2023.07.13

Form Review

Inbox

Christine Crawford (Originator)
Form Started By: Christine Crawford
Final Approval Date: 07/19/2023

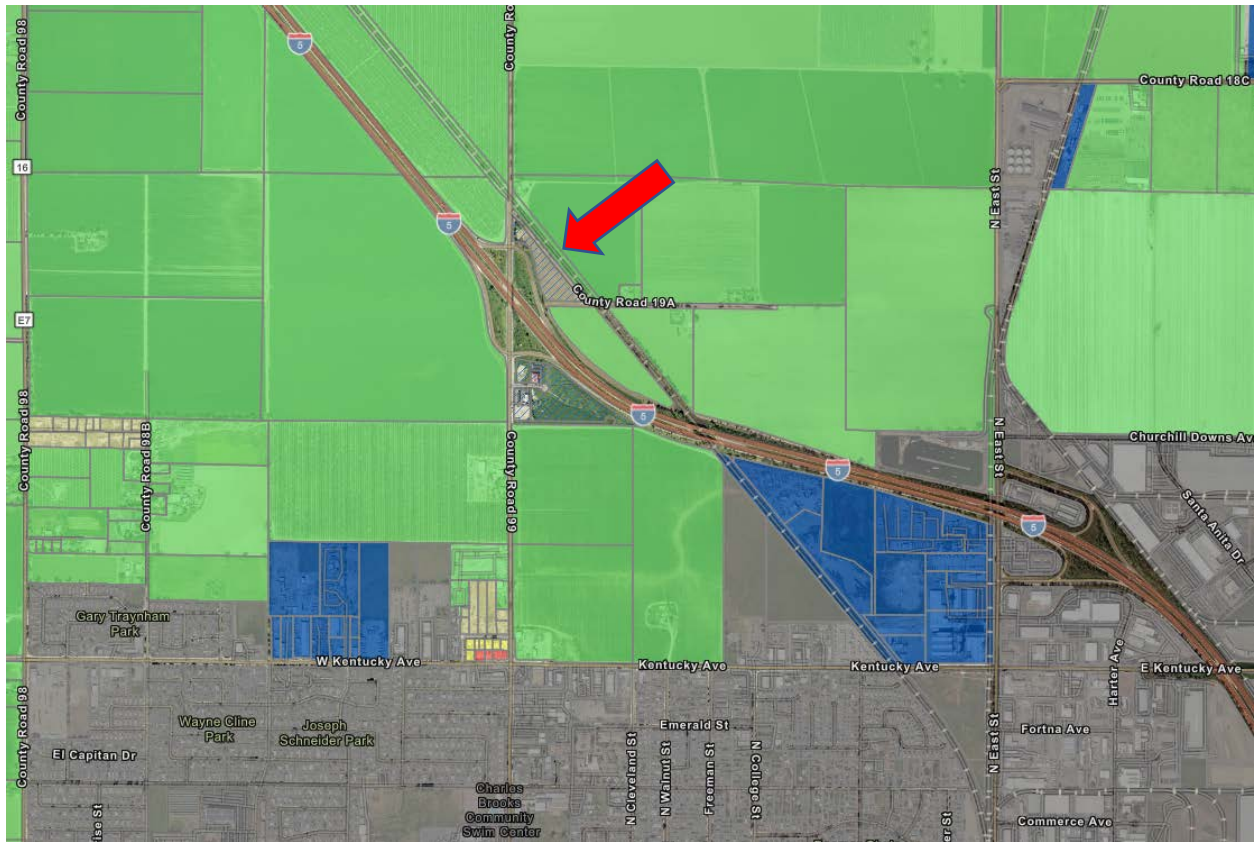
Reviewed By

Christine Crawford

Date

07/19/2023 09:56 AM
Started On: 07/18/2023 01:13 PM

Project Location and Yolo County Zoning



RESOLUTION № 2023-04

AUTHORIZE THE CITY OF WOODLAND TO PROVIDE OUT OF AGENCY WATER AND SEWER SERVICES TO APN 027-270-074 LOCATED AT THE SOUTHEAST CORNER OF COUNTY ROAD 99 AND COUNTY ROAD 19A AND FIND THE PROJECT IS CATEGORICALLY EXEMPT FROM CEQA (LAFCO NO. 23-04)

WHEREAS, on July 14, 2023, Woodyard, LLC submitted an application to extend City of Woodland services outside the City’s jurisdictional boundaries to a 4.0 +/- acre property APN 027-270-074 in order to provide water and sewer services to the parcel for development (“Project”), per its existing C-H (Highway Services Commercial) zoning and CG (Commercial General) designation in the Yolo County General Plan; and

WHEREAS, in accordance with the Cortese Knox Hertzberg Act, Government Code Section 56133, the Yolo Local Agency Formation Commission (“Yolo LAFCo”) may authorize an agency to provide extended services outside its jurisdictional boundary but within its sphere of influence in anticipation of a later change or organization; and

WHEREAS, the project was analyzed in accordance with Government Code Section 56133 and Yolo LAFCo’s local policy for Out of Agency Service Review adopted August 22, 2019; and

WHEREAS, the Project is consistent with Yolo County General Plan policies that strongly encourage municipal water and sewer services over individual well and septic systems, and would result in a more desirable development if connected to municipal services; and

WHEREAS, the Executive Officer reviewed the proposal and prepared and filed a report with recommendations with this Commission at least five (5) days prior to the date of the July 27, 2023 meeting during which the project was set to be considered; and

WHEREAS, at said meeting, the Commission reviewed and considered the CEQA documentation and the Executive Officer’s Report including all the information, recommendations, findings, and conditions contained therein; and

WHEREAS, an opportunity was given to all interested persons, organizations, and agencies to present oral or written testimony, protests, objections, and any other information concerning the Project and all related matters.

NOW, THEREFORE, BE IT RESOLVED that the Yolo LAFCo authorizes the City of Woodland to provide out of agency water and sewer services to the 4.0 +/- acre property APN 027-270-074, located at the southeast corner of County Road 99 and County Road 19A as shown in Exhibit A (LAFCo No. 23-04) subject to the following findings and conditions of approval:

Findings

1. **Finding**: The Project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(d) (New Construction or Conversion of Small Structures) and 15304(f) (Minor Alterations to Land).

Evidence: Staff has reviewed the project and recommends that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15303(d) (New Construction or Conversion of Small Structures) of the CEQA Guidelines,

including “water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.” It is also exempt pursuant to 15304(f) (Minor Alterations to Land) including “minor trenching and backfilling where the surface is restored”. Yolo LAFCo’s approval authorizes extension of water and sewer services to the subject parcel for future development per existing C-H (Highway Services Commercial) zoning and CG (Commercial General) designation in the Yolo County General Plan. Yolo County General Plan policies strongly encourage water and sewer services over individual well and septic systems for environmental reasons. There are no additional parcels at this interchange zoned for development that are not already served by City services and the surrounding parcels are all zoned Agriculture-Intensive, therefore it would not be growth inducing. Future development plans have not been finalized, and any future changes in land use will be considered by the Yolo County Planning Division. Absent approval of this Project, development would proceed through use of septic and groundwater. Therefore, the Project is in itself not growth-inducing and qualifies for the exemption under CEQA Guidelines Sections 15303(d) and 15304(f).

2. **Finding:** Approval of Out of Agency Services for the project is consistent with LAFCo policies and is a logical extension of City of Woodland services.

Evidence: The Out of Agency Services approval is consistent with Yolo LAFCo's Project Policies, specifically its Standards of Evaluation (Section 3.3), and the City of Woodland Sphere of Influence. Extended services already serve the adjacent parcel to the southeast, would only serve this 4.0 +/- parcel already zoned C-H (Highway Services Commercial). The Project would not be considered growth-inducing because absent approval of this Project, development would proceed through use of septic and groundwater. There are no additional parcels at this interchange zoned for development that are not already served by City services and the surrounding parcels are all zoned Agriculture-Intensive. LAFCo anticipates an application for annexation in 3-5 years. Yolo County Department of Community Services staff supports this request as its General Plan policies strongly encourage water and sewer services over individual well and septic systems and would result in a more desirable development if connected to municipal services. Water and sewer supply would be provided by the City of Woodland through connections to existing water and sewer mains extended for the adjacent Yolo Cold Storage Facility. The City of Woodland has agreed to provide services and has provided LAFCo with a will-serve letter contingent upon the developer and the City agreeing to terms for construction and connection, specifically the payment of impact fees and agreeing to future annexation.

Conditions of Approval

1. To the extent allowed by law, the applicant and the real party of interest, if different, agree to defend, indemnify, hold harmless and release the Yolo Local Agency Formation Commission, its agents, officers, attorney and employees from any claim, action or proceeding brought against any of them, the purpose of which to attack, set aside, void, or annul the approval of this application or adoption of the environmental review which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent passive negligence of the part of the Yolo Local Agency Formation Commission its agents, officers, attorney or employees.
2. This approval is subject to the City of Woodland and the developer agreeing to terms for service construction and connection, including the payment of impact fees and agreeing to future annexation, among other items.

PASSED AND ADOPTED by the Local Agency Formation Commission, County of Yolo, State of California, this 27th day of July 2023, by the following vote.

AYES:

NOES:

ABSENT:

Olin Woods, Chair
Yolo Local Agency Formation Commission

ATTEST:



Christine Crawford, Executive Officer
Yolo Local Agency Formation Commission

Approved as to form:



Eric May, Commission Counsel

July 13, 2023

Jim Donovan
YSF Partners, LLC
PO BOX 60614
San Diego, CA 92166

RE: Water/Sewer Will Serve Letter, APN 027-270-074 (YSF Partners, LLC)

Dear Mr. Donovan:

The City of Woodland Community Development Department is aware of your plans to develop the vacant property located at the southeast corner of County Road 99 and County Road 19A in Yolo County, California (APN 027-270-074). This letter confirms that the above-mentioned property is located within the City of Woodland's sphere of influence and will be provided with water and sewer service upon construction of the necessary infrastructure required to connect to the City system.

The commitment to provide water and sewer service is conditional based on the City and the developer agreeing to terms related to their development. This agreement will include, but is not limited to, the payment of impact fees and timing of future annexation.

If you should have any questions or require additional information, please do not hesitate to contact me at ed.wisniewski@cityofwoodland.org or (530) 661-5975.

Sincerely,



Ed Wisniewski, PE
Senior Civil Engineer
Development Services Engineering

LAFCO

Meeting Date: 07/27/2023

Information

SUBJECT

Continued item to consider nominations for the CALAFCO 2023 Achievement Awards

RECOMMENDED ACTION

1. Consider the information provided by CALAFCO on the 2023 Achievement Award nominations.
2. Consider directing staff to submit a nomination for the following:
 - Anita Paque, Calaveras LAFCo Public Member and CALAFCO Board Member and immediate past President, for the Outstanding CALAFCO Volunteer Award; and
 - Deborah Gilcrest, Nevada LAFCo Clerk/Analyst, for the Outstanding LAFCo Professional Award for her contributions to most recent Annual Conference and Staff Workshop.

FISCAL IMPACT

None.

REASONS FOR RECOMMENDED ACTION

We are invited to use this opportunity to nominate as many individuals, groups and/or agencies that we feel deserve recognition this year. These awards are intended to provide visible recognition to those who consistently go **above and beyond** in their work to advance the principles of LAFCo.

Nominations are being accepted until 5:00 p.m., Friday, August 18, 2023, in the following award categories:

- Outstanding CALAFCO Volunteer
- Outstanding CALAFCO Associate Member
- Outstanding Commissioner
- Outstanding LAFCo Professional
- Lifetime Achievement
- Legislator of the Year (must be approved by the full CALAFCO Board)
- Mike Gotch Excellence in Public Service Award (with two distinct categories):
 1. Protection of agricultural and open space lands and prevention of sprawl
 2. Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services

BACKGROUND

CALAFCO has provided the background information and the forms for Achievement Award nominations to each LAFCo in the state. 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.

Attachments

ATT A-CALAFCO 2023 Achievement Awards Nomination Info

Form Review

Inbox
Christine Crawford

Reviewed By
Christine Crawford

Date
07/20/2023 10:59 AM

Date: May 9, 2023

To: CALAFCO Members
LAFCo Commissioners and Staff
Other Interested Organizations

From: Anita Paque, Committee Chair
CALAFCO Achievement Awards Committee
CALAFCO Board of Directors



Subject: 2023 CALAFCO Achievement Award Nominations Period Open

Deadline: 5:00 p.m., Friday, August 18, 2023

On behalf of the Association, I am pleased to announce that the nomination period for the 2023 CALAFCO Achievement Awards is now open!

Each year, CALAFCO is honored to recognize outstanding achievements by dedicated and committed individuals and/or organizations from throughout the state at its Annual Conference Achievement Awards Ceremony. This year's ceremony will be held on October 19 at the Hyatt Regency Monterey, during the awards banquet.

Recognizing individual and organizational achievements is an important responsibility. It provides visible recognition and support to those who have gone **above and beyond** over the last year to advance the principles and goals of the Cortese-Knox-Hertzberg Act. We invite you to use this opportunity to nominate the individuals and organizations you feel deserve this important recognition based on the criteria outlined.

Before submitting a nomination, *please carefully review the nomination instructions and the criteria for each award as incomplete nominations, and nominations that do not adhere to the submission guidelines, will not be considered by the Committee.*

ACHIEVEMENT AWARDS NOMINATION PROCEDURE:

1. Nominations may be made by an individual, a LAFCo, a CALAFCO Associate Member, or any other organization.
2. Each nomination must meet the specific award category criteria for consideration. The Committee will not consider any nomination for an award for any category other than the one for which it was submitted. Duplicate nominations *will not be considered by the Committee.*
3. Nominations **must be submitted with a completed nomination form.** Please use a separate form for each nomination. The form is your opportunity to highlight the most important points of your nomination.
4. Nomination *Executive Summaries* must be **limited to no more than 250 words in length.** Nomination *Summaries* must be **limited to no more than 1,000 words or 2 pages in length maximum.** You are encouraged to write them in a clear, concise and understandable manner. If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount *will not be considered by the Committee.*

5. All supporting information (e.g. reports, news articles, etc.) must be submitted with the nomination. **Limit supporting documentation to no more than 3 pages.** If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount **will not be considered by the Committee.**
6. All nomination materials must be submitted at one time and must be received by the deadline. No late nominations will be accepted – no exceptions. Electronic submittals are required and must be submitted as pdf document, using the fillable pdf document provided.
7. **Nominations and supporting materials must be received no later than 5:00 p.m., Friday, August 18, 2023.** Send nominations via e-mail to:

Stephen Lucas, CALAFCO Executive Officer
slucas@buttecounty.net

You may contact Steve Lucas, CALAFCO Executive Officer, at slucas@buttecounty.net or (530) 538-7784 with any questions.

Members of the 2023 CALAFCO Board of Directors Awards Committee

Board Members:

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| <i>Anita Paque</i> , Committee Chair (Calaveras LAFCo, Central Region) | apaque@calafco.org |
| <i>Michael Kelley</i> (Imperial LAFCo, Southern Region) | mkelley@calafco.org |
| <i>Debra Lake</i> (Humboldt LAFCo, Northern Region) | dlake@calafco.org |
| <i>Margie Mohler</i> (Napa LAFCo, Coastal Region) | mmohler@calafco.org |
| <i>Shane Stark</i> (Santa Barbara LAFCo, Coastal Region) | sstark@calafco.org |

Regional Officer Members:

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| <i>Steve Lucas</i> , CALAFCO Executive Officer (Northern Region) | slucas@buttecounty.net |
| <i>José Henriquez</i> , CALAFCO Deputy Executive Officer (Central Region) | henriquezj@saccounty.net |
| <i>Dawn Longoria</i> , CALAFCO Deputy Executive Officer (Coastal Region) | dlongoria@napa.lafco.ca.gov |
| <i>Gary Thompson</i> , CALAFCO Deputy Executive Officer (Southern Region) | gthompson@lafco.org |

Attachments:

- 2023 Achievement Award nomination form
- Achievement Award categories, nomination and selection criteria
- Listing of prior Achievement Award recipients



CALAFCO ACHIEVEMENT AWARD CATEGORIES, NOMINATION & SELECTION CRITERIA

CALAFCO recognizes excellence within the LAFCo community and the full membership by presenting the *Achievement Awards* at the CALAFCO Annual Conference. Nominations are now open and being accepted until **5:00 p.m., Friday, August 18, 2023** in the following categories:

OUTSTANDING CALAFCO VOLUNTEER

Award Summary:

Recognizes a CALAFCO volunteer who has provided exemplary service during the past year. Exemplary service is service which clearly goes above and beyond that which is asked or expected in the charge of their responsibilities. This category may include a CALAFCO Board member, regional officer, program volunteer, or any other requested volunteer.

Nomination criteria:

1. Nominee must have volunteered for the Association during the year in which the nomination is being made.
2. Nominee does not have to be a CALAFCO member.
3. Volunteer efforts must have demonstrated the individual going above and beyond what was asked/expected with positive and effective results.
4. Nominee can be a CALAFCO Board member, regional officer, program volunteer or any other volunteer.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to each nominee, regardless of their position or role as a volunteer. Only the contributions and outcomes shall be considered, not the individual's position.
3. The extent of the volunteerism and the overall impact to the statewide Association and membership based on that volunteerism shall be considered.
4. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

OUTSTANDING CALAFCO ASSOCIATE MEMBER

Award Summary:

Presented to an active CALAFCO Associate Member (person or agency) that has advanced or promoted the cause of LAFCos by consistently producing distinguished work that upholds the mission and goals of LAFCos and has helped elevate the role and mission of LAFCos through its work. Recipient consistently demonstrates a collaborative approach to LAFCo stakeholder engagement. Further, the individual or firm has a proven commitment to the Association membership through volunteering time and resources to further the cause of LAFCo and CALAFCO.

Nomination criteria:

1. Nominee must be a CALAFCO Associate Member in good standing with the Association.
2. Nominee shall be an Associate Member for the full year in which the nomination is being made.
3. The Associate Member nominated shall have been an Associate Member in good standing with the Association for at least one year prior to the year for which the nomination is being made.
4. As an Associate Member, the nominee may be an individual, firm or agency.
5. The nominee may be an individual within an Associate Member firm or agency.
6. Nominee shall demonstrate that through their work as an Associate Member, the role and mission of LAFCo has been upheld and furthered.
7. Nominee must have proven cooperative and collaborative approaches to situations and

solutions that affect LAFCo statewide as an Associate Member.

8. Proven commitment to the Association's membership as an Associate Member by volunteering resources to the Association during the year in which the nomination is made.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. The level of volunteering time and resources to the Association shall be a consideration with all other nomination criteria.

OUTSTANDING COMMISSIONER

Award Summary:

Presented to an individual Commissioner for extraordinary service to his or her Commission. Extraordinary service is considered actions above and beyond those required in the course of fulfilling their statutory responsibilities as a Commissioner. It requires consistently demonstrating independent judgment on behalf of the interest of the entire county, developing innovative and collaborative solutions to local issues, and leading the commission and community by example.

Nomination criteria:

1. Nominee must be a Commissioner of a LAFCo in good standing with the Association.
2. Nominee shall be a Commissioner for the full year in which the nomination is being made.
3. Proven demonstration of consistently exercising independent judgment for the greater good of the County is required.
4. Proven leadership of the commission and the community through collaborative, innovative and creative solutions to local issues is required.
5. Proven effective results and outcomes shall be demonstrated in the nomination.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. Representation type (city-county-district-public) shall not be a consideration nor shall be the size or geographic area of the LAFCo on which the Commissioner serves.
4. The overall impact of the leadership of the Commissioner shall be considered.
5. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

OUTSTANDING LAFCo PROFESSIONAL

Award Summary:

Recognizes an Executive Officer, Staff Analyst, Clerk, Legal Counsel or any other LAFCo staff person for exemplary service during the past year. Exemplary service is considered actions which clearly go above and beyond that which is asked, expected, or required in the charge of their LAFCo responsibilities.

Nomination criteria:

1. Nominee must be a staff person of a LAFCo in good standing with the Association.
2. Nominee shall be a staff person for the full year in which the nomination is being made.
3. As a staff person, the nominee can be either an employee of the LAFCo or a contractor providing employee-type services to the LAFCo.
4. Efforts must be demonstrated that the individual has consistently gone above and beyond or outside the scope of their role or job responsibilities, with proven results that otherwise would not have occurred.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. Position within a LAFCo shall not be a consideration, nor shall be the size or geographic area of the LAFCo.

4. The overall impact of the LAFCo professional to their LAFCo and the greater community shall be considered.
5. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

LIFETIME ACHIEVEMENT AWARD

Award Summary:

Recognizes any individual who has made extraordinary contributions to the statewide LAFCo community in terms of longevity of service, exemplary advocacy of LAFCo-related legislation, proven leadership in approaching a particular issue or issues, and demonstrated support in developing and implementing innovative and creative ways to support the goals of LAFCos throughout California. At a minimum, the individual should be involved in the LAFCo community for at least twenty (20) years.

Nomination criteria:

1. Nomination must be received from a member LAFCo or Associate Member in good standing with the Association.
2. A minimum of 20 years direct involvement with the LAFCo community is required for consideration.
3. During that time, nominee shall have a proven positive impact and effect on the support and evolution of LAFCos statewide.
4. This includes advocacy of LAFCos statewide through legislation, developing creative and innovative solutions to LAFCo issues that serve beyond their LAFCo to the greater good, and collaborative stakeholder approaches to issues and opportunities to further the cause and mission of LAFCo.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Preference may be given to nominees who also have proven experience volunteering for CALAFCO through a regional officer role, serving on committees, serving on the CALAFCO Board, or any other method of volunteering for the Association that serves to promote and support the mission and work of LAFCos throughout the state.

LEGISLATOR OF THE YEAR

Award Summary:

Presented to a member of the California State Senate or Assembly in recognition of leadership and valued contributions in support of LAFCo goals that have a statewide effect. The recipient shall have demonstrated clear support and effort to further the cause and ability of LAFCos to fulfill their statutory mission. Selected by CALAFCO Board by super majority.

Nomination criteria:

1. Nominee shall be a California State legislator during the full year in which the nomination was made.
2. Nominee must have demonstrated extraordinary leadership in the Legislature on behalf of LAFCos statewide, with efforts resulting in a positive impact for all LAFCos.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. All Legislator of the Year nominations shall be forwarded by the Achievement Awards Committee to the Board for consideration.
3. Selection of the recipient of this award shall be done with a super majority approval of the Board (present at the time of the vote).

MIKE GOTCH EXCELLENCE IN PUBLIC SERVICE AWARD

Award Summary:

Awarded to an individual, group or agency for actions that rise above expected or common functions or

actions that are LAFCo-related; *and* reduce or eliminate common institutional roadblocks; *and* result in a truly extraordinary public service outcome. Individuals, a LAFCo, or collaborative effort among multiple LAFCos or a LAFCo with other entities are eligible. Other entities shall be decision-making bodies at the local, regional or state level. This award has two distinct categories, each focusing on a specific area:

1. *Protection of agricultural and open space lands and prevention of sprawl*
2. *Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services*

Award categories:

• **Protection of agricultural and open space lands and prevention of sprawl**

Includes the development and implementation of programs or other actions associated with agriculture, water, flood control, parks and recreation, habitat conservation plans and public lands. Demonstrates the recipient has identified, encouraged and ensured the preservation of agricultural and open space lands. Proven actions that encourage cities, counties and special districts to direct development away from all types of agricultural lands, including prime agricultural lands and open space lands. Includes demonstrated consideration given in decisions to Regional Transportation Plans, including sustainable communities strategies and other growth plans to ensure reliable services, orderly growth, and sustainable communities.

• **Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services**

Includes the development and implementation of innovate support and systems within internal LAFCo operations in the support of local agencies. Actions produce systemic and sustainable improvements and innovation of local government. Proven facilitation of constructive discussions with local and regional agencies and proactive outreach to local and regional agencies as well as local stakeholders and communities to identify issues and solutions and demonstrated action as a coordinating agency in offering and supporting unique local solutions to meet local challenges. Successful demonstration of development of capacities and abilities of local agencies. Provide tools and resources to local agencies to address aging infrastructure, fiscal challenges and the maintenance of existing services. Demonstrated action to streamline the provision of local services with proven results that services are consistent or have been improved as a result, with little to no increased cost to the consumer. Focused efforts and proven results to ensure delivery of services to all communities, especially disadvantaged communities.

Nomination criteria:

1. Clear demonstration that the actions rise above expected or common functions or actions.
2. The actions reduced or eliminated common institutional roadblocks.
3. The actions clearly proven a truly extraordinary public service outcome that is systemic and sustainable.
4. Identified unique circumstances and factors leading to the solution/project.
5. The innovative steps taken by the LAFCo or entity/entities/individual to solve the problem, overcome the situation, or to take action.
6. Clear description of the results/outcomes of the work and the short- and long-term effects.
7. How this work can be promoted as a LAFCo best practice.
8. Clear demonstration how this nomination meets all criteria.

Selection Criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to each nominee within each category. The size or geographic area of the LAFCo within a given category shall not be a consideration.
3. The overall impact of the actions and outcomes to the greater community being served shall be considered.
4. The level of impact based on the required nomination criteria shall be considered.



PREVIOUS CALAFCO ACHIEVEMENT AWARD RECIPIENTS

2022

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| Outstanding Commissioner | Don Saylor , Yolo LAFCo |
| Outstanding LAFCo Professional | Carolyn Emery , Orange LAFCo |
| Mike Gotch Award - Innovation, Collaboration, And Outreach | Two-Way Tie: Yolo LAFCo , and El Dorado LAFCo & South Fork Consulting, LLC |

2020 – 2021 (2 year period due to the pandemic)

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| Outstanding Associate Member | Planwest Partners |
| Outstanding Commissioner | Olin Woods , Yolo LAFCo |
| Outstanding LAFCo Professional | Crystal Craig , Riverside LAFCo |
| Mike Gotch Protection of Ag and Open Space Lands & Prevention of Urban Sprawl | Napa LAFCo |
| Mike Gotch Courage & Innovation in Local Government Leadership Award | Yolo LAFCo |
| Lifetime Achievement Award | Jerry Glabach , Los Angeles LAFCo |

2019

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| Distinguished Service Award | Charley Wilson , Orange LAFCo |
| Most Effective Commission | Contra Costa LAFCo |
| Outstanding Commissioner | Jim DeMartini , Stanislaus LAFCo |
| Outstanding LAFCo Professional | David Church , San Luis Obispo LAFCo |
| Project of the Year | Orange LAFCo , for <i>San Juan Capistrano Utilities MSR</i> |
| Government Leadership Award | CA State Water Resources Control Board, Los Angeles County and Los Angeles LAFCo , for <i>Sativa Water District Butte LAFCo</i> |
| Mike Gotch Courage & Innovation in Local Government Leadership Award | |
| Legislator of the Year | Assembly Member Mike Gipson |
| Lifetime Achievement Award | John Benoit , various LAFCos, Jurg Heuberger , Imperial LAFCo |

2018

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| Distinguished Service Award | John Withers , Orange LAFCo |
| Most Effective Commission | Santa Clara LAFCo |
| Outstanding Commissioner | Margie Mohler , Napa LAFCo |
| Outstanding LAFCo Professional | George Williamson , Del Norte LAFCo |
| Outstanding LAFCo Clerk | Elizabeth Valdez , Riverside LAFCo |
| Outstanding CALAFCO Associate Member | Best Best & Krieger |
| Project of the Year | Lake LAFCo , water services consolidation |
| Government Leadership Award | City of Porterville, County of Tulare, Dept. of Water Resources, State Water Resources Control Board, |

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| <p>Mike Gotch Courage & Innovation in Local Government Leadership Award</p> <p>Legislator of the Year</p> <p>Lifetime Achievement Award</p> | <p>Governor's Office of Emergency Services, Self Help Enterprises, Community Water Center for East Porterville water supply project</p> <p>Mike Ott, San Diego LAFCo</p> <p>Assembly Member Anna Caballero</p> <p>Pat McCormick, Santa Cruz LAFCo, George Spiliotis, Riverside LAFCo</p> |
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2017

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| <p>Most Effective Commission</p> <p>Outstanding CALAFCo Member</p> <p>Outstanding Commissioner</p> <p>Outstanding LAFCo Professional</p> <p>Outstanding LAFCo Clerk</p> <p>Outstanding CALAFCo Associate Member</p> <p>Project of the Year</p> <p>Government Leadership Award</p> <p>Lifetime Achievement Award</p> | <p>Los Angeles LAFCo</p> <p>Sblend Sblendorio, Alameda LAFCo</p> <p>John Marchand, Alameda LAFCo</p> <p>Paul Novak, Los Angeles LAFCo</p> <p>Richelle Beltran, Ventura LAFCo</p> <p>Policy Consulting Associates</p> <p>County Services MSR, Butte LAFCo, and Santa Rosa Annexation, Sonoma LAFCo</p> <p>San Luis Obispo County Public Works Dept.</p> <p>Kathy Rollings McDonald (San Bernardino)</p> |
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2016

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| <p>Distinguished Service Award</p> <p>Most Effective Commission</p> <p>Outstanding CALAFCo Member</p> <p>Outstanding Commissioner</p> <p>Outstanding LAFCo Professional</p> <p>Outstanding LAFCo Clerk</p> <p>Project of the Year</p> <p>Government Leadership Award</p> <p>Lifetime Achievement Award</p> | <p>Peter Brundage, Sacramento LAFCo</p> <p>San Luis Obispo LAFCo</p> <p>John Leopold, Santa Cruz LAFCo</p> <p>Don Tatzin, Contra Costa LAFCo</p> <p>Steve Lucas, Butte LAFCo</p> <p>Cheryl Carter-Benjamin, Orange LAFCo</p> <p>Countywide Water Study, (Marin LAFCo)</p> <p>Southern Region of CALAFCo</p> <p>Bob Braitman (retired Executive Officer)</p> |
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2015

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| <p>Mike Gotch Courage & Innovation in Local Government Leadership Award</p> <p>Distinguished Service Award</p> <p>Most Effective Commission</p> <p>Outstanding CALAFCo Member</p> <p>Outstanding Commissioner</p> <p>Outstanding LAFCo Professional</p> <p>Outstanding LAFCo Clerk</p> <p>Project of the Year</p> | <p>Yuba County Water Agency</p> <p>Mary Jane Griego, Yuba LAFCo</p> <p>Butte LAFCo</p> <p>Marjorie Blom, formerly of Stanislaus LAFCo</p> <p>Matthew Beekman, formerly of Stanislaus LAFCo</p> <p>Sam Martinez, San Bernardino LAFCo</p> <p>Terri Tuck, Yolo LAFCo</p> <p>Formation of the Ventura County Waterworks District No. 38 (Ventura LAFCo) and 2015 San Diego County Health Care Services five-year sphere of influence and service review report (San Diego LAFCo)</p> |
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Government Leadership Award

The Cities of Dublin, Pleasanton, Livermore and San Ramon, the Dublin San Ramon Services District and the Zone 7 Water Agency

CALAFCO Associate Member of the Year

Michael Colantuono of Colantuono, Highsmith & Whatley

Legislators of the Year Award

Assembly member Chad Mayes

Lifetime Achievement Award

Jim Chapman (Lassen LAFCo) and **Chris Tooker** (formerly of Sacramento LAFCo)

2014

Mike Gotch Courage & Innovation in Local Government Leadership Award

David Church, San Luis Obispo LAFCo

Distinguished Service Award

Kate McKenna, Monterey LAFCo

Most Effective Commission

Santa Clara LAFCo

Outstanding CALAFCO Member

Stephen Lucas, Butte LAFCo

Outstanding Commissioner

Paul Norsell, Nevada LAFCo

Outstanding LAFCo Professional

Kate McKenna, Monterey LAFCo

Outstanding LAFCo Clerk

Paige Hensley, Yuba LAFCo

Project of the Year

LAFCo Procedures Guide: 50th Year Special Edition, San Diego LAFCo

Government Leadership Award

Orange County Water District, City of Anaheim, Irvine Ranch Water District, and Yorba Linda Water District

Legislators of the Year Award

Assembly member Katcho Achadjian

Lifetime Achievement Award

Susan Wilson, Orange LAFCo

2013

Mike Gotch Courage & Innovation in Local Government Leadership Award

Simón Salinas, Commissioner, Monterey LAFCo

Distinguished Service Award

Roseanne Chamberlain, Amador LAFCo

Most Effective Commission

Stanislaus LAFCo

Outstanding CALAFCO Member

Harry Ehrlich, San Diego LAFCo

Outstanding Commissioner

Jerry Gladbach, Los Angeles LAFCo

Outstanding LAFCo Professional

Lou Ann Texeira, Contra Costa

LAFCo Outstanding LAFCo Clerk

Kate Sibley, Contra Costa LAFCo

Project of the Year

Plan for Agricultural Preservation, Stanislaus LAFCo

Government Leadership Award

Orange County LAFCo Community Islands Taskforce, Orange LAFCo

Legislators of the Year Award

Senators Bill Emerson and Richard Roth

Lifetime Achievement Award

H. Peter Faye, Yolo LAFCo; **Henry Pellissier**, Los Angeles LAFCo; **Carl Leverenz**, Butte LAFCo; **Susan Vicklund-Wilson**, Santa Clara LAFCo.

2012

Mike Gotch Courage & Innovation in Local Government Leadership Award

Bill Chiat, CALAFCO Executive Director

Distinguished Service Award

Marty McClelland, Commissioner, Humboldt LAFCo

Most Effective Commission

Sonoma LAFCo

Outstanding CALAFCO Member

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

Outstanding Commissioner
LAFCo Outstanding LAFCo Professional
Outstanding LAFCo Clerk
Project of the Year

Government Leadership Award
Lifetime Achievement Award

Sherwood Darington, Monterey
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

Mike Gotch Courage & Innovation in
Local Government Leadership Award
Distinguished Service Award
LAFCo 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
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

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

Special Achievement

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

Butte LAFCo
Sewer Commission - Oroville Region Municipal Service
Review

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

Chris Tooker, Sacramento LAFCo and CALAFCO Board of
Directors

2009

Mike Gotch Courage & Innovation in
Local Government Leadership Award

Paul Hood, Executive Officer, San Luis Obispo LAFCo

Distinguished Service Award
Most Effective Commission
Outstanding CALAFCO Member

Outstanding Commissioner
Outstanding LAFCo Professional
Outstanding LAFCo Clerk
Project of the Year
Government Leadership Award

Legislator of the Year Award

William Zumwalt, Executive Officer, Kings LAFCo
Napa LAFCo

Susan Vicklund Wilson, CALAFCO Vice Chair
Jerry Gladbach, CALAFCO Treasurer

Larry M. Fortune, Fresno LAFCo

Pat McCormick, Santa Cruz LAFCo Executive Officer

Emmanuel Abello, Santa Clara LAFCo

Orange LAFCo Boundary Report

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

Assembly Member Jim Silva

2008

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

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

2006

Outstanding CALAFCO Member

Everett Millais, CALAFCO Executive Officer and Executive
Officer of Ventura LAFCo

Distinguished Service Award

Clark Alsop, CALAFCO Legal Counsel

Most Effective Commission Award

Alameda LAFCo

Outstanding Commissioner Award

Ted Grandsen, Ventura LAFCo

Chris Tooker, Sacramento LAFCo

Outstanding LAFCo Professional Award

Larry Calemine, Los Angeles LAFCo Executive Officer

Outstanding LAFCo Clerk Award

Janice Bryson, San Diego LAFCo

Marilyn Flemmer, Sacramento LAFCo

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| Project of the Year Award | Sacramento Municipal Utility District Sphere of Influence Amendment and Annexation; Sacramento LAFCo |
| Outstanding Government Leadership Award | Cities of Porterville, Tulare, and Visalia and Tulare LAFCo Island Annexation Program |
| Legislator of the Year Award | Senator Christine Kehoe |

2005

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

2004

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

2003

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

2002

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

2001

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

2000

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

1999

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

1998

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

1997

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



LAFCO

Meeting Date: 07/27/2023

Information

SUBJECT

A report by the Executive Officer on recent events relevant to the Commission and an update of staff activity for the month. The Commission or any individual Commissioner may request that action be taken on any item listed.

- a. 07.27.2023 Long Range Planning Calendar
 - b. EO Activity Report - May 22 through July 21, 2023
 - c. CALAFCO Legislative Summary
-

Attachments

ATT a-07.27.2023 Long Range Planning Calendar
ATT b-EO Activity Report May22-July21
ATT c-07.27.2023 CALAFCO Legislative Summary

Form Review

Form Started By: Terri Tuck
Final Approval Date: 07/17/2023

Started On: 07/17/2023 11:46 AM



Long Range Meeting Calendar – Tentative Items

July 27, 2023, LAFCo Meeting

| Meeting Date | Tentative Agenda Items |
|--------------|---|
| Sep 28, 2023 | <ul style="list-style-type: none"> FY 22/23 Q4 Financial Update |
| Oct 26, 2023 | <ul style="list-style-type: none"> FY 23/24 Q1 Financial Update |
| Dec 7, 2023 | <ul style="list-style-type: none"> Adopt LAFCo 2024 Meeting Calendar |
| Jan 25, 2024 | <ul style="list-style-type: none"> 2023 Local Agency Website Transparency Report |

New Applications Received Since Last Meeting Packet

| Date Received | Application Name |
|---------------|--|
| 07/19/2023 | City of Woodland Out of Agency Services for APN 27-270-074 |

LAFCo EO Activity Report May 22 through July 21, 2023

Item 9-ATT b

| Date | Meeting/Milestone | Comments |
|------------|--|---|
| 05/22/2023 | Shared Services – Meeting w/Anthony Volkar (YCOE) & Bernadette Austin (UCD) | YEDSpring2023 preparation |
| 05/23/2023 | Meeting w/Elisa Sabatini (County Mgr. of Natural Resources) | LAFCo Flood Protection Districts MSR - Overall Context/Update Discussion |
| 05/24/2023 | Shared Services – Meeting w/Anthony Volkar (YCOE) & Bernadette Austin (UCD) | YEDSpring2023 preparation |
| 05/24/2023 | YEDSpring2023 Leaders Summit Youth Roadmap to our Future | Participated |
| 05/25/2023 | Meeting w/Eric Map and Stephanie Cormier (County Principal Planner) | Boschken Application to Extend City Services (returned) |
| 06/06/2023 | Meeting w/Chuck Cunningham | Boschken Application to Extend City Services (returned) |
| 06/16/2023 | SACOG Blueprint Workshop | Attended |
| 07/05/2023 | Lunch Meeting w/Manuel Quintana (Esparto CSD GM) and Leo Refsland (Madison CSD GM) | Expansion of Services for Esparto CSD that may include potential contract services as GM for Cacheville CSD and/or extension of services south of SR 16 |
| 07/14/2023 | Meeting w/Chair Woods | LAFCo Agenda Review |
| 07/18/2023 | Meeting w/Chair Woods and staff | Discussion re nominees for CALAFCO Achievement Awards |



CALAFCO Legislative Summary

July 27, 2023, LAFCo Meeting

The CALAFCO Legislative Committee is currently tracking 21 pieces of proposed legislation as categorized below. Twelve (12) bills that failed to make deadlines and dropped off this year’s calendar (becoming 2-year bills) have been removed from this summary (which includes the remaining nine (9) bills). None appear to be concerning for Yolo LAFCo. Of note there are two surviving bills proposed that seek to change the Brown Act open meeting requirements, both would appear to give Yolo LAFCo the option to return to meeting via teleconference.

| | What Bill Would Do | Anticipated Impacts to Yolo LAFCo |
|---|--|---|
| Support Position | | |
| SB 360 (Blakespear D) California Coastal Commission: member voting. | Would allow members or employees of certain entities to sit on the California Coastal Commission. This bill would add members or employees of JPAs and LAFCos into that list. | None. |
| AB 1753 (Committee on Local Government) Local government: reorganization. | CALAFCO Omnibus bill. | None. |
| SB 878, 879, and 880 (Committee on Governance and Finance) Validations. | Annual validating acts. | None. |
| Watch Position | | |
| AB 530 (Boerner D) Vehicles: Electric Bicycles | As introduced, this bill was relative to greenhouse emissions. However, it was gutted and amended on 5/15/2023 and now addresses county water authorities. | None. Yolo has no county water authorities. |
| SB 411 (Portantino D) Open meetings: teleconferences: bodies with appointed membership. | This bill would authorize a legislative body to use alternate teleconferencing provisions like the emergency provisions indefinitely and without regard to a state of emergency. | Positive. Would allow use of teleconferencing provisions. |
| AB 1637 (Irwin D) Local Gov’t internet websites and email addresses | By January 1, 2026, would require a local agency that maintains an internet website ensure that the internet website utilizes a “.gov” top-level domain or a “.ca.gov” second-level domain. 5/18/2023: The bill was amended and is no longer applicable to LAFCos as its definition of a local agency has been narrowly defined to only cities and counties. | None. Amended to only apply to cities and counties. |

| | What Bill Would Do | Anticipated Impacts to Yolo LAFCo |
|---|--|--|
| SB 537 (Becker D) Open meetings: local agencies: teleconferences. | Would also teleconferencing provisions to allow legislative bodies of multijurisdictional agencies to meet remotely. | Positive. It would allow LAFCo use of teleconferencing provisions. |
| SB 557 (Hart D) Open meetings: local agencies: teleconferences | Similar in scope to SB 411, this bill is follow-on legislation to AB 361 (2022) and seeks to return some of the pandemic-era teleconferencing provisions to the Brown Act and would change the timeline for legislative bodies to reaffirm an emergency from the current 30 days to 45 days. This bill is sponsored by CSDA. | Positive. Would provide limited additional flexibility to open meeting laws. |
| Oppose Position | | |
| AB 918 (Garcia D) Health care district: County of Imperial. | Severely limits Imperial LAFCo’s discretion forming this district. | None. |
| AB 399 (Boerner D) | This bill, the Water Ratepayers Protections Act of 2023, would additionally require the public entity to submit the proposition of excluding the public agency’s corporate area from the county water authority to the electors within the territory of the county water authority. The bill would require the 2 elections to be separate; however, the bill would authorize both elections to run concurrently. The bill would require a majority vote for withdrawal in both elections for the withdrawal of the public agency from the territory of the county water authority. | None. Yolo has no county water authorities. |
| No Position or Neutral Position | | |
| AB 930 (Friedman D) Local government: Reinvestment in Infrastructure for a Sustainable and Equitable California (RISE) districts. | The bill would provide for the establishment of a governing board of a RISE district with representatives of each participating local government outside of the LAFCo process. | None. RISE districts would be financing tools such as a CFD/Mello-Roos districts and therefore would not impact Yolo LAFCo. |
| AB 828 (Connolly D) Sustainable groundwater management: managed wetlands | Adds definitions for Managed Wetlands, and small community water system to Water Code Section 10721. 4/17/2023: Amended to define agencies and entities required or excluded from existing 10726.4 (a)(4). Amends Water Code section 10730.2 to add language regarding fees, and amends Water Code section 10733 to address groundwater sustainability plans. | None. Water systems are regulated by County Env. Health and our local GSA has been formed as a JPA not a district overseen by LAFCo. |
| AB 1460 (Bennett D) Local Government | As introduced, this bill makes only a minor nonsubstantive change to CKH in that it would merely add commas to Section 56000 so that it would read: “This division shall be known, and may be cited, as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.” | None. |

| | What Bill Would Do | Anticipated Impacts to Yolo LAFCo |
|---|--|---|
| AB 768 (Caballero D) California Environmental Quality Act: vehicle miles traveled: statement of overriding consideration. | The bill would add language into the Public Resource Code to provide that a public agency, in approving or carrying out certain types of projects, is not required to issue a statement of overriding consideration for significant effects on the environment identified by a project's vehicle miles traveled if the lead agency has imposed all feasible mitigation measures on the project and it finds no feasible alternatives to the project. | Minimal to none. |
| AB 865 (Laird D) Municipal water districts: automatic exclusion of cities | Existing law authorizes a governing body of a municipal water district may adopt an ordinance excluding any territory annexed to a metropolitan water district organized under the Metropolitan Water District Act, providing that the territory is annexed prior to the effective date of the formation of the municipal water district. If that happens, the Secretary of State must, within 10 days of receiving a certified copy, issue a certificate reciting the passage of the ordinance that excludes the area from the municipal water district. This bill would extend the Secretary of State's window to issue that certificate from 10 to 14 days. | None. Yolo has no metropolitan water districts. |



LAFCO

11.

Meeting Date: 07/27/2023

Information

SUBJECT

Public Employee Performance Evaluation
(Pursuant to Government Code Section 54957)

Position Title: LAFCo Executive Officer

Attachments

No file(s) attached.

Form Review

Form Started By: Terri Tuck
Final Approval Date: 07/17/2023

Started On: 07/17/2023 11:48 AM