

# YOLO LOCAL AGENCY FORMATION COMMISSION

## Regular Meeting AGENDA

**July 22, 2021 - 9:00 a.m.**

### COMMISSIONERS

OLIN WOODS, CHAIR (PUBLIC MEMBER)  
DON SAYLOR, VICE CHAIR (COUNTY MEMBER)  
NORMA ALCALA (CITY MEMBER)  
GARY SANDY (COUNTY MEMBER)  
TOM STALLARD (CITY MEMBER)

### ALTERNATE COMMISSIONERS

ANGEL BARAJAS (COUNTY MEMBER)  
WADE COWAN (CITY MEMBER)  
RICHARD DELIBERTY (PUBLIC MEMBER)

This meeting will be conducted utilizing teleconferencing and electronic means to allow the Commission, staff and the public to participate in the meeting pursuant to the provisions of the Governor's Executive Order N-29-20 (March 17, 2020), available at the following [link](#).

Teleconference Options to join Zoom meeting:  
By PC: <https://yolocounty.zoom.us/j/94657093415>

or

By Phone: (408) 638-0968  
Webinar ID: 946 5709 3415

Further instructions on how to electronically participate and submit your public comment can be found in the PUBLIC PARTICIPATION instructions at the end of this agenda. In the rare event of a widespread internet disruption where Zoom is not available either at the beginning or during the meeting, the meeting will be conducted utilizing the following teleconference call dial in number (605) 475-6006 using Access Code 680-0491.

CHRISTINE CRAWFORD  
EXECUTIVE OFFICER

ERIC MAY  
COMMISSION COUNSEL

### **NOTICE:**

This agenda has been posted at least five (5) calendar days prior to the meeting in a location freely accessible to members of the public, in accordance with the Brown Act and the Cortese Knox Hertzberg Act. The public may subscribe to receive emailed agendas, notices and other updates by contacting staff at [lafco@yolocounty.org](mailto: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 \$250 or more to any Commissioner in the past 12 months must disclose this fact, either orally or in writing, for the official record as required by Government Code Section 84308.

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.

**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 June 24, 2021
5. Adopt **Resolution 2021-06** approving the submission of an Agricultural Conservation Planning Grant to the California Strategic Growth Council’s Sustainable Agricultural Lands Conservation Program for the “Ag Land Conservation 2.0: Increasing Capacity for Carbon Farm Planning in Yolo County” Project
6. Correspondence

**REGULAR AGENDA**

7. Six-month status report on LAFCo Municipal Service Review (MSR) adopted recommendations for the Community Services Districts (CSDs) of Cacheville, Esparto, Knights Landing and Madison (LAFCo No. S-054)

## EXECUTIVE OFFICER'S REPORT

8. 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. CALAFCO 2021 Conference Announcement
  - b. Long Range Planning Calendar
  - c. EO Activity Report - June 21 through July 16, 2021
  - d. CALAFCO Legislation Status Report

## COMMISSIONER REPORTS

9. 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.

## ADJOURNMENT

10. Adjourn to the next Regular LAFCo Meeting

I declare under penalty of perjury that the foregoing agenda was posted by 5:00 p.m. on Friday, July 16, 2021, 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 LAFCo website at: [www.yololafco.org](http://www.yololafco.org).

ATTEST:

Terri Tuck, Clerk  
Yolo LAFCo

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:**

Based on guidance from the California Department of Public Health and the California Governor's Office, in order to minimize the spread of COVID-19, please consider the following:

Join the Yolo LAFCo meeting at <https://yolocounty.zoom.us/j/94657093415>, or by phone via 1-408-638-0968, Webinar ID: 946 5709 3415.

1. Submit live comment by joining the meeting and press the "raise a hand" button or if joining by phone only, press \*9 to indicate a desire to make a comment. The chair will call you by name or phone number when it is your turn to comment. The Commission reserves the right to impose a reasonable limit on time afforded to any topic or to any individual speaker.

\* If you are joining by zoom and phone, still use the zoom raise a hand button as \*9 will not work.

2. Submit written comment on any matter within the Commission's subject matter jurisdiction, regardless of whether it is on the agenda for Commission consideration or action. Submit your comment, limited to 250 words or less, via email to <https://www.yololafco.org>, or by U.S. mail to Yolo LAFCo at 625 Court Street, Suite 107, Woodland, CA, 95695, by 1 p.m. on the Wednesday prior to the Commission meeting. Your comment will be read at the meeting.
3. Submit verbal comment by calling (530) 666-8048; state and spell your name, mention the agenda item number you are calling about and leave your comment. Verbal comments must be received no later than 1 p.m. on the Wednesday prior to the Commission meeting. Your comment will be read at the meeting by the Commission Clerk; limited to 3 minutes per item.

Consent 4.

**LAFCO**

**Meeting Date:** 07/22/2021

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**Information**

**SUBJECT**

Approve the LAFCo Meeting Minutes of June 24, 2021

**RECOMMENDED ACTION**

Approve the LAFCo Meeting Minutes of June 24, 2021.

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**Attachments**

ATT-LAFCo Minutes 06.24.21

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**Form Review**

Form Started By: Terri Tuck  
Final Approval Date: 07/06/2021

Started On: 07/06/2021 12:49 PM



# YOLO LOCAL AGENCY FORMATION COMMISSION

## MEETING MINUTES

June 24, 2021

The Yolo Local Agency Formation Commission met on the 24<sup>th</sup> day of June 2021, at 9:00 a.m. via teleconference. Voting members present were Chair and Public Member Olin Woods, County Member Don Saylor and Alternate (A) Angel Barajas, and City Members Tom Stallard and Norma Alcalá. Voting members absent were County Member Gary Sandy. Others present were Public Member Richard DeLiberty, Executive Officer Christine Crawford, Clerk Terri Tuck, Analyst Mark Krummenacker, and Counsel Eric May.

### CALL TO ORDER

Chair Woods called the Meeting to order at 9:05 a.m.

#### Item № 1 Pledge

Angel Barajas led the Pledge of Allegiance.

#### Item № 2 Roll Call

PRESENT: Alcalá, Barajas (A), Saylor, Stallard, Woods ABSENT: Sandy

#### Item № 3 Public Comments

None.

### CONSENT

#### Item № 4 Approve the LAFCo Meeting Minutes of May 27, 2021

#### Item № 5 Correspondence

**Minute Order 2021-26:** The recommended actions were approved.

Approved by the following vote:

MOTION: Stallard SECOND: Barajas (A)  
AYES: Alcalá, Barajas (A), Saylor, Stallard, Woods  
NOES: None  
ABSENT: None

### REGULAR

#### Item № 6 Authorize the Executive Officer to collaborate with the Center for Land-Based Learning and submit a Sustainable Agricultural Lands Conservation (SALC) Program Planning Grant pre-proposal application to the California Department of Conservation

**Minute Order 2021-27:** The recommended action was approved.

Approved by the following vote:

MOTION: Stallard SECOND: Barajas (A)  
AYES: Alcalá, Barajas (A), Saylor, Stallard, Woods  
NOES: None  
ABSENT: None

**Item № 7** **Authorize the Chair to sign Agreement 2021-05 for services between Yolo LAFCo and Richardson & Company LLP, not to exceed \$12,900 to conduct an independent audit of the Yolo LAFCo Financial Statements for the fiscal years ending 2021, 2020, and 2019**

**Minute Order 2021-28:** The recommended action was approved.

Approved by the following vote:

MOTION: Saylor SECOND: Barajas (A)  
AYES: Alcalá, Barajas (A), Saylor, Stallard, Woods  
NOES: None  
ABSENT: None

**Item № 8** **Consider CALAFCO 2021 Achievement Award Nominations**

**Minute Order 2021-29:** The recommended action was approved, directing staff to submit a nomination for the Reclamation District Reorganizations approved in July 2019 (Lower Elkhorn and West Sacramento Basins) for the Excellence in Public Service Award, Category #2.

Approved by the following vote:

MOTION: Saylor SECOND: Alcalá  
AYES: Alcalá, Barajas (A), Saylor, Stallard, Woods  
NOES: None  
ABSENT: None

**Minute Order 2021-30:** By consensus, staff was also directed to submit a nomination for Chair Woods in the category of Outstanding Commissioner.

**Item № 9** **Consider CALAFCO 2021 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 2021-31:** By consensus, and per Yolo LAFCo Administrative Policies and Procedures, Chair Woods was chosen as the voting delegate. Commissioner Alcalá was chosen as the alternate and the Executive Officer was chosen as the second alternate should neither of the delegates make it to the Conference to vote.

**Item № 10** **Consider revising the Fiscal Year (FY) 2021/22 Annual Work Plan to prioritize the Municipal Services Review (MSR) for the Fire Protection Districts (FPDs) ahead of the MSR for the County Service Areas (CSAs)**

After an overview report by staff, the Chair opened the floor for public comments. El Macero resident Richard Lauckhart spoke.



**Minute Order 2021-32:** The recommended action was approved, prioritizing the Municipal Service Review (MSR) for the Fire Protection Districts (FPDs). Additionally, staff was directed to issue a public draft of the MSR for El Macero CSA.

Approved by the following vote:

MOTION: Saylor  
SECOND: Stallard  
AYES: Alcala, Barajas (A), Saylor, Stallard, Woods  
NOES: None  
ABSENT: None

**Item № 11    Executive Officer’s Report**

The Commission was given written reports of the Executive Officer’s activities for the period of April 19 through May 21, 2021, and was verbally updated on recent events relevant to the Commission, including the Long Range Planning Calendar.

**Item № 12    Commissioner Reports**

There were no reports.

**Item № 13    Closed Session**

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

Position Title: LAFCo Executive Officer

There was nothing to report out of Closed Session.

**Item № 14    Adjournment**

**Minute Order 2021-33:** By order of the Chair, the meeting was adjourned at 10:08 a.m. to Closed Session.

The next Regular LAFCo Meeting is July 22, 2021

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

ATTEST:

\_\_\_\_\_  
Terri Tuck  
Clerk to the Commission



**LAFCO**

**Meeting Date:** 07/22/2021

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**Information**

**SUBJECT**

Adopt **Resolution 2021-06** approving the submission of an Agricultural Conservation Planning Grant to the California Strategic Growth Council's Sustainable Agricultural Lands Conservation Program for the "Ag Land Conservation 2.0: Increasing Capacity for Carbon Farm Planning in Yolo County" Project

**RECOMMENDED ACTION**

Adopt Resolution 2021-06 approving the grant application and authorizing the Executive Director to execute required documents and agreements if the application is successful and is awarded funding.

**FISCAL IMPACT**

Planning grants will reimburse grantees and participating stakeholders for all direct costs, including staff costs incurred during the grant performance period and related to the project. The grant request can be up to \$250,000. The application must include a minimum ten percent (10%) match funding with at least five percent (5%) of the requested grant amount a cash match and the balance may be in-kind.

CLBL is able to cover the 5% cash match (up to \$12,500) and the remaining 5% (up to \$12,500) will come from in-kind services, including staff time from LAFCo and/or stakeholders. LAFCo can also request administrative/staff funding through this grant to cover time spent implementing the goals and administration of the planning grant.

**REASONS FOR RECOMMENDED ACTION**

This grant opportunity was considered at the June 24, 2021 LAFCo meeting and the Commission was enthusiastic about collaborating with the project team which has expanded from the Center for Land-Based Learning to also include Yolo Resource Conservation District and the Carbon Cycle Institute.

The pre-proposal application was submitted by July 1 and the final application submittal is due September 10, 2021. A resolution of support from the lead agency board of directors is required, which is Yolo LAFCo. This is the last regular meeting prior to the September 10, 2021 due date.

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**Attachments**

ATT A-Reso 2021-06 Authorizing SALC Grant Application  
ATT B-Planning Grant Agreement Template

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## Form Review

### Inbox

Christine Crawford (Originator)  
Form Started By: Christine Crawford  
Final Approval Date: 07/01/2021

### Reviewed By

Christine Crawford

### Date

07/01/2021 01:41 PM  
Started On: 06/30/2021 01:43 PM

**YOLO LOCAL AGENCY FORMATION COMMISSION**

**RESOLUTION № 2021-06**

**Approving the Submission of an Agricultural Conservation Planning Grant to the California Strategic Growth Council’s Sustainable Agricultural Lands Conservation Program for the “Ag Land Conservation 2.0 – Expanding Carbon Farm Planning, Training, and Outreach to Engage and Empower the Diversity of Farmers and Communities in Yolo County” Project**

**WHEREAS**, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 establishes the purposes of local agency formation commissions (LAFCo or Commission), which include discouraging urban sprawl and preserving prime agricultural lands as defined and specified in Government Code Sections 56000 et seq. (unless otherwise indicated all statutory references are to the Government Code); and

**WHEREAS**, the Sustainable Agricultural Lands Conservation Program is a component of the Strategic Growth Council’s Affordable Housing and Sustainability Program and is administered by the Department of Conservation in conjunction with the Natural Resources Agency; and

**WHEREAS**, the purpose of the Sustainable Agricultural Lands Conservation (SALC) Program is to protect agricultural land to support infill and compact development and to further the purposes of AB 32 by avoiding increases in greenhouse gas emissions associated with the conversion of agricultural land to nonagricultural uses; and

**WHEREAS**, funds have been allocated to the SALC Program from the Greenhouse Gas Reduction Fund to accomplish the above purposes; and

**WHEREAS**, the Department of Conservation has established Guidelines to disburse said allocated funds via a competitive process, which Guidelines require a resolution certifying approval of the application before submission of said application to the State; and

**WHEREAS**, Yolo LAFCo, which is collaborating with the Center for Land-Based Learning, Yolo Resource Conservation District and the Carbon Cycle Institute, to identify “nature-based solutions” to promote the role of agriculture in addressing the dual challenges of climate change and loss of biodiversity, is eligible to apply for the SALC Agricultural Conservation Planning Grants on behalf of the project team; and

**WHEREAS**, at its June 24, 2021 meeting, the Commission reviewed and considered the pre-proposal application and fully supported LAFCo’s involvement in the SALC grant, project team, and application process; and

**WHEREAS**, Yolo LAFCo staff has reviewed the Grant Agreement and organizational considerations, and the Commission acknowledges that it understands this information and accepts that they must cover the costs to complete work related to the development and execution of the planning project until reimbursement by the State.

**NOW, THEREFORE, BE IT RESOLVED** that the Yolo LAFCo authorizes the filing, processing, and execution of the work described in the application and as follows:

1. Authorizes the submittal of the “Ag Land Conservation 2.0 – Expanding carbon farm planning, training, and outreach to engage and empower the diversity of farmers and communities in Yolo County” project grant application to SALC;

2. Authorizes entrance into a grant agreement with the Department of Conservation for the project and agree to accept the template terms and conditions if the project is awarded funding;
3. Certifies that no conflict of interest or appearance of conflict of interest exists for any member of Yolo LAFCo as relates to the project; and,
4. Authorizes the Executive Officer to execute tasks, such as signing documents related to the application and the grant agreement if the project is awarded funding.

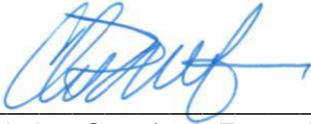
**PASSED AND ADOPTED** by the Yolo Local Agency Formation Commission, State of California, this 22<sup>nd</sup> day of July 2021, by the following vote:

Ayes:  
Noes:  
Abstentions:  
Absent:

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Olin Woods, Chair  
Yolo Local Agency Formation Commission

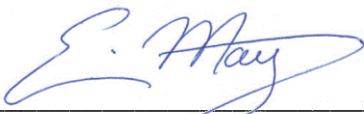
Attest:



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Christine Crawford, Executive Officer  
Yolo Local Agency Formation Commission

Approved as to form:



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Eric May, Commission Counsel

State of California - Department of Conservation <b>GRANT AGREEMENT DOC6</b> <b>(revised 12/18)</b>	GRANT AGREEMENT NUMBER:  FI\$Cal NUMBER:
1. This Grant Agreement is entered into by and between the Department of Conservation ("Department") and ("Grantee").	
2. The Grant Agreement Term is: From _____ through _____ (Or upon execution of this Grant Agreement by both parties, whichever is later)	
3. The maximum amount of this Grant Agreement is: \$ _____	
4. Signing this Grant Agreement means that Grantee agrees to comply with the terms and conditions of the following exhibits which are part of the Grant Agreement:	
Exhibit A, Scope of Work	Page(s)
Attachment 1: Project Map	Page(s)
Attachment 2: Authorized Signatory Form	Page(s)
Attachment 3: Work Plan	Page(s)
Attachment 4: Final Report	Page(s)
Exhibit B, Budget Detail and Payment Provisions	Page(s)
Attachment 5: Budget Detail Worksheet	Page(s)
Attachment 6: Invoice	Page(s)
Attachment 7: Invoice Dispute Notification Template	Page(s)
Exhibit C, General Terms and Conditions	Page(s)
Exhibit D, Special Terms and Conditions	Page(s)
Exhibit E, Award Letter	Page(s)
Exhibit F, Solicitation	Page(s)
<b>IN WITNESS WHEREOF, this Grant Agreement has been executed by the Parties hereto.</b>	
<b>GRANTEE</b>	
GRANTEE'S NAME	
BY (Authorized Signature) 	DATE SIGNED
PRINTED NAME AND TITLE OF PERSON SIGNING	
ADDRESS	
<b>STATE OF CALIFORNIA</b>	
Agency Name: Department of Conservation	
BY (Authorized Signature) 	DATE SIGNED
PRINTED NAME AND TITLE OF PERSON SIGNING	
ADDRESS	
801 K Street, Sacramento, CA 95814	

## **Exhibit A, Scope of Work**

### **1. Program Background**

The Sustainable Agricultural Lands Conservation Program (SALC), a component of the Strategic Growth Council's (Council) Affordable Housing and Sustainable Communities Program, supports the California's greenhouse gas (GHG) emission reduction goals by making strategic investments to protect agricultural lands from conversion to more GHG intensive uses. Protecting critical agricultural lands from conversion to urban or rural residential development promotes smart growth within existing jurisdictions, ensures open space remains available, and supports a healthy agricultural economy and resulting food security. A healthy and resilient agricultural sector is becoming increasingly important in meeting the challenges occurring and anticipated as a result of climate change. Auction revenues from the Cap-and-Trade Program are deposited into the Greenhouse Gas Reduction Fund (GGRF), which the Legislature and Governor appropriate to a variety of programs such as the SALC and which operate under the umbrella of California Climate Investments. All projects funded by GGRF monies must reduce or avoid greenhouse gas emissions.

Agricultural Land Conservation Planning grants provide funds to cities and counties in collaboration with local stakeholders to develop and implement plans for the protection of agricultural land at risk of conversion to non-agricultural uses. This component of the program incentivizes local governments to work closely with local stakeholders to develop local and regional land use policies and implementation activities that integrate agricultural land conservation in a way that reduces greenhouse gas emissions, supports job creation, and benefits priority populations.

The Council identified the California Department of Conservation (Department) in conjunction with the Natural Resources Agency (Agency) to administer SALC. The Strategic Growth Council approved the roles of the Department and the Agency at its July 10, 2014 meeting. In addition, SALC has been developed in consultation with the California Department of Food and Agriculture.

### **2. The Project is Defined by the Application and Award Letter**

The Council released the final [name of guidelines] on [Date] ([Exhibit F](#)) (Guidelines). In accordance with the Guidelines, Grantee applied and was awarded a grant to fund the project described in the application. [Insert description of project]. The project is subject to any conditions contained within the Award Letter ([Exhibit E](#)). This will be referred to as the "Project" throughout this Agreement.



### 3. Authorized Signers

The Department Director or designee is authorized to sign this Grant Agreement and grant-related documents on behalf of the Department.

Grantee's Authorized Signatory or designee is authorized to sign this Grant Agreement and grant-related documents as shown in the Authorized Signatory Form (Attachment 1).

Grantee must keep Authorized Signatory Forms up to date. Within seven (7) working days of any change to the authorized signatory or to the delegated authorized signatory, Grantee shall notify the Department in writing of the change. The written notice shall be sent as an electronic mail (email) attachment to be filed with the Grant Agreement.

### 4. Project Representatives

The project representatives are the contact people for the Department and Grantee. The project representatives during the term of this Grant Agreement are:

#### Department

Name:

Title:

Phone Number:

Email:

\* Unless otherwise stated within this Grant Agreement, all correspondence and documents to the Department of Conservation will be sent to the Grant Manager as described in Document Submission ([Exhibit A, Section 6](#)).

#### Grantee

Name:

Title:

Phone Number:

Email:

Name:

Title:

Phone Number:

Email:

Department and Grantee must keep the Project Representative(s) up to date. Any changes to the Project Representatives by either Grantee or Department

shall be made by providing seven (7) working days advance written notice to the other party. The written notice shall be sent as an electronic mail (email) attachment to be filed with the Grant Agreement.

## **5. Grantee Responsibilities**

Grantee is responsible for:

- A. Using grant funds only as intended for the Project.
- B. Completing work on time and within budget. This includes meeting all milestones and deliverables, as described in the Work Plan ([Attachment 2](#)) and in accordance with the Budget Detail Worksheet ([Attachment 4](#)), unless otherwise agreed to by all parties through the amendment process described in Exhibit B, Section 7.
- C. Submitting invoices for reimbursement using the Invoice ([Attachment 5](#)) template, including any supporting documents.
- D. Submitting a final report with the last invoice, using the Final Report template ([Attachment 3](#)).
- E. Complying with all terms and conditions of this Grant Agreement, including all incorporated documents.
- F. Complying with statutes, rules, and regulations applicable to this Grant Agreement.
- G. Maintaining an accounting system that accurately reflects all fiscal transactions and provides accounting information, retaining all records and required documents as specified in [Exhibit C, Section 4](#), and providing all required documents during an audit, as specified in [Exhibit C, Section 5](#).

## **6. Document Submission**

- A. Electronic Mail

When this Grant Agreement requires Grantee to give invoices, reports, or other documents to the Department, Grantee must use email unless this Grant Agreement specifically requires that the document be sent by mail. All email must contain the Grant Agreement number and Grantee's name in the subject line.

- B. Correspondence

Correspondence and documents must be submitted via email to: [Insert Grant Manager Email]

## **7. Reporting Requirements**

When the Project is completed, Grantee must submit a Final Report with the last invoice. To complete and submit the Final Report:

- A. Submit the Final Report with the last invoice. If Grantee does not submit the Final Report with the last invoice, then the last invoice will be considered incomplete and returned following process specified in [Exhibit D, Section 5](#).
- B. Use the Final Report Template, which is attached as [Attachment 3](#).
- C. Make sure the Final Report is signed by the person authorized to sign on the most current Authorized Signatory Form ([Attachment 1](#)).
- D. Put enough detail in the Final Report to show that Grantee fulfilled the terms of the Grant Agreement and should be paid for completing the project.

**Attachment 1: Authorized Signatory Form**

I hereby verify that I am an authorized Grantee representative and signatory and, as such, can sign and/or delegate authorization to sign and bind Grantee as it relates to the above-referenced Grant Agreement and grant related documents.

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**Grantee Authorized Signatory:**

**Name:**

**Title:**

**Signature:**

**Date:**

**Delegated Authorized Signatories:**

**Name:**

**Title:**

**Signature:**

**Date:**

**Document(s) Authorized to sign:**  All Grant Related Documents **or**  Grant Agreement  Grant Amendments  Budget Amendments  Reports  Invoices  Other \_\_\_\_\_

**Name:**

**Title:**

**Signature:**

**Date:**

**Document(s) Authorized to sign:**  All Grant Related Documents **or**  Grant Agreement  Grant Amendments  Budget Amendments  Reports  Invoices  Other \_\_\_\_\_

## **Attachment 2: Work Plan**

[Work plan submitted with the application, subject to any changes based on the award letter, will be inserted in the final grant agreement]

### Attachment 3: Final Report

Final Report	Date Submitted:
Grantee Name:	Grant Number:
Project Name:	

1. Based on your experiences with this grant program, please provide feedback about how the Department can improve future grant programs.
2. Briefly summarize the Project's results and outcomes, including how the goals and objectives were accomplished, findings or conclusions, and planned or potential future projects that may result from the Project. Include a list of other sources of funding that were secured, directly or indirectly, through this Project.
3. Describe and explain any differences between the planned results, as listed in the Work Plan ([Attachment 2 to the Grant Agreement](#)), and the actual results. Include a discussion of any problems, barriers, or issues that occurred during the Project, corrective actions taken, and the outcomes.
4. Explain any plans to continue funding for the Project, and/or to expand, modify, or replicate the Project.
5. Attach any relevant documents to this report. If the documents cannot be sent electronically, notify the Grant Manager.

I certify that this Final Report is accurate and that this project complies with the Agreement. I further certify that any expenditure discussed in this report is allowed under the Agreement and that all funds were expended for the purposes of this Project.

Agreement and that all funds were expended for the purposes of this Project.

**Name:**

**Title:**

**Signature:**

**Date:**

## **Exhibit B, Budget Detail and Payment Provisions**

### **1. Payment**

- A. To receive payments of grant funds, Grantee must submit an invoice. Advance payments are not permitted under this Grant Agreement.
- B. Upon receipt and approval of an itemized invoice and required supporting documentation, the Department agrees to reimburse Grantee for actual expenditures for work completed, in accordance with the rates specified in the Budget Detail Worksheet ([Attachment 4](#)).
- C. The Department may withhold final payment until all terms of the Grant Agreement have been satisfied.
- D. Payment shall be made within forty-five (45) days upon receipt and approval of an invoice. Failure to comply with requirements may result in non-payment or delayed payment.
- E. For cost principles, see [Exhibit B, Section 5](#).

### **2. How to Submit Invoices**

- A. Send the invoices to the Grant Manager by email. Include the Grant Agreement number and Grantee's name in the subject line.
- B. Send invoices regularly, to keep getting paid. Grantee shall submit invoices no more frequently than monthly, in arrears, to the Grant Manager.
- C. A request for payment shall consist of:
- D. The Invoice ([Attachment 5](#)) on official letterhead and signed by the Authorized Signatory, or authorized designee on file with the Department ([Exhibit A, Section 3](#)), certifying the expenditures are for actual expenses for the tasks performed under this Grant Agreement.
- E. Each cost category and task must correspond to a cost category and task identified in the Budget Detail Worksheet ([Attachment 4](#)).
- F. Supporting documentation for reimbursement of funds.
- G. Supporting documentation (e.g., timesheets, activity logs, cancelled checks) for matching funds does not need to be submitted to the Department but should be retained by Grantee in the event of an audit ([Exhibit C, Section 5](#)).
- H. At any time, the Department may request hard copies of invoices, reports, supporting documentation, and evidence of progress.

### **3. Invoice Dispute**

In the event of an invoice dispute, see [Exhibit D, Section 5](#).

### **4. Budget Contingency Clause**

- A. If the Budget Act of the current year and/or any subsequent years covered under this Grant Agreement does not appropriate sufficient funds for the program, this Grant Agreement shall have no further force

nor effect. In this event, the Department shall have no liability to pay any funds whatsoever to Grantee or to furnish any other considerations under this Grant Agreement, and Grantee shall not be obligated to perform any provisions of this Grant Agreement.

- B. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the Department shall have the option to either cancel this Grant Agreement with no liability occurring to the Department or offer an amendment to reflect the reduced amount.

## **5. Cost Principles**

- A. All costs to be reimbursed must be consistent with the Guidelines ([Exhibit E](#)).
- B. All costs to be reimbursed must be reasonable, as defined in the Guidelines ([Exhibit F](#)).

## **6. Travel Reimbursement**

- A. Travel may not be reimbursed in accordance with the Guidelines.

## **7. Budget Modifications**

- A. Grantee must keep the [Budget Detail Worksheet](#) up to date.
- B. Changes up to twenty percent (20%) between tasks shall be made by providing written notice with or before submission of an invoice. If submitted before the invoice, the written notice shall be sent as an electronic mail (email) attachment to be filed with the Grant Agreement.
- C. Changes of more than twenty percent (20%) between tasks shall follow the amendment process, specified in [Exhibit B, Section 8](#).

## **8. Amendments**

- A. This section applies to any changes to this Grant Agreement, excluding the following:
  - i. Changes to the Authorized Signatory Form ([Attachment 1](#)). For changes to the Authorized Signatory Form see [Exhibit A, Section 3](#).
  - ii. Changes to project representatives, see [Exhibit A, Section 4](#).
  - iii. Changes to the Budget Detail Worksheet of up to twenty percent (20%) between tasks, see [Exhibit B, Section 7](#).
- B. Except as otherwise specified, Grantee must request and obtain prior written approval before any change (amendment) to this Grant Agreement is valid.
- C. Request for amendments must:
  - i. Be prepared, in writing, on official letterhead and signed by the Authorized Signatory or designee on file with the Department.



- ii. Be submitted to the Grant Manager at least two (2) months prior to when the amendment is needed.
  - iii. Include the Grant Agreement number, a detailed explanation of the proposed amendment, reason for the amendment, and the effect of not approving the request.
  - iv. Include a copy of the document(s) requested for amendment that shows the requested changes.
- D. The Grant Manager will respond in writing within fifteen (15) working days from receipt of request to approve or deny the request for amendment, including the reason for the decision.
- E. The Grant Manager will process amendments within thirty (30) days of the approval date. The amendment will not be in effect until both parties have signed the Grant Agreement amendment.

#### **Attachment 4, Budget Detail Worksheet**

[Budget detail worksheet submitted with the application, subject to any changes based on the award letter, will be inserted in the final grant agreement]

**Attachment 5, Invoice**

Department of Conservation

Date:

Division of Land Resource Protection

Email required invoice documents to: Grant Manager

Invoice Number:

Grantee Name:

Grant Number:

Project Name:

Invoice Period From:        To:

<b>Cost Category</b>	<b>Task #1</b>	<b>Task #2</b>	<b>Task #3</b>	<b>Task #4</b>	<b>Total</b>
Staff					
Current Total					
Cumulative Total					
Allocated Total					

<b>Cost Category</b>	<b>Total</b>
Administration (not to exceed 20%)	
Travel	
Cumulative Total	
Allocated Total	

<b>Work Plan Task #</b>	<b>Description of Work Completed</b>

	<i>Please refer to specific deliverables in the Budget and Work Plan.</i>

<b>Status Update</b>			
<b>Work Plan Task #</b>	<b>On Schedule (Y/N)</b>	<b>Within Budget (Y/N)</b>	<b>Corrective Plan or Action, if needed</b>

**CERTIFICATION:** By my signature below, I certify that I have full authority to execute this payment request on behalf of Grantee. I declare under penalty of perjury, under the laws of the State of California, that this invoice for reimbursement, and any accompanying supporting documents, are true and correct to the best of my knowledge, and all disbursements have been made for the purposes and conditions as outlined in the Grant Agreement.

Name:

Print Name:	Print Title:
Signature:	Date:

## Attachment 6, Invoice Dispute Notification

<b>GRANTEE ADDRESS</b> <div style="border: 1px solid black; height: 100px; width: 100%;"></div>	INVOICE DATE <hr/> INVOICE NUMBER <hr/> INVOICE AMOUNT \$ <hr/> DATE INVOICE RECEIVED <hr/> GRANT AGREEMENT NUMBER <hr/>
--	--

The invoice referenced above is disputed for the following reasons:

- |  |  |
|--|--|
| <input type="checkbox"/> Request reimbursement for expenses not in the Budget Detail | <input type="checkbox"/> Invoiced for indirect cost reimbursement                  |
| <input type="checkbox"/> Invoiced for incidental costs or travel costs outside of CA | <input type="checkbox"/> Work performed prior to the Grant start or end date       |
| <input type="checkbox"/> Insufficient evidence of progress made or task completion   | <input type="checkbox"/> Invoice submitted without using required templates        |
| <input type="checkbox"/> Insufficient supporting document for reimbursement          | <input type="checkbox"/> Progress Report or Final Report not included with invoice |
| <input type="checkbox"/> Invoice not submitted by 5:00 p.m. on the required due date | <input type="checkbox"/> Request reimbursement through another funding source      |
| <input type="checkbox"/> Other not listed above:                                     |  |

Comments:

**THIS NOTIFICATION IS A FOLLOW UP TO A PHONE CONVERSATION WITH THE GRANTEE OR DESIGNEE WHOSE NAME APPEARS BELOW.**

NAME	DATE OF CONVERSATION
------	----------------------

**IF YOU HAVE ANY QUESTIONS REGARDING THIS DISPUTE, CONTACT:**

NAME	TELEPHONE NUMBER (include Area Code)
------	--------------------------------------

RETURN A COPY OF THIS NOTIFICATOIN WITH THE CORRECTED INVOICE TO:	<b>STATE OF CALIFORNIA USE ONLY</b>	
	DATE DISPUTE RESOLVED	INITIALS
	RESOLUTION	

## **Exhibit C, General Terms and Conditions**

### **1. Approval**

This Grant Agreement is of no force or effect until signed by both parties. Grantee may not commence performance until such approval has been obtained.

### **2. Amendment**

No change to this Grant Agreement shall be valid unless made in accordance with [Exhibit A, Section 3 or 4](#), or [Exhibit B, Section 7](#). No oral understanding or change not incorporated in this Grant Agreement is binding on any of the parties.

### **3. Assignment**

This Grant Agreement is not assignable by Grantee, either in whole or in part, without the consent of the Department in the form of an amendment.

### **4. Records Retention**

- A. Grantee shall establish an official file containing adequate documentation of all actions taken with respect to the Project, including copies of the Grant Agreement, changes, amendments, letters, email correspondence, financial records, and required reports for a minimum of four (4) years following the final payment of funds or until completion of any action and resolution of all issues which may arise as a result of an audit, whichever is later.
- B. Grantee shall adequately protect all records, physical and electronic, from loss, damage, or destruction during the four (4) year retention period.

### **5. Audit**

- A. Grant funded projects are subject to audit by the State of California during the grant term and for up to four years following the termination of the grant agreement. Grantee agrees that the Department, Department of Finance, Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Grant Agreement. The audit may consist of examining and auditing pertinent books, documents, papers, and records including financial transactions and supporting documents, general accounting systems, internal controls, management practices, policies, and procedures pertaining to the performance of this Grant Agreement.
- B. At any time, the Department, Department of Finance, Bureau of State Audits, or their designated representative may request to review Grantee's records to ensure proper grant management. Grantee shall be given advance notice when the grant-funded Project is selected for an audit or review by the Department, Department of Finance, Bureau of

State Audits, or their designated representative. Grantee agrees to allow the auditor(s) access to such records during normal business hours, excluding State of California holidays, and to allow interviews of any employees who might reasonably have information related to such records. Further, Grantee agrees to include a similar right of the Department to audit records and interview staff in any subcontract related to performance of this Grant Agreement in accordance with Government Code section 8546.7. Grantee shall comply with the above and be aware of the penalties for violations of fraud and for obstruction of investigation as set forth in Public Contract Code section 10115.10.

#### **6. Indemnification**

Grantee agrees to indemnify, defend, and hold harmless the State of California, its officers, agents, and employees from any and all claims and losses accruing or resulting to any and all Grantees, partners, subcontractors, suppliers, laborers, and any other person, firm, or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Grant Agreement, and from any and all claims and losses accruing or resulting to any person, firm, or corporation who may be injured or damaged by Grantee in the performance of this Grant Agreement.

#### **7. Disputes**

Grantee shall continue with the responsibilities under this Grant Agreement during any dispute.

#### **8. Independent Grantee**

Grantee, and the agents and employees of Grantee, in the performance of this Grant Agreement, shall act in an independent capacity and not as officers, employees, or agents of the Department.

#### **9. Non-Discrimination Clause**

During the performance of this Grant Agreement, Grantee and its subcontractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of race, color, ancestry, national origin, religion, creed, age (over 40), mental disability, physical disability, sex, gender (including pregnancy, childbirth, breastfeeding, or related medical conditions), sexual orientation, gender identity, gender expression, medical condition, genetic information, marital status, and military and veteran status. Grantee and subcontractors shall ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Grantee and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12990 (a-f) et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of



the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Grant Agreement by reference and made a part hereof as if set forth in full. Grantee and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other Grant Agreement.

Grantee shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under this Grant Agreement.

### **10. Timeliness**

Time is of the essence in this Grant Agreement. The Department and Grantee will work collaboratively to ensure this Grant Agreement is administered in a timely fashion.

### **11. Governing Law**

This Grant Agreement is governed by and shall be interpreted in accordance with the laws of the State of California.

### **12. Unenforceable Provision**

If any provision of this Grant Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Grant Agreement have force and effect and shall not be affected thereby.

## **Exhibit D, Special Terms and Conditions**

### **1. Compliance with Laws and Regulations**

By signing this Grant Agreement, Grantee certifies that it shall comply fully with all applicable federal, state, and local laws, ordinances, regulations, and permits and shall secure any new permits required by authorities having jurisdiction over the Project(s) and maintain all presently required permits. Grantee shall ensure that any applicable requirements of the California Environmental Quality Act are met in order to carry out the terms of this Grant Agreement.

### **2. Subcontractors**

The Department's contractual relationship is with Grantee, and not any of its subcontractors. Grantee is entitled to make use of its own staff and subcontractors, as identified in the Budget Detail Worksheet ([Attachment 4](#)), and will comply with its own competitive bidding and sole sourcing requirements for subcontracts that arise out of or in connection with this Grant Agreement. Grantee shall manage, monitor, and accept responsibility for the performance of its own staff and subcontractors, and will conduct Project activities and services consistent with professional standards for the industry and type of work being performed under this Grant Agreement.

Nothing contained in this Grant Agreement or otherwise, shall create any contractual relation between the Department and any subcontractors, and no subcontract shall relieve Grantee of its responsibilities and obligations hereunder. Grantee agrees to be as fully responsible to the Department for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by Grantee. Grantee's obligation to pay its subcontractors is an independent obligation from the Department's obligation to make payments to Grantee. As a result, the Department shall have no obligation to pay or to enforce the payment of any moneys to any subcontractor.

### **3. No Third-Party Beneficiaries**

This Grant Agreement is not intended for the benefit of any person or entity other than the parties, and no one other than the parties themselves may enforce any of the rights or obligations created by this Grant Agreement.

### **4. Project Monitoring and Oversight**

Project monitoring and oversight is essential to ensure the Project stays within scope and is completed on schedule and within budget in accordance with this Grant Agreement.

## 5. Dispute Resolution

### A. Invoice Disputes

- i. In the event of an invoice dispute, the Grant Manager will notify Grantee by phone and follow up in writing using the Invoice Dispute Notification Template ([Attachment 6](#)) within ten (10) working days of receipt of the disputed invoice.
- ii. During the dispute, both parties shall deal in good faith to resolve the dispute. Grantee shall continue to meet its responsibilities and obligations under the terms of this Grant Agreement.
- iii. If Grantee contests the decision made by the Grant Manager, Grantee shall submit a written "Notice of Dispute" on official letterhead, according to Subsection C below.

### B. General Disputes

- i. In the event of a dispute unrelated to the dispute of an invoice, Grantee shall first attempt to resolve the dispute with the Grant Manager.
- ii. Both parties shall deal in good faith and attempt to resolve the dispute informally.
- iii. Grantee shall continue to meet its responsibilities and obligations under the terms of this Grant Agreement during a dispute.
- iv. If Grantee contests the decision made by the Grant Manager, Grantee shall submit a written "Notice of Dispute" on official letterhead, according to Subsection C below.

### C. Contesting a Dispute Decision

- i. If Grantee contests a decision made by the Grant Manager, Grantee may submit a written "Notice of Dispute" on official letterhead. The "Notice of Dispute" shall include:
  - The Grant Agreement number
  - A complete description of the basis for the dispute
  - Legal authority or pertinent facts, supporting arguments and documentation
  - Action requested for resolution

The "Notice of Dispute" shall be sent to:

Department of Conservation  
Division of Land Resource Protection  
Attn: Division Director  
801 K Street, 14th Floor, MS 14-15  
Sacramento, CA 95814

- ii. Within 30 days after receipt of the “Notice of Dispute,” the Division Director shall review the dispute and submit a written decision to Grantee, which shall include:
  - The decision made
  - An explanation for the decision
  - Whether the decision shall be conclusive and binding or can be appealed and the steps to take to appeal the decision

## **6. Termination**

- A. Completion of Project. This Grant Agreement shall terminate upon completion of the project and payment of the last invoice.
- B. Early Termination. Either Party may terminate this Grant Agreement upon thirty (30) days advance written notice by certified mail to the other Party. The notice shall specify the reason for early termination and may permit Grantee or Department to rectify any deficiency(ies) prior to the early termination date.

## **7. Waiver of Rights**

- A. Grantee waives any and all rights to any type of express or implied indemnity or right of contribution from the Department, its officers, agents, or employees for any liability arising from, growing out of, or in any way connected with this Grant Agreement.
- B. Grantee waives all claims and recourses against the Department, including the right to contribution for loss or damage to persons or property arising from, growing out of, or in any way connected with or incident to this Grant Agreement, except claims arising from the gross negligence of the Department, its officers, agents, and employees.
- C. None of the provisions of this Grant Agreement shall be deemed waived unless expressly waived in writing.

## **8. Insurance Requirements**

- A. Grantee that is a governmental organization may provide evidence of self-insurance to satisfy this requirement.
- B. If Grantee is not a governmental organization or is a governmental organization that is unable to provide evidence of self-insurance, then it shall obtain and keep in force for the term of this Agreement the following insurance policies that cover any acts or omissions of Grantee, its subcontractors, or its employees engaged in the provision of service specified in this Agreement:
  - i. Workers' Compensation Insurance in an amount of not less than \$1,000,000 in accordance with the statutory requirement of the State of California (California Labor Code § 3700 et seq.).

- ii. Commercial general liability insurance in an amount of not less than \$1,000,000 per occurrence for bodily injury and property damage combined.
  - iii. Motor vehicle liability insurance in an amount not less than \$1,000,000 per accident for bodily injury and property damage combined. Such insurance shall cover liability arising out of any motor vehicle including owned or hired, and non-owned motor vehicles.
- C. The State of California, its officers, agents, and employees are included as additional insured, but only with respect to work performed for the State of California under this Grant Agreement. The additional insured endorsement must accompany the certificate of insurance.
  - D. Grantee shall submit proof of insurance documents referencing this Grant Agreement number to the Department electronically within thirty (30) days of signing this Grant Agreement.
  - E. Grantee shall notify Department in writing within five (5) working days of any cancellation, non-renewal, or material change that affects required insurance coverage.
  - F. Grantee shall submit proof of new or updated policy based on insurance requirements within thirty (30) days of policy cancellation or substantial policy change. Failure to provide proof of insurance may result in termination of this Grant Agreement.

## **9. Stop Work**

If it is determined, at the sole discretion of the Department, that Grantee is not meeting the terms and conditions of this Grant Agreement, immediately upon receiving a written notice through certified mail from the Department to stop work, Grantee shall cease all work under this Grant Agreement. The Department has the sole discretion to determine that Grantee meets the terms and conditions after a stop work order, and to send through certified mail a written notice to Grantee to resume work under this Grant Agreement.

## **10. Publicity**

Grantee agrees that it will acknowledge the Department's support whenever activities or projects funded, in whole or in part, by this Grant Agreement are publicized in any news media, brochures, articles, seminars, websites, or other type of promotional material.

Grantee shall also include in any publication resulting from work performed under this grant an acknowledgment substantially as follows:

"The work upon which this publication is based was funded in whole or in part through a grant awarded by the California Department of Conservation."

Media: Grantee is required to identify a point of contact for all press inquiries and communications needs related to the Project and provide the name, phone number, and email address of this individual to the Department. All press releases must be approved by the Department prior to distribution, and the Department must be alerted and invited to participate in all press conferences related to the grant.

Social Media: Grantee is encouraged to use social media to inform and share with the public activities under this Grant Agreement. Furthermore, the Department should be tagged on all posts related to activities under this Grant Agreement.

All publicity must comply with the Publicity and Confidentiality requirements set forth in the Guidelines ([Exhibit F](#)).

### **11. Drug-Free Workplace Certification**

In signing this Grant Agreement, Grantee certifies that it will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:

- A. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.
- B. Establish a Drug-Free Awareness Program to inform employees about:
  - i. The dangers of drug abuse in the workplace.
  - ii. The person's or organization's policy of maintaining a drug-free workplace.
  - iii. Any available counseling, rehabilitation, and employee assistance programs.
  - iv. Penalties that may be imposed upon employees for drug abuse violations.
- C. Every employee who works on this Grant Agreement will:
  - i. Receive a copy of the organization's drug-free workplace policy statement.
  - ii. Agree to abide by the terms of the organization's statement as a condition of employment on this Grant Agreement.

Failure to comply with these requirements may result in suspension of payments under this Grant Agreement or termination of this Grant Agreement or both, and Grantee may be ineligible for award of any future State of California agreements if the Department determines that any of the following has occurred: Grantee has made false certification, or violated the certification by failing to carry out the requirements as noted above (Gov. Code §8350 et seq.).

### **12. Americans with Disabilities Act**

Grantee assures the Department that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA (42 U.S.C. 12101 et seq.).

### **13. Air/Water Pollution Violation Certification**

Under State of California laws, Grantee shall not be: (1) in violation of any order or resolution not subject to review promulgated by the California Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.

### **14. Payee Data Record Form - STD 204**

This form must be completed by all Grantees that are not another state agency or other governmental entity.

**Exhibit E, Award Letter**

[Insert award letter here.]



**Exhibit F, Guidelines**

[Insert Guidelines here.]



Consent 6.

**LAFCO**

**Meeting Date:** 07/22/2021

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**Information**

**SUBJECT**

Correspondence

**RECOMMENDED ACTION**

Receive and file the following correspondence:

A. Woodland Research and Tech Park DEIR Comments - 06.29.21

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**Attachments**

ATT A-Woodland Research and Tech Park DEIR Comments 06.29.21

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**Form Review**

Form Started By: Terri Tuck

Started On: 07/06/2021 12:56 PM

Final Approval Date: 07/06/2021



YOLO  
LOCAL  
AGENCY  
FORMATION  
COMMISSION



COMMISSION  
CHAIR  
OLIN WOODS  
Public Member

June 29, 2021

VICE CHAIR  
DON SAYLOR  
Supervisor – 2<sup>nd</sup> District

Erika Bumgardner, Business Development Liaison  
City of Woodland Economic Development Department  
300 First Street  
Woodland, CA 95695

NORMA ALCALA  
Councilmember  
City of West Sacramento

GARY SANDY  
Supervisor – 3<sup>rd</sup> District

Re: Comments on the Woodland Research & Technology Park Specific Plan  
Draft Environmental Impact Report (DEIR) SCH# 2017062042

TOM STALLARD  
Mayor  
City of Woodland

Dear Ms. Bumgardner:

ALTERNATES  
ANGEL BARAJAS  
Supervisor – 5<sup>th</sup> District

Thank you for consulting with Yolo LAFCo as a Responsible Agency for the Woodland Research & Technology Park Specific Plan DEIR. As you are well aware, LAFCo would use the EIR to consider an annexation to implement the Project.

WADE COWAN  
Mayor  
City of Winters

The DEIR indicates the Project is consistent with the City's general plan and it is able to provide necessary municipal services to the Project. Regarding agricultural loss, the DEIR notes that this Project will be required to comply with mitigation measures from the City's 2035 General Plan EIR, which addressed significant and unavoidable impacts due to the loss of agricultural land. The City's requirements to conserve agricultural land at a 1:1 ratio of similar quality complies with LAFCo's agricultural mitigation policies.

RICHARD DELIBERTY  
Public Member

Thank you again for consulting with Yolo LAFCo. If you have any questions, please feel free to contact me.

STAFF

CHRISTINE M. CRAWFORD, AICP  
Executive Officer

TERRI TUCK  
Administrative Specialist/Clerk

MARK KRUMMENACKER  
Financial Analyst

COUNSEL  
ERIC MAY

Best regards,

Christine M. Crawford, AICP

625 Court Street, Suite 107  
Woodland CA 95695

(530) 666-8048  
lafco@yolocounty.org

www.yololafco.org



Regular 7.

**LAFCO**

**Meeting Date:** 07/22/2021

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**Information**

**SUBJECT**

Six-month status report on LAFCo Municipal Service Review (MSR) adopted recommendations for the Community Services Districts (CSDs) of Cacheville, Esparto, Knights Landing and Madison (LAFCo No. S-054)

**RECOMMENDED ACTION**

Receive status updates from staff and the CSD general managers, discuss and provide direction.

**FISCAL IMPACT**

None.

**REASONS FOR RECOMMENDED ACTION**

The MSR for the Yolo CSDs was adopted on January 28, 2021. At this hearing, the Commission directed staff to return in six months with a status report on the CSD's implementation of LAFCo's MSR recommendations.

**BACKGROUND**

Tables listing the recommendations and status information from each CSD is attached. The general managers for all four CSDs will be in attendance for this discussion: Steve Knightley, Esparto CSD and Leo Refsland, Cacheville, Knights Landing and Madison CSDs.

In particular, staff has requested the general manager for the Knights Landing CSD provide a summary of how issues have been progressing. This CSD was of the greatest concern in the MSR because it was found to be "driving itself into the ground" and LAFCo helped broker a shared services contract with the Madison CSD to provide general manager services, which began in July 2020.

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**Attachments**

ATT-Status of CSD MSR Recommendations 07.22.2021

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**Form Review**

**Inbox**

Christine Crawford (Originator)

**Reviewed By**

Christine Crawford

**Date**

07/09/2021 01:44 PM

Form Started By: Christine Crawford  
Final Approval Date: 07/09/2021

Started On: 07/07/2021 09:40 AM



### Status of Cacheville CSD Recommendations

LAFCo 2021 Cacheville CSD MSR Recommendation	Status*
1. Yolo County should revise its zoning for the town of Yolo considering the lack of a sewer system to accommodate future development.	Directed at Yolo County <b>NOT COMPLETE</b>
2. Prepare a quarterly financial report which presents the CSD's financial condition in a user-friendly way so board members and staff can better understand financial data from the County's financial system. At a minimum the financial data should include a balance sheet, income statement and a budget-to-actual report to detect potential errors.	<b>IN PROCESS</b> GM is working on improving reporting.
3. The District should develop oversight procedures over the billing, collection, deposit and accounts receivable functions to ensure that significant fraud would be detected.	<b>NOT COMPLETE</b> Will focus on comprehensive policies across Cacheville, KL and Madison CSDs in 2022.
4. Once an engineering study for water system upgrades/replacement is completed, the CSD will need to consider if the current rates are sufficient to fund the capital improvement plan.	<b>IN PROCESS</b> Engineering study to be completed end of August 2021. Rate study is the next step.
5. The District should develop accounting, financial, governance and general administrative polices to help guide its decision making in a consistent manner.	<b>NOT COMPLETE</b> Will focus on comprehensive policies across Cacheville, KL and Madison CSDs in 2022.
6. Consider contracting with one of the other CSD's in the county for shared General Manager services, especially considering the Cacheville CSD's operation would not be full time.	<b>COMPLETED</b> GM hired as part-time employee, and plan is to enter into contract similar to KLCSD.
7. According to Government Code Section 61050, the District is required to appoint a general manager.	<b>COMPLETED</b> GM appointed.
8. Considering the CSD is on a five-year audit cycle, consider hiring a qualified external person to review CSD finances each year. At a minimum the review should include comparing budgets to actuals, comparing year-end actual account balances to prior years' balances, and analyzing significant differences or changes to detect material errors.	<b>IN PROCESS</b> Item on next agenda to consider moving to a two-year audit cycle. And consider external year-end review.
9. Consider shifting to a 2 or 3-year audit cycle in order to be better prepared for state/federal grants, loans or other funding opportunities. In addition, complete record retention for five years can be a challenge.	<b>IN PROCESS</b> See 8.

<b>LAFCo 2021 Cacheville CSD MSR Recommendation</b>	<b>Status*</b>
<p>10. The Cacheville CSD should be applauded for getting its own district website up and running in 2019, however it is a work in progress. The District needs to improve website content (it received a 21% transparency score in 2020). Please reference <a href="https://www.yolofco.org/yolo-local-government-website-transparency-scorecards">https://www.yolofco.org/yolo-local-government-website-transparency-scorecards</a> for additional content needed.</p>	<p><b>NOT COMPLETED</b> Lower priority. Board member has volunteered to maintain website, but training needed.</p>
<p>11. Adopt policies regarding personnel, travel and expense reimbursement, personal use of public resources, and contract bidding (LAFCo has policy templates for use if desired).</p>	<p><b>NOT COMPLETED</b> Will focus on comprehensive policies across Cacheville, KL and Madison CSDs in 2022.</p>

\* Status info provided by CSD

## Status of Esparto CSD Recommendations

LAFCo 2021 MSR Recommendation	Status*
1. Prepare an engineer's report and hold a Prop 218 election in the Zone of Benefit to increase the annual assessment for maintaining the detention ponds and surrounding greenbelt as this service is significantly underfunded (LAFCo's understanding is the election is determined by a simple majority vote).	<b>IN PROCESS</b> Working with Yolo County. County legal will assist with cost and management of process.
2. Continue to work with Yolo County and local community organizations to seek ways to maintain the Esparto Community Park without incurring a loss each year.	<b>COMPLETE</b> Resolved for current contract by allowing combined funds for pool and parks to be allocated as needed across both pool and park.
3. Develop and adopt reserve policies for infrastructure improvements/replacement and for unforeseen/catastrophic expenses.	<b>COMPLETE</b> Policy 2150
4. Develop and adopt debt policies.	<b>COMPLETE</b> Policy 3025
5. Develop a plan to fund the Esparto CSD's retirement liability and prefund the OPEB liability.	<b>COMPLETE</b> The contribution requirements of plan members and the District is established and based on a pay-as-you-go basis (i.e., as medical insurance premiums become due). It is not in the best interest of the district to increase debt ratio to pre-fund liabilities at this time.
6. Work to improve the ECSD's website transparency content. The Esparto CSD received a 55% transparency score in 2020. Please see the attachments on the latest Web Transparency Scorecard for needed improvements at <a href="https://www.yololafo.org/yolo-local-government-website-transparency-scorecards">https://www.yololafo.org/yolo-local-government-website-transparency-scorecards</a> .	<b>COMPLETE</b> Updates made in noted areas. Will continue to evaluate and update content as necessary and appropriate.
7. Consider annexing the CSD's waste water treatment ponds so that it no longer needs to pay property taxes.	<b>IN PROCESS</b> Reviewing with Yolo County and ECSD Board of Directors

\* Status info provided by CSD

## Status of Knights Landing CSD Recommendations

LAFCo 2021 Knights Landing CSD MSR Recommendation	Status*
1. Prepare a comprehensive 5-Year CIP that in addition to water, also addresses the wastewater system and storm drainage infrastructure, that includes ongoing maintenance of all its infrastructure and facilities to get a more complete plan.	<b>IN PROCESS</b> Final stages of completion, ETA 9/30/2021 for water. State planning grant awarded for wastewater system improvements.
2. Install the purchased backup generators to keep the water system operating without power at the Ridge Cut Well #4 site.	<b>IN PROCESS</b> Needed to scrap the two-generator backup plan and buy a new generator. Should be completed by yearend. Standby well can be used in the meantime.
3. Develop a plan that would cut costs and maximize revenues to enable future balanced budgets, the creation of a catastrophic reserve to mitigate the impact of unexpected system failures and repairs and to fund reserves for infrastructure improvements and replacement.	<b>COMPLETED</b> Eliminated 1 operator position, cut costs, shared services, repair standardization and increased rates. Estimated to end the year within budget. Stabilized cash flow. Next year will be able to begin putting money away for emergency expenses.
4. Develop formal budgeting, accounting and financial reporting policies and procedures in order to provide staff, District board members and the public with complete, accurate, timely and easily understandable financial reports. At a minimum, periodic reporting should include a balance sheet, income statement, budget to actual analysis and comparative data with prior years.	<b>IN PROCESS</b> Monthly financial reports provided to the Board. Will be standardizing financial policies across CSDs.
5. Board members must make it a board priority to fully understand the District's current financial condition and make a commitment to make a recovery plan and execute it. The plan should focus on maintaining the current system to serve the citizens of Knights Landing, paying off prior years' deficits and setting aside funds for mitigating unforeseen expenses, system improvements and eventual system replacement. The execution should include periodic monitoring to ensure that progress is on track. State grant funds are available and should be incorporated into this plan.	<b>COMPLETED</b> Board training underway and financial information provided on a regular basis. Board turnover remains an issue. Board replacements are being found but consistency is an issue.

LAFCo 2021 Knights Landing CSD MSR Recommendation	Status*
<p>6. District staff and Board members should become more actively engaged with District finances. A first step would be to be more proactive in seeking assistance, first from Yolo County DFS and, if needed, from external resources. Also, the Board should be more involved with the semi-annual audit by requiring more meaningful financial statements and requesting a more thorough review of procedures and operations.</p>	<p><b>COMPLETED</b> See 3-5. LAFCo Finance Analyst assistance has been utilized. Audit for 2019 and 2020 underway and should be completed end of July. Will then be current.</p>
<p>7. When the draft CIP is finalized and adopted, conduct a rate study to estimate the revenue needed to operate, maintain, and reinvest in the water system. The District should also pursue other funding methods (such as grants and loans) to provide the necessary funds for improvement projects.</p>	<p><b>NOT COMPLETED</b> CIP will be completed September 30, 2021. Funding will be next step.</p>
<p>8. Develop policies and procedures related to procurement, debt, credit card usage, reimbursements to employees and board members, clothing reimbursement, insurance, reserves, personnel and payroll, board meeting rules, governance and administrative policies, such as records retention and storage, use of vehicles, webpage, cell phone, nepotism, etc. LAFCo has policy templates available.</p>	<p><b>NOT COMPLETED</b> Stabilizing CSD finances and infrastructure issues were priority. Will develop consistent policies for Cacheville, KL and Madison, project TBD 2022.</p>
<p>9. The Knights Landing CSD was notified in 2020 that it was allocated \$177,000 of per capita parks funding from the state. Since the CSD does not own its own park site, it should partner with Yolo County and the school district to direct these funds towards the improvement of the school's field as a park site and not have these one-time funds go unused.</p>	<p><b>IN PROCESS</b> Yolo County reapplied for park funding, awaiting response from State. CSD is willing to provide funds to parks project.</p>
<p>10. If the July 2020 contract with the Madison CSD for general manager and staff services proves to be successful, the KLCSD should consider a consolidation into one agency.</p>	<p><b>NOT COMPLETED</b> But the timing is ripe to start talking about it. LAFCo could begin facilitating analysis and discussions this fall 2021. Could achieve staffing efficiencies and consistent policies/procedures. Each district not big enough on their own.</p>
<p>11. Explore shared services with the Esparto CSD to potentially utilize its billing system and determine if this would be cost effective for the KLCSD.</p>	<p><b>IN PROCESS</b> Esparto CSD has capacity in its billing system.</p>
<p>12. Significantly improve Board member training to reduce burnout, turnover, and vacancies.</p>	<p><b>NOT COMPLETED</b> GM has been focused on CSD stabilization. CSDA is willing to come in and do some training.</p>

LAFCo 2021 Knights Landing CSD MSR Recommendation	Status*
<p>13. Improve content on the Knights Landing CSD website. The District should be applauded for getting a website up and running in 2019, however, it is still a work in progress and received a 32% transparency score in 2020. Please see the attachments on the latest Web Transparency Scorecard for needed improvements at <a href="https://www.yololafco.org/yolo-local-government-website-transparency-scorecards">https://www.yololafco.org/yolo-local-government-website-transparency-scorecards</a>.</p>	<p><b>NOT COMPLETED</b>            Focused on stabilization, lower priority.</p>
<p>14. Adopt policies regarding anti-nepotism/non-discrimination, travel and expense reimbursement, personal use of public resources, and contract bidding.</p>	<p><b>NOT COMPLETED</b>            Stabilizing CSD finances and infrastructure issues were priority. Policies for Cacheville, KL and Madison consistent, project TBD 2022.</p>

\* Status info provided by CSD

## Status of Madison CSD Recommendations

LAFCo 2021 Madison CSD MSR Recommendation	Status*
1. Include an accounts receivable aging report in the District Board's monthly financial report.	<b>COMPLETED</b> Shut off list with delinquent amounts.
2. Develop reserve policies to mitigate against potential unforeseen catastrophic losses and to finance needed infrastructure improvements.	<b>NOT COMPLETED</b> Will be working on equipment fund and set aside fund. Have money in FB but not set aside. To be completed this FY.
3. Initiate a rate study that would include the accumulation of funds for the improvements recommended in the latest infrastructure study, fund a catastrophic reserve fund and to fund maintenance of the park.	<b>IN PROCESS</b> Completed CIP for water system, wastewater still needed. Funding needs to be determined.
4. Develop accounting, financial and general administrative polices to help guide its decision making in a rational and consistent manner.	<b>NOT COMPLETED</b> Will develop consistent policies for Cacheville, KL and Madison, project TBD 2022.
5. Consider consolidation with the Knights Landing CSD (and other CSDs as appropriate) if a shared services contract relationship is determined to be successful.	<b>NOT COMPLETED</b> But the timing is ripe to start talking about it. LAFCo could begin facilitating analysis and discussions this fall 2021. Could achieve staffing efficiencies and consistent policies/procedures. Smaller 3 CSDs are not big enough on their own.
6. Consider using a different auditor for the Madison CSD's next audit.	<b>COMPLETED</b> Next audit cycle is not due until FY 2022. Agree to hire a different auditor.
7. Improve the CSD's website content to improve from its 2020 score of 32%. Please reference <a href="https://www.yololafco.org/yolo-local-government-website-transparency-scorecards">https://www.yololafco.org/yolo-local-government-website-transparency-scorecards</a> for additional content needed.	<b>NOT COMPLETED</b> Focused on shared services with KLCSD.

\* Status info provided by CSD





## Executive Officer Report 8.

### LAFCO

Meeting Date: 07/22/2021

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#### 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. CALAFCO 2021 Conference Announcement
  - b. Long Range Planning Calendar
  - c. EO Activity Report - June 21 through July 16, 2021
  - d. CALAFCO Legislation Status Report
- 

#### Attachments

ATT a-CALAFCO 2021 Conference Announcement  
ATT b-07.22.2021 Long Range Planning Calendar  
ATT c-EO Activity Report Jun21-Jul16  
ATT d-CALAFCO Legislative Status Report

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#### Form Review

Form Started By: Terri Tuck  
Final Approval Date: 06/29/2021

Started On: 06/29/2021 10:30 AM





# Announcing The 2021 CALAFCO Annual Conference

Hosted by CALAFCO

**October 6 - 8**

Hyatt Regency, Newport Beach  
Conveniently located near the John Wayne Airport



## Highly Relevant & Diverse General & Breakout Session Topics

- The New Era: State of the State in terms of extreme water and fire issues, and what it means for LAFCo\* (Wed)
- Looming pension liabilities (Thu)
- City/District funding and property tax agreements (Thu)
- Post-pandemic workforce best practices for hiring staff (Thu)
- Hot topic facilitated breakouts – two rounds (Thu)
- The “bilities” of water and the LAFCo connection: Availability, accessibility, and portability (along with quality and state mandates)\* (Wed)
- Cyber Security threats to LAFCos and local agencies\* (Fri)
- Annual CALAFCO Legislative Update\* (Fri)
- CALAFCO Annual Business Meeting (for all CALAFCO members)\* (Thu)

*Note: The Program is subject to change.  
\*Indicates General Session*

### Special Highlights

#### LAFCo 101

An introduction to LAFCo and LAFCo law for Commissioners, Staff, and anyone interested in learning more about LAFCo

*Wednesday from  
10:00 a.m. to Noon*

#### Special Thursday afternoon session:

#### Hot Topic Roundtables

Join us for a special kind of breakout session format: **topical roundtables**. Choose the topics that are of most interest to you and join the conversation. This is a chance to share issues, existing best practice solutions, and create new and innovation solutions. Each round of the two-round breakouts will be approx. 50 mins.

*Topical list still being prepared and may include LAFCo indemnification, sea level rise, pandemic recovery, local fire issues, local water issues.*

It's been 2 years since we've seen you...are you missing each other?

**We've Created  
Invaluable Networking  
Opportunities for Reconnection!**

- Regional Roundtable discussions on current regional LAFCo issues
- Extended roundtable discussion for LAFCo legal counsel
- Networking breakfasts and extended breaks
- Welcome Reception Wednesday
- Thursday Pre-dinner Reception & breaks with Sponsors
- Awards Banquet Thursday

**Hyatt Regency Newport Beach  
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**Reservation cutoff date is 9/6/21.**

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Visit [www.calafco.org](http://www.calafco.org) for Conference details or call us at 916-442-6536.

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plan to attend!**

**Registration is now open!  
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## Long Range Meeting Calendar – Tentative Items

July 22, 2021 LAFCo Meeting

Meeting Date	Tentative Agenda Items	Location
Sep 30, 2021	<ul style="list-style-type: none"> <li>FY 20/21 Q4 Financial Update</li> </ul>	BOS Chambers
Oct 28, 2021	<ul style="list-style-type: none"> <li>FY 21/22 Q1 Financial Update</li> </ul>	BOS Chambers
Dec 9, 2021	<ul style="list-style-type: none"> <li>Study Session MSR/SOI for the Fire Protection Districts (FPDs) (LAFCo No. 21-05)</li> <li>LAFCo Financial Audit of FYs 2019, 2020 and 2021</li> <li>Adopting LAFCo 2022 Meeting Calendar</li> </ul>	BOS Chambers
Jan 28, 2022	<ul style="list-style-type: none"> <li>2021 Local Agency Website Transparency Report</li> </ul>	BOS Chambers

## New Proposals Received Since Last Meeting

Date Received	Proposal
NA	<p>Application to extend City of Davis water/sewer services through the Bretton Woods subdivision to 25597 and 25631 CR 99 to serve existing and future SFR per existing zoning and an approved distillery.</p> <p><i>[Application returned 7/9/2021 because LAFCo approval would only be effective for one year. Application deemed premature as Bretton Woods construction has not even commenced yet]</i></p>



## LAFCo EO Activity Report June 21 through July 16, 2021

Date	Meeting/Milestone	Comments
06/23/2021	CALAFCO Meeting	
06/25/2021	GoToWebinar by American Farmland Trust: Local Planning for California Agriculture and Climate Resilience	Attended
06/25/2021	Meeting w/Daniel Kim, Elisa Sabatini (CAO staff)	MSR/SOI for FPDs
06/28/2021	Meet w/Elisa Sabatini (CAO staff)	MSR/SOI for FPDs Discussion
06/28/2021	CALAFCO Executive Officer Meeting	Participated
06/30/2021	Meeting w/Laugenour & Meikle	Potential annexation to Esparto CSD
07/02/2021	Meeting w/Erika Bumgardner (City of Woodland staff)	Potential annexations to City of Woodland
07/02/2021	Meeting w/Pamela Miller (CALAFCO)	CALAFCO Annual Conference Program planning
07/02/2021	Meeting w/Anthony Volkar (YCOE)	Potential YED Talk topic
07/06/2021	Meeting w/Mitch Sears (VCE)	Re potential for VCE to be a broadband coop
07/06/2021	Fire Protection Sustainability Ad Hoc Committee Internal Meeting	Participated
07/06/2021	Meeting w/Kimberly Villa, Patricia Valenzuela (Dept. of Community Services staff)	Wild Wings CSD Formation Advisory Committee (watched video later due to schedule conflict)
07/07/2021	Staff Meeting	Weekly Zoom meetings
07/08/2021	Meeting w/Leo Refsland (GM for Cacheville, Knights Landing, & Madison CSDs)	6 mos. Update re: LAFCo MSR Recommendations
07/12/2021	Meeting w/Olin Woods	Agenda Review
07/12/2021	Staff Meeting	Weekly Zoom meetings
07/16/2021	Meeting w/Mary Ellen Rosebrough-Gay (IT-GIS)	Mapping for FPDs MSR/SOI





## CALAFCO Daily Legislative Report as of Monday, July 12, 2021

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**AB 339 (Lee D) Local government: open and public meetings.**
**Current Text:** Amended: 7/5/2021 [html](#) [pdf](#)
**Introduced:** 1/28/2021

**Last Amended:** 7/5/2021

**Status:** 7/5/2021-Read second time and amended. Re-referred to Com. on JUD.

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

**Calendar:**

7/13/2021 1:30 p.m. - Senate Chamber SENATE JUDICIARY, UMBERG, Chair

**Summary:**

The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Under existing law, a member of the legislative body who attends a meeting where action is taken in violation of this provision, with the intent to deprive the public of information that the member knows the public is entitled to, is guilty of a crime. This bill would require local agencies to conduct meetings subject to the act consistent with applicable state and federal civil rights laws, as specified.

**Attachments:**
[AB 339 Fact Sheet](#)
**Position:** Watch

**Subject:** Other

**CALAFCO Comments:** This bill allows for continued remote participant in local (and state) hearings/meetings while adding requirements for both call-in and internet service based options for all public meetings; requires providing closed caption services; and requires agencies to provide language access services. The bill requires teleconferenced meetings to include an in-person public comment opportunity that creates a place where members of the public can gather at a designated site to give public comment (barring any in-person restrictions). Further, the bill requires the agenda and instructions for accessing the meeting to be translated into all languages for which 5% of the population in the area governed by the local agency is a speaker.

The bill adds requirements for local agencies to employ a sufficient amount of qualified bilingual people to provide translation services during the meeting in the language of the non-English speaking person (consistent with all languages for which 5% of the population in the area governed by the local agency speak). The bill adds similar requirements for any state legislative body. All of these new requirements are unfunded mandates.

This bill is sponsored by the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

The bill was significantly amended on 4-15-21. These amendments removed all state requirements as noted above. Further, they require public participation by phone or internet (with video/audio), and allow agencies to create a registration process for public comments so long as people can register to speak via phone and in person.

The amendments remove the blanket requirement to translate the agenda and meeting access information and makes those an on-request requirements. The amendments also remove the blanket requirement for agencies to have sufficient qualified bilingual translators during meetings and changes that requirement to on-request, and requires agencies to make public the process to make such a request.

All requirements remain unfunded mandates.

Amended on 5-4-21 as a result of the ALGC hearing, this version of the bill now:

- Limits the bill's applicability to the meetings of city councils and county boards of supervisors only, the jurisdictions of which contain a population of at least 250,000 people;

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- Requires public access via telephone OR internet (not both);
- Removes language requiring two-way operability for internet;
- Removes all language translation requirements;
- Removes language allowing local agencies to require members of the public to register in order to provide public comment;
- Removes language allowing teleconferencing to be used by members of the legislative body (to avoid inadvertently precluding the use of teleconferencing by the public);
- Refines language referring to "all meetings" to state "all open and public meetings" (to ensure closed sessions are not subject to the provisions of the bill);
- Restores current law allowing public comment before an agenda item is taken up; and,
- Adds a sunset date of December 31, 2023.

As amended 6/25/21 - The bill requires a city or county with over 250,000 to conduct public meetings with a two-way telephone or internet option for the public. It also requires them, if as of 6-15-21 the agency has provided video streaming of their public meetings, to continue to do so. Also requires the agency to provide in-person public comment unless the law prohibits in-person gatherings.

UPDATE: The 7/5/21 amendment specifies that the agency shall continue to provide streaming if they have conducted at least one (not all) meeting in that manner as of 6-15-21.

### **AB 361** (**Rivas, Robert D**) **Open meetings: local agencies: teleconferences.**

**Current Text:** Amended: 7/6/2021 [html](#) [pdf](#)

**Introduced:** 2/1/2021

**Last Amended:** 7/6/2021

**Status:** 7/6/2021-Read second time and amended. Re-referred to Com. on JUD.

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

**Calendar:**

7/13/2021 1:30 p.m. - Senate Chamber SENATE JUDICIARY, UMBERG, Chair

**Summary:**

Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

**Attachments:**

[AB 361 Fact Sheet](#)

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that certain requirements are met (noticing, public access, etc.). This bill allows a local agency to conduct meetings using teleconference methods without complying with certain teleconferencing requirements if they are meeting for the purposes of declaring or ratifying a local emergency, during a declared state or local emergency (as defined in statute), when state or local health officials have imposed or recommended certain measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.

The legislative body must give notice of the meeting and post agendas to allow members of the public to access the meeting and address the legislative body, offer public comment, and protect rights of the parties and public appearing before the legislative body. The bill also rescinds the requirement that at least a quorum of the body must meet within the jurisdictional boundaries of the agency under these circumstances when meeting via telecon.

As amended on 4/6/21, the bill now specifies that the new statute can be applied if meeting in **66**

person presents imminent risk to the health & safety of attendees; Requires the agenda to provide opportunity for anyone to attend via call-in or internet option; should there be a service disruption that prevents remote public participation, the agency must take no further action on any agenda item until service is restored; the agency cannot require submittal of public comments in advance of the meeting; and requires the legislative body, every 30 days after the initial declaration of emergency, should the emergency remain active, to make certain findings that the emergency still exists and prevents in-person meetings.

As amended on 5-10-21, the amendments tighten restrictions for in-person meetings to only the determination that meeting in person presents imminent risk to the health and safety of attendees (removing the option to consider if attendance by one of more members of the legislative body is hindered).

UPDATE: As amended 7/6/21, the bill now only applies to state declared emergencies; adds specific requirements for making accommodations for various types of public comment processes during local government meetings; adds a sunset date of 1-1-24; and allows agencies to use telecon methods to meet and specifies requirements for those meetings.

This bill is sponsored by the CA Special Districts Association (CSDA). The bill is not marked fiscal. A fact sheet is posted in the tracking section of the bill.

**AB 703 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.**

**Current Text:** Amended: 4/29/2021 [html](#) [pdf](#)

**Introduced:** 2/16/2021

**Last Amended:** 4/29/2021

**Status:** 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 2/25/2021)(May be acted upon Jan 2021)

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

**Summary:**

Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act’s requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the notice requirements particular to teleconferencing and would revise the requirements of the act to allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda, provided that the public is allowed to observe the meeting and address the legislative body directly both in person and remotely via a call-in option or internet-based service option, and that a quorum of members participate in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the jurisdiction.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** As amended on 4/29/21, the bill requires local agencies to allow for public participation during meetings of the legislative body both at in-person and via a call-in or internet-based option. It further requires that if the agency holds a teleconference meeting, at least a quorum of the governing body shall participate in person from a single location which shall be open to the public (and located within the boundaries of the jurisdiction).

Despite these requirements, the bill is not marked fiscal. Further, it applies only to local agencies, not state agencies.

The bill is sponsored by Three Valleys Municipal Water Agency.

**AB 1195 (Garcia, Cristina D) Drinking water.**

**Current Text:** Amended: 5/24/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amended:** 5/24/2021

**Status:** 6/17/2021-In committee: Set, first hearing. Hearing canceled at the request of author.

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

**Summary:**

Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help

water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Current law authorizes the state board to provide for the deposit into the fund of certain moneys and continuously appropriates the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients. This bill would prohibit a public water system from transferring or abandoning a water right held by the public water system except upon approval of the state board, as prescribed.

**Attachments:**

[AB 1195 Fact Sheet](#)

**Position:** Watch With Concerns

**Subject:** Water

**CALAFCO Comments:** As amended on 4-6-21, the bill was gut and amended and now creates the So LA County Human Rights to Water Collaboration Act. It requires the Water Board to appoint a commissioner to implement the Safe & Affordable Funding for Equity & Resilience Program and gives the commissioner certain authorities (although they are not clearly spelled out). It requires the commissioner by 12-31-24 to submit to the Water Board a plan for the long-term sustainability of public water systems in southern LA County and prescribes what shall be included in the plan. The bill also creates a technical advisory board and requires the commissioner to oversee the Central Basin Municipal Water District.

In its current form the bill creates numerous concerns. CALAFCO's letter of concern is posted in the tracking section of the bill, and includes: (1) Focus of the bill is very broad as is the focus of the commissioner; (2) In an attempt to prevent privatization of water systems there is language regarding severing water rights. That language could be problematic should a consolidation be ordered; (3) Diminishing local control that is being invested in the state (an ongoing concern since SB 88); (4) A clear distinction needs to be made between an Administrator and Commissioner; (5) The poorly written section on the technical advisory board; and (6) The lack of LAFCo involvement in any consolidation process.

As amended on 5-24-21, the bill changes the water rights provision now requiring approval by the water Board; uses the definitions of "at risk system" and "at risk domestic well" found in SB 403 (Gonzalez) as well as the 3,300 connect cap; requires the commissioner appointed by the board to be from the local area; requires the commissioner to do certain things prior to completing the regional plan; and requires the commissioner to apply to LA LAFCo for extension of service, consolidation or dissolution as appropriate. The bill also creates a pilot program for LA LAFCo giving them the authority to take action rather than the water board, providing it is within 120 days of receipt of a completed application. If the LAFCo fails to take action within that time, the matter goes to the water board for their action.

The pilot program also gives LA LAFCo the authority to approve, approve with conditions or deny the application; further giving LAFCo authority to consider consolidation or extension of service with a local publicly owned utility that provides retail water, a private water company or mutual; the bill also waives protest proceedings, gives the LAFCo authority to address governance structure and CEQA is waived, provides full LAFCo indemnification and funding.

There are still issues with the proposed technical advisory board section of the bill, and questions about timing of some of the processes. CALAFCO continues to work with the author and speakers' offices as well as other stakeholders on ongoing amendments.

The bill is author-sponsored and we understand there is currently no funding source. A fact sheet is posted in the tracking section of the bill. CALAFCO's letter of concern is also posted there.

THIS IS NOW A 2-YEAR BILL.

**[AB 1581](#) (Committee on Local Government) Local government: omnibus.**

**Current Text:** Chaptered: 6/29/2021 [html](#) [pdf](#)

**Introduced:** 3/9/2021

**Last Amended:** 4/19/2021

**Status:** 6/28/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 31, Statutes of 2021.

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

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the authority **68**

and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Current law requires a local agency formation commission to develop and determine the sphere of influence of each city and each special district within the county and enact policies designed to promote the logical and orderly development of areas within each sphere. Current law requires, when a proposed change of organization or reorganization applies to 2 or more affected counties, that exclusive jurisdiction vest in the commission of the principal county, unless certain things occur. This bill would add the determination of a sphere of influence to the types of proposed changes for which exclusive jurisdiction may or may not vest in a principal county.

**Attachments:**

- [LAFCo Template Request Gov Signature](#)
- [CALAFCO Request Governor Signature June 2021](#)
- [LAFCo Support letter template](#)
- [CALAFCO Support letter](#)

**Position:** Sponsor

**Subject:** CKH General Procedures

**CALAFCO Comments:** This is the annual ALGC Omnibus bill which CALAFCO sponsors. Sections amended are: 56133(a) and (f); 56325.1 (renumbered to 56331.4); 56427; and 56879(a).

As amended on 4/19, additional sections amended include 56066, 56123, 56124, 56375. Further the bill repeals sections 56375.2, 56387, 56388, 56747, 56760, 57001.1, 57075.5, 57202.1 and 57383.

**SB 810 (Committee on Governance and Finance) Validations.**

**Current Text:** Chaptered: 6/29/2021 [html](#) [pdf](#)

**Introduced:** 2/23/2021

**Status:** 6/28/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 36, Statutes of 2021.

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

**Summary:**

This bill would enact the First Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill would declare that it is to take effect immediately as an urgency statute.

**Attachments:**

- [CALAFCO Support Letter March 2021](#)

**Position:** Support

**Subject:** Other

**CALAFCO Comments:** These are the annual validating Acts.

**SB 811 (Committee on Governance and Finance) Validations.**

**Current Text:** Chaptered: 6/29/2021 [html](#) [pdf](#)

**Introduced:** 2/23/2021

**Status:** 6/28/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 37, Statutes of 2021.

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

**Summary:**

This bill would enact the Second Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill would declare that it is to take effect immediately as an urgency statute.

**Attachments:**

- [CALAFCO Support Letter March 2021](#)

**Position:** Support

**Subject:** Other

**CALAFCO Comments:** These are the annual validating Acts.

**SB 812 (Committee on Governance and Finance) Validations.**

**Current Text:** Chaptered: 6/29/2021 [html](#) [pdf](#)

**Introduced:** 2/23/2021

**Status:** 6/28/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 38, Statutes of 2021.

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

**Summary:**

This bill would enact the Third Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Attachments:**

[CALAFCO Support Letter March 2021](#)

**Position:** Support

**Subject:** Other

**CALAFCO Comments:** These are the annual validating Acts.

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**2**

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**[AB 1250](#) ([Calderon D](#)) **Water and sewer system corporations: consolidation of service.****

**Current Text:** Amended: 7/5/2021 [html](#) [pdf](#)

**Introduced:** 2/19/2021

**Last Amended:** 7/5/2021

**Status:** 7/7/2021-From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (July 7). Re-referred to Com. on APPR.

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

**Summary:**

The California Safe Drinking Water Act provides for the operation of public water systems, which include small community water systems, and imposes on the State Water Resources Control Board related regulatory responsibilities and duties. Current law authorizes the state board to order consolidation of public water systems where a public water system or state small water system serving a disadvantaged community consistently fails to provide an adequate supply of safe drinking water, as provided. This bill, the Consolidation for Safe Drinking Water Act of 2021, would authorize a water or sewer system corporation to file an application and obtain approval from the Public Utilities Commission through an order authorizing the water or sewer system corporation to consolidate with a small community water system or state small water identified as failing or at risk of failing by the state board.

**Attachments:**

[AB 1250 Fact Sheet 2021](#)

**Position:** Watch

**Subject:** Municipal Services, Water

**CALAFCO Comments:** The intent of the bill is to prescribe response timelines for the PUC in terms of processing consolidations. This bill creates the Consolidation for Safe Drinking Water Act of 2021. The bill allows a water or sewer corp to file an application with the Public Utilities Commission (PUC) to approval to consolidate with a public or state small system. The bill requires the PUC to act on the application within 8 months of receipt. If a consolidation is valued at \$5 million or less, the water or sewer corp can file an advise letter and get the PUC approval via resolution. In this instance, the PUC has 120 days to act on the request. The bill also give the PUC authority to designate a different procedure to request consolidation for systems valued less than \$5M.

The bill requires the PUC to prioritize consolidation requests based on compliance records and requires the entity requesting consolidation to conduct a thorough public process.

The bill is sponsored by the California Water Association and does not have an impact on LAFcos. Nevertheless, CALAFCO will keep a watch on the bill. A fact sheet is posted in the tracking section of the bill.

The amendments on 5/24/21 establish the Consolidation For Safe Drinking Water Fund, with all moneys available, upon appropriation, going to the PUC in order to process the applications and 70

cover any associated regulatory costs, and requires a water or sewer system corporation to pay a fee of \$10,000 when filing an application pursuant to the above provision and requires the fee to be deposited into the fund.

UPDATE: The 7/5/21 amendments change the type of system focused for consolidation from public to small community. Also adds the ability to consolidate systems to include state small systems, and no longer requires the consolidation to be into a public system. Also extended the PUC timeline to approve or deny an application for consolidation from 8 to 12 months.

**SB 403 (Gonzalez D) Drinking water: consolidation.**

**Current Text:** Amended: 7/5/2021 [html](#) [pdf](#)

**Introduced:** 2/12/2021

**Last Amended:** 7/5/2021

**Status:** 7/5/2021-Read second time and amended. Re-referred to Com. on APPR.

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

**Calendar:**

7/14/2021 9 a.m. - State Capitol, Assembly Chamber ASSEMBLY APPROPRIATIONS, GONZALEZ, LORENA, Chair

**Summary:**

The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order consolidation with a receiving water system where a public water system or a state small water system, serving a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water or where a disadvantaged community is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would revise those consolidation provisions, including, among other revisions, authorizing the state board to also order consolidation where a water system serving a disadvantaged community is an at-risk water system, as defined, or where a disadvantaged community is substantially reliant on at-risk domestic wells, as defined.

**Attachments:**

- [CALAFCO Removal of Opposition Letter June 2021](#)
- [CALAFCO Oppose Unless Amended Letter April 2021](#)
- [SB 403 Fact Sheet 2021](#)

**Position:** Neutral

**Subject:** Disadvantaged Communities, Water

**CALAFCO Comments:** Current law (Health & Safety Code Section 116682) authorizes the State Water Resources Control Board (Board) to order consolidation (physical or operational) of a public water system or state small water system serving a disadvantaged community that consistently fails to provide an adequate supply of safe drinking water, or a disadvantaged community (in whole or part) that is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would add to that a water system or domestic well(s) that are at risk of failing to provide an adequate supply of safe drinking water, as determined by the Board. The bill also requires the Board, before ordering consolidation, to conduct outreach to ratepayers and residents served by the at-risk system and to consider any petition submitted by members of a disadvantaged community being served by the at-risk system.

There appears to be several problems with this bill: (1) The bill does not define "at risk" and there is no definition of "at risk" currently in H&S Code Sec. 116681; (2) There is a lack of consultation with GSAs by the State Board when considering ordering consolidation or extension of service; (3) There is no requirement or even consideration for annexation upon extension of service; and (4) there does not appear to be a limitation of the number of connections or the extent to which the system can be extended.

The bill is co-sponsored by the Leadership Counsel for Justice and Accountability, Clean Water Action and Community Water Center. A fact sheet is posted in the tracking section of the bill. CALAFCO's position letter is also posted there.

Specific to SB 403, we requested 3 amendments: (1) Define "at risk"; (2) Add a requirement for the SWRCB to consult with GSAs when considering a domestic well consolidation; and (3) Put a cap on the number of users to be added by the subsuming system or the extent to which the service is being extended. Additionally, CALAFCO recommended a comprehensive review of the current mandatory consolidation process citing a host of issues the current process creates.

As amended on 4/27/21, the bill now defines "at risk system" and "at risk domestic well"; creates an appeal process for potentially subsumed water systems; requires inspection or testing of wells to determine "at risk" status; and allows the Board to prioritize systems historically overburdened by pollution and industrial development or other environmental justice concerns. It also puts a cap of 3,300 or fewer connections on systems that can be subsumed. These amendments address 2 of our 3 requested amendments. We will continue to work with the author on requiring the SWRCB to consult with GSAs on wells.

Amends from 6/8/21 add a requirement for the Water Board to consult with GSAs. This is the last remaining amendment requested by CALAFCO so we have removed our opposition and gone to Neutral. The other amendment in this version simply reorders a subsection with no substantive impacts.

UPDATE: Amended on 7/5, the bill now requires the water board to consult with the potentially receiving water system and adds language that specifies the input allowed by that system (amendments requested by ACWA and granted during the ALGC hearing).

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### 3

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#### **AB 11 (Ward D) Climate change: regional climate change authorities.**

**Current Text:** Amended: 1/21/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amended:** 1/21/2021

**Status:** 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 1/11/2021)(May be acted upon Jan 2022)

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

**Summary:**

Would require the Strategic Growth Council, by January 1, 2023, to establish up to 12 regional climate change authorities to coordinate climate adaptation and mitigation activities in their regions, and coordinate with other regional climate adaptation authorities, state agencies, and other relevant stakeholders.

**Attachments:**

[AB 11 Fact Sheet](#)

**Position:** Watch

**Subject:** Other

**CALAFCO Comments:** As amended on 1/21/21, this bill authorizes/requires the Strategic Growth Council (SGC) to establish up to 12 regional climate change authorities by January 1, 2023, to include local agencies and regional stakeholders. The SGC is required to adopt guidelines that: (1) Define the authority; (2) Include guidelines for establishing an authority via a stakeholder-driven process; (3) Consult with OPR (and other state authorities) in development of the guidelines and award annual grants to authorities.

The bill outlines the regional climate change authorities in summary as: coordination, capacity-building, and technical assistance activities within their boundaries, promote regional alignment and assist local agencies in creating and implementing plans developed pursuant to Section 65302 of the Government Code, other federal or state mandates, and programs designed address climate change impacts and risks. The bill also requires the authority to submit annual reports to the SGC, with the scope of the report outlined in the bill.

This is an author-sponsored bill. There is no appropriation to fund the cost of the program. A fact sheet is posted in the tracking section of the bill.

UPDATE 3/17/21: CALAFCO learned from the author's office they do not intend to move the bill forward, but instead work with Assm. Mullin on AB 897 and merge the two bills.

#### **AB 473 (Chau D) California Public Records Act.**

**Current Text:** Introduced: 2/8/2021 [html](#) [pdf](#)

**Introduced:** 2/8/2021

**Status:** 7/8/2021-From Consent Calendar. Ordered to third reading.

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



**Calendar:**

7/12/2021 #110 SENATE ASSEMBLY BILLS - THIRD READING FILE

**Summary:**

The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would recodify and reorganize the provisions of the act. The bill would include provisions to govern the effect of recodification and state that the bill is intended to be entirely nonsubstantive in effect. The bill would contain related legislative findings and declarations. The bill would become operative on January 1, 2023.

**Position:** Watch

**Subject:** Public Records Act

**CALAFCO Comments:** This bill is a redo of AB 2138 from 2020 that did not move forward. According to the author's office, this bill and AB 474 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

**AB 474 (Chau D) California Public Records Act: conforming revisions.**

**Current Text:** Amended: 6/21/2021 [html](#) [pdf](#)

**Introduced:** 2/8/2021

**Last Amended:** 6/21/2021

**Status:** 7/8/2021-From Consent Calendar. Ordered to third reading.

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

**Calendar:**

7/12/2021 #111 SENATE ASSEMBLY BILLS - THIRD READING FILE

**Summary:**

Would enact various conforming and technical changes related to another bill, AB 473, which recodifies and reorganizes the California Public Records Act. This bill would only become operative if AB 473 is enacted and reorganizes and makes other nonsubstantive changes to the California Public Records Act that become operative on January 1, 2023. The bill would also specify that any other bill enacted by the Legislature during the 2021 calendar year that takes effect on or before January 1, 2022, and that affects a provision of this bill shall prevail over this act, except as specified.

**Position:** Watch

**Subject:** Public Records Act

**CALAFCO Comments:** This bill is a redo of AB 2438 from 2020 that did not move forward. According to the author's office, this bill and AB 473 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

Amendments of 5/27 are technical and minor in nature, and make it the conforming act to AB 473.

UPDATE: Amendments from 6/21/21 are only minor, technical clean-up amends.

**AB 897 (Mullin D) Office of Planning and Research: regional climate networks: regional climate adaptation action plans.**

**Current Text:** Amended: 7/1/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Last Amended:** 7/1/2021

**Status:** 7/1/2021-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on N.R. & W.

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

**Calendar:**

7/13/2021 9 a.m. - John L. Burton Hearing Room (4203) SENATE NATURAL RESOURCES AND WATER, STERN, Chair

**Summary:**

Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state's climate adaptation strategy, known as the Safeguarding California Plan. Current law establishes the Office of Planning and Research in state government in

the Governor's office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office, through the program, to encourage the inclusion of agencies with land use planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

**Attachments:**

[AB 897 Fact Sheet](#)

**Position:** Support

**Subject:** Climate Change

**CALAFCO Comments:** As introduced, the bill builds on existing programs through OPR by promoting regional collaboration in climate adaptation planning and providing guidance for regions to identify and prioritize projects necessary to respond to the climate vulnerabilities of their region.

As amended, the bill requires OPR to develop guidelines (the scope of which are outlined in the bill) for Regional Climate Adaptation Action Plans (RCAAPs) by 1-1-23 through their normal public process. Further the bill requires OPR to make recommendations to the Legislature on potential sources of financial assistance for the creation & implementation of RCAAPs, and ways the state can support the creation and ongoing work of regional climate networks. The bill outlines the authority of a regional climate network, and defines eligible entities. Prior versions of the bill kept the definition as rather generic and with each amended version gets more specific. As a result, CALAFCO has requested the author add LAFCOs explicitly to the list of entities eligible to participate in these regional climate networks.

As amended on 4/7, AB 11 (Ward) was joined with this bill - specifically found in 71136 in the Public Resources Code as noted in the amended bill. Other amendments include requiring OPR to, before 7-1-22, establish geographic boundaries for regional climate networks and prescribes requirements in doing so.

This is an author-sponsored bill. The bill necessitates additional resources from the state to carry out the additional work required of OPR (there is no current budget appropriation). A fact sheet is posted in the tracking section of the bill.

As amended 4/19/21: There is no longer a requirement for OPR to include in their guidelines how a regional climate network may develop their plan: it does require ("may" to "shall") a regional climate network to develop a regional climate adaptation plan and submit it to OPR for approval; adds requirements of what OPR shall publish on their website; and makes several other minor technical changes.

UPDATE: As amended 7/1/21, the bill now explicitly names LAFCo as an eligible entity. It also adjusts several timelines for OPR's requirements including establishing boundaries for the regional climate networks, develop guidelines and establish standards for the networks, and to make recommendations to the Legislature related to regional adaptation. Give the addition of LAFCo as an eligible entity, CALAFCO is now in support of the bill.

**[AB 903](#) (Frazier D) Los Medanos Community Healthcare District.**

**Current Text:** Amended: 4/19/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Last Amended:** 4/19/2021

**Status:** 7/8/2021-In committee: Set, first hearing. Failed passage. Reconsideration granted.

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

**Summary:**

Would require the dissolution of the Los Medanos Community Healthcare District, as specified. The bill would require the County of Contra Costa to be successor of all rights and responsibilities of the district, and require the county to develop and conduct the Los Medanos Area Health Plan Grant Program focused on comprehensive health-related services in the district's territory. The bill would require the county to complete a property tax transfer process to ensure the transfer of the district's health-related ad valorem property tax revenues to the county for the sole purpose of funding the Los Medanos Area Health Plan Grant Program. By requiring a higher level of service from the County of Contra Costa as specified, the bill would impose a state-mandated local program.

**Position:** Watch

**CALAFCO Comments:** This bill mandates the dissolution of the Los Medanos Community Healthcare District with the County as the successor agency, effective 2-1-22. The bill requires the County to perform certain acts prior to the dissolution. The LAFCo is not involved in the dissolution as the bill is written. Currently, the district is suing both the Contra Costa LAFCo and the County of Contra Costa after the LAFCo approved the dissolution of the district upon application by the County and the district failed to get enough signatures in the protest process to go to an election.

The amendment on 4/5/21 was just to correct a typo in the bill.

As amended on 4/19/21, the bill specifies monies received by the county as part of the property tax transfer shall be used specifically to fund the Los Medanos Area Health Plan Grant Program within the district's territory. It further adds a clause that any new or existing profits shall be used solely for the purpose of the grant program within the district's territory.

**AB 959 (Mullin D) Park districts: ordinances: nuisances: abatement.**

**Current Text:** Amended: 7/6/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Last Amended:** 7/6/2021

**Status:** 7/6/2021-Read second time and amended. Ordered to third reading.

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

**Calendar:**

7/12/2021 #105 SENATE ASSEMBLY BILLS - THIRD READING FILE

**Summary:**

Current law prescribes procedures, including the election of a board of directors, for the formation of regional park districts, regional park and open-space districts, or regional open-space districts. Current law authorizes 3 or more cities, together with any parcel or parcels of city or county territory, whether in the same or different counties, to organize and incorporate, but requires that all the territory in the proposed district be contiguous. Current law requires the board of directors to superintend, control, and make available to all the inhabitants of the district all public recreation lands and facilities, as provided. Current law requires the board of directors to act only by ordinance, resolution, or a motion duly recorded in the minutes of the meeting. This bill would authorize the board of directors of a district, by ordinance, to declare an encroachment onto district lands constitutes a nuisance.

**Attachments:**

[AB 959 Fact Sheet](#)

**Position:** Watch

**CALAFCO Comments:** As introduced, this bill gives authority to independent regional park & open space districts governed by PRC 5500 to: (1) Declare by ordinance what constitutes a public nuisance; (2) Abate those public nuisances by either administrative or civil actions; and (3) Ability to recover costs incurred in abating the public nuisance, including attorneys' fees. There are 4 of these independent special districts: (1) Midpeninsula Regional Open Space District; (2) East Bay Regional Park District; (3) Monterey Peninsula Regional Park District; and (4) Napa County Regional Park and Open Space District. A fact sheet is posted in the tracking section of the bill.

As amended on 5-10-21, the bill requires the district Board to adopt an ordinance declaring what constitutes a nuisance. It authorizes the district to initiate civil action and recover damages.

The amendment of 6/18/21 corrects a code citing.

UPDATE: The amendments of 7/6/21 do several things: (1) change the definition of nuisance to an encroachment onto district land; (2) allows the district to establish nuisance abatement procedures upon adoption of an ordinance; (3) specifies the requirements of the nuisance abatement procedures; and (4) still allows the district to collect abatement costs with a clearly defined process.

**AB 975 (Rivas, Luz D) Political Reform Act of 1974: statement of economic interests and gifts.**

**Current Text:** Amended: 5/18/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amended:** 5/18/2021

**Status:** 6/1/2021-Ordered to inactive file at the request of Assembly Member Luz Rivas.

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

**Summary:**

The Political Reform Act of 1974 regulates conflicts of interests of public officials and requires that public officials file, with specified filing officers, periodic statements of economic interests disclosing certain information regarding income, investments, and other financial data. The Fair Political Practices Commission is the filing officer for statewide elected officers and candidates and other specified public officials. If the Commission is the filing officer, the public official generally files with their agency or another person or entity, who then makes a copy and files the original with the Commission. This bill would revise and recast these filing requirements to make various changes, including requiring public officials and candidates for whom the Commission is the filing officer to file their original statements of economic interests electronically with the Commission.

**Position:** Watch**Subject:** FPPC

**CALAFCO Comments:** As introduced, this bill makes two notable changes to the current requirements of gift notification and reporting: (1) It increases the period for public officials to reimburse, in full or part, the value of attending an invitation-only event, for purposes of the gift rules, from 30 days from receipt to 30 days following the calendar quarter in which the gift was received; and (2) It reduces the gift notification period for lobbyist employers from 30 days after the end of the calendar quarter in which the gift was provided to 15 days after the calendar quarter. Further it requires the FPPC to have an online filing system and to redact contact information of filers before posting.

The amendment on 4/21/21 just corrects wording (technical, non-substantive change).

The amendments on 5/18/21 clarify who is to file a statement of economic interest to include candidates (prior text was office holders).

**AB 1021 (Mayer I) Imperial Irrigation District.****Current Text:** Amended: 7/1/2021 [html](#) [pdf](#)**Introduced:** 2/18/2021**Last Amended:** 7/1/2021

**Status:** 7/8/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 1.) (July 8). Re-referred to Com. on APPR.

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

**Summary:**

Would require the local agency formation commissions for the County of Imperial and the County of Riverside to conduct and publish on their internet websites a joint study of options for providing electricity in the Imperial Irrigation District and options for alternative governance structures that provide for proportional representation for the Imperial Irrigation District board of directors, as specified. The bill would require the study to be published no later than July 1, 2022.

**Attachments:**

[CALAFCO Oppose Unless Amended 5-26-21](#)

**Position:** Oppose unless amended**Subject:** Special Districts Governance

**CALAFCO Comments:** As amended on 3/18/21, the bill focuses on the Imperial Irrigation District. The bill requires Imperial and Riverside LAFcos to conduct a special study of voting rights and options for providing electricity in the district area should the district decide it no longer desires to provide that serve, to be completed by December 31, 2022, as an unfunded mandate. The bill also requires membership of the district board to increase from 5 to 8 members, with the additional 3 members residing in Riverside County in the area being serviced by the district and appointed by the County Supervisor of that County district. The three new members will be non-voting members.

CALAFCO met with the author's staff on March 18 to discuss concerns on the bill, with input from Riverside and Imperial LAFcos (who will meet with the author's office as well). Concerns include: (1) The unfunded mandate and timing of the study; (2) As representation in the Riverside County service area is the issue, governance structure should also be a part of the study; (3) Section 21562.6 of the Water Code as added is far too vague. CALAFCO offered specific suggestions for clarification in this section.

This bill is similar to AB 854 (2019), which died in Appropriations. CALAFCO had a Watch position on that bill as the two member LAFCoS had opposing positions, and this is a local matter. However, there is concern about requiring a study without funding (the last time the Legislature mandated a special study on a district it required the study be funded by the district).

The bill is author-sponsored and as of now there is no budget appropriation to cover cost.

As amended on 4/19/21, the bill makes substantive changes including: (1) Requires state funding for the study and prescribes an 18-month timeline for completion upon receipt of funds; (2) Adds study content of options for governance structure of the district; (3) Changes the number from 3 to 1 of nonvoting board members appointed to the district Board; and (4) Specifies requirements for the appointment.

The amendments of 5/24/21 remove the funding for the special study, making it an unfunded mandate. The bill also now requires the study to be completed by 7-1-23. As a result of the funding removal and the concerning precedent setting nature of requiring LAFCo to conduct a special study without funding, CALAFCO has taken an OPPOSE UNLESS AMENDED position requesting funding be restored.

UPDATE: As amended 7/1/21, the bill now: (1) has an urgency clause; (2) requires the study to be completed by 7-1-22 (instead of 7-1-23), and (3) removes voting rights from the study. There is still no funding written into the bill, although budget trailer bill SB 129 contains the appropriation. As the appropriation of \$500,000 goes directly to the County of Riverside, a process by which both LAFCoS receive that funding must be established and outlined within the text of the bill. CALAFCO will remain opposed until that is completed.

**AB 1053 (Gabriel D) City selection committees: County of Los Angeles: quorum: teleconferencing.**

**Current Text:** Amended: 4/20/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amended:** 4/20/2021

**Status:** 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/18/2021)(May be acted upon Jan 2021)

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

**Summary:**

Current law creates a city selection committee in each county that consists of 2 or more incorporated cities for the purpose of appointing city representatives to boards, commissions, and agencies. Under current law, a quorum for a city selection committee requires a majority of the number of the incorporated cities within the county entitled to representation on the city selection committee. Current law requires a city selection committee meeting to be postponed or adjourned to a subsequent time and place whenever a quorum is not present at the meeting. This bill, for the city selection committee in the County of Los Angeles, would reduce the quorum requirement to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to items that appeared on the immediately preceding agenda where a quorum was not established.

**Attachments:**

[CALAFCO Removal of Opposition Letter April 2021](#)

[CALAFCO Oppose Unless Amended April 2021](#)

**Position:** Watch

**Subject:** Other

**CALAFCO Comments:** As amended on 3/18/21, the bill reduces the quorum requirement for a city selection committee to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to replicate the meeting for which a quorum was not established. The bill also authorizes a city selection committee to conduct their meetings be teleconference and electronic means.

The bill is sponsored by the Las Virgenes-Malibu Council of Governments.

CALAFCO's letter of Oppose Unless Amended is posted in the bill detail area.

UPDATE AS OF 4/21/21 - As amended on 4/20/21, the scope of the bill is significantly narrowed to apply only to the County of Los Angeles' City Selection Committee. This amendment resolves **77**

CALAFCO's concerns and we have removed our opposition and will retain a Watch position. CALAFCO's letter of opposition removal is posted in the bill detail area.

UPDATE: The bill failed to move out of committee so it is now a 2-year bill.

**AB 1246 (Nguyen R) Community services districts.**

**Current Text:** Introduced: 2/19/2021 [html](#) [pdf](#)

**Introduced:** 2/19/2021

**Status:** 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/19/2021)(May be acted upon Jan 2021)

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

**Summary:**

Current law, the Community Services District Law, authorizes the formation of community services districts for various specified purposes, including supplying water, treating sewage, disposing of solid waste, and providing fire protection. The law specifies its relation and effect on certain districts organized pursuant to former laws and to actions taken by them, among other things. This bill would make nonsubstantive changes to those provisions.

**Position:** Watch

**CALAFCO Comments:** This is a spot bill.

**AB 1295 (Muratsuchi D) Residential development agreements: very high fire risk areas.**

**Current Text:** Introduced: 2/19/2021 [html](#) [pdf](#)

**Introduced:** 2/19/2021

**Status:** 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/4/2021)(May be acted upon Jan 2021)

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

**Summary:**

Current law requires the Director of Forestry and Fire Protection to identify areas in the state as very high fire hazard severity zones based on the severity of fire hazard that is expected to prevail in those areas, as specified, and requires each local agency to designate, by ordinance, the very high fire hazard severity zones in its jurisdiction. Current law additionally requires the director to classify lands within state responsibility areas into fire hazard severity zones. This bill, beginning on or after January 1, 2022, would prohibit the legislative body of a city or county from entering into a residential development agreement for property located in a very high fire risk area. The bill would define "very high fire risk area" for these purposes to mean a very high fire hazard severity zone designated by a local agency or a fire hazard severity zone classified by the director.

**Attachments:**

[AB 1295 Fact Sheet](#)

**Position:** Watch

**Subject:** Growth Management, Planning

**CALAFCO Comments:** This bill prohibits a city or county from entering into a residential development agreement for property located within a very high fire risk area as of 1-1-2022.

This bill appears similar to SB 55 (Stern) except: (1) This bill explicitly calls out residential development, whereas SB 55 addresses new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone; and (2) SB 55 adds a state responsibility area.

The bill is not marked fiscal. This is an author-sponsored bill and a fact sheet is posted in the tracking section of the bill.

**SB 10 (Wiener D) Planning and zoning: housing development: density.**

**Current Text:** Amended: 7/5/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amended:** 7/5/2021

**Status:** 7/6/2021-Read second time. Ordered to third reading.

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

**Calendar:**

7/12/2021 #44 ASSEMBLY THIRD READING FILE - SENATE BILLS

**Summary:**

Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area or an urban infill site, as those terms are defined. The bill would prohibit a local government from adopting an ordinance pursuant to these provisions on or after January 1, 2029. The bill would specify that an ordinance adopted under these provisions, and any resolution to amend the jurisdiction's General Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is not a project for purposes of the California Environmental Quality Act. The bill would prohibit an ordinance adopted under these provisions from superceding a local restriction enacted or approved by a local initiative that designates publicly owned land as open-space land or for park or recreational purposes.

**Position:** Watch

**Subject:** Housing

**CALAFCO Comments:** While not directly affecting LAFCos, the requirements in the bill are of interest. As amended on 4/13/21, the bill authorizes a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined in the bill. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2023, based on specified criteria. The bill would specify that an ordinance adopted under these provisions, and any resolution adopted to amend the jurisdiction's General Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is exempt from CEQA. The bill imposes specified requirements on a zoning ordinance adopted under these provisions. The bill would prohibit a legislative body that adopts a zoning ordinance pursuant to these provisions from subsequently reducing the density of any parcel subject to the ordinance and makes void and unenforceable any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a planned development, and any provision of a governing document, that effectively prohibits or unreasonably restricts a use or density authorized by an ordinance adopted pursuant to the provisions in the bill.

The amendment of 4/27/21 amends 65913.5(a)(3) to remove exemption of parcels excluded from specified hazard zones by a local agency pursuant to 51179(b).

The amendments on 5/26 prohibit a residential or mixed-use residential project consisting of 10 or more units that is located on a parcel zoned pursuant to these provisions from being approved ministerially or by right or from being exempt from CEQA, except as specified, and repeal these provisions on January 1, 2029.

The 6/24/21 amendments prohibit an ordinance adopted pursuant to the provisions in this bill from superseding any local restrictions brought about by a local voter initiative; requires an ordinance to be adopted by 2/3 vote of the governing body if the ordinance supersedes any zoning restriction established by a local voter initiative; and completely removes SECTION 1 (the addition of Sec. 4752 to the Civil Code).

UPDATE: The 7/5/21 amendments remove the requirements added on 6/24 pertaining to zoning restrictions that a local initiative be a voter initiated initiative. Also makes minor changes to the timing of the bus corridor criteria.

**SB 12 (McGuire D) Local government: planning and zoning: wildfires.**

**Current Text:** Amended: 7/1/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amended:** 7/1/2021

**Status:** 7/1/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on H. & C.D.

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

**Calendar:**

7/12/2021 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT, CHIU, Chair

**Summary:**

Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse.

**Position:** Watch

**Subject:** Growth Management, Planning

**SB 13 (Dodd D) Local agency services: contracts: Counties of Napa and San Bernardino.**

**Current Text:** Amended: 6/28/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amended:** 6/28/2021

**Status:** 6/29/2021-Read second time. Ordered to third reading.

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

**Calendar:**

7/12/2021 #36 ASSEMBLY THIRD READING FILE - SENATE BILLS

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 establishes a pilot program under which the commissions in the Counties of Napa and San Bernardino, upon making specified determinations at a noticed public hearing, may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to support existing or planned uses involving public or private properties, as provided. Current law requires the Napa and San Bernardino commissions to submit a report to the Legislature on their participation in the pilot program, as specified, before January 1, 2020, and repeals the pilot program as of January 1, 2021. This bill would reestablish the pilot program, which would remain in effect until January 1, 2026. The bill would impose a January 1, 2025, deadline for the Napa and San Bernardino commissions to report to the Legislature on the pilot program, and would require the contents of that report to include how many requests for extension of services were received under these provisions.

**Attachments:**

[CALAFCO Oppose Unless Amended letter May 2021](#)

**Position:** Oppose unless amended

**Subject:** CKH General Procedures

**CALAFCO Comments:** This bill is the same as SB 799 from 2020 and seeks to re-establish and continue the pilot program for five more years. The program ended as of January 1, 2021 but due to the pandemic, SB 799 from 2020 to extend the sunset was not moved forward in the legislature.

As amended on 4/29/21, the bill now adds 56133.6 which seeks to address several projects in the City of St. Helena, and resolve a current law suit between the winery and the city. The amendments authorize Napa LAFCo to consider new or extended service by the city to specific parcels with certain conditions. The bill requires the Napa LAFCo make certain determinations if approving, include any decision in their required report to the Legislature and has a sunset of 1-1-26.

CALAFCO has made a request for several technical amendments to the version dated 4-29-21, and has concern this addition strays too far from the original intent of the pilot program. Requested amendments on the table now include: (1) Rewording of both sections 56133.5(a)(2) and 56133.6(a)(3) to explicitly state both (A) and (B) are required; (2) Reword the new addition to 56133.5(d) so that it does not presume Napa LAFCo will authorize the new or extension of service; and (3) Rewrite 56133.6(a)(1) to clarify that (A) must apply to both (B) and (C).

As amended on 5-11-21, all requested technical amendments were made, however the intent of the pilot program has changed with the addition of 56133.6 and Napa LAFCo's ability to approve extension of service for parcels that do not meet the pilot program's requirement of planned use as defined in 56133.5. For this reason, CALAFCO is opposed unless amended, requesting the removal of 56133.6. Our letter is in the bill detail section.



UPDATE: Amendments from 6/28/21 are minor in nature and serve as clean-up.

**SB 55 (Stern D) Very high fire hazard severity zone: state responsibility area: development prohibition: supplemental height and density bonuses.**

**Current Text:** Amended: 4/5/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amended:** 4/5/2021

**Status:** 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 3/3/2021)(May be acted upon Jan 2022)

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

**Summary:**

Would, in furtherance of specified state housing production, sustainability communities strategies, greenhouse gas reduction, and wildfire mitigation goals, prohibit the creation or approval of a new development, as defined, in a very high fire hazard severity zone or a state responsibility area unless there is substantial evidence that the local agency has adopted a comprehensive, necessary, and appropriate wildfire prevention and community hardening strategy to mitigate significant risks of loss, injury, or death, as specified. By imposing new duties on local governments with respect to the approval of new developments in very high fire hazard severity zones and state responsibility areas, this bill would impose a state-mandated local program.

**Attachments:**

[SB 55 Fact Sheet](#)

**Position:** Watch

**Subject:** Growth Management, Planning

**CALAFCO Comments:** This bill prohibits the creation or approval of a new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone or a state responsibility area. The bill is author-sponsored and imposes unfunded mandates. A fact sheet is posted in the tracking section of the bill.

As amended on 4/5/21, the bill removes the "blanket approach" to prohibiting development as noted above by adding specificity. The bill prohibits development in either of the areas noted above unless there is substantial evidence that the local agency has adopted a comprehensive, necessary and appropriate wildfire preventions and community hardening strategy to mitigate significant risks of loss, injury or death as specified in the bill. Additionally, the bill provides a qualifying developer a supplemental height bonus and a supplemental density bonus, as specified, if the development is located on a site that meets certain criteria, including, among others, not being located in a moderate, high, or very high fire hazard severity zone, as specified. These requirements are unfunded mandates.

This bill appears similar to AB 1295 (Muratsuchi) except this bill appears to be broader in scope in terms of the type of development prohibited and includes a state responsibility area, whereas AB 1295 only addresses residential development in a very high fire risk area.

**SB 96 (Dahle R) Fallen Leaf Lake Community Services District Fire Department Protection Act of 2021: elections.**

**Current Text:** Introduced: 12/21/2020 [html](#) [pdf](#)

**Introduced:** 12/21/2020

**Status:** 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 1/28/2021)(May be acted upon Jan 2022)

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

**Summary:**

Would require the El Dorado County elections official, with the assistance of the Fallen Leaf Lake Community Services District, to conduct district elections pursuant to the Uniform District Election Law, except as otherwise provided in the bill. The bill, notwithstanding existing law, would provide that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services District, as specified. The bill would require the designations of voters and authority of legal representatives to be filed with the El Dorado County elections official and

the secretary of the Fallen Leaf Lake Community Services District and maintained with the list of qualified voters of the district. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** Special Districts Governance

**CALAFCO Comments:** This bill is the same as SB 1180 from 2020 which did not move through the legislature. It is a local El Dorado County/district bill. This bill does several things. (1) Provides that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services. (2) The bill also would authorize a voter who is not a resident of the district but owns a real property interest in the district to designate only one voter to vote on their behalf, regardless of the number of parcels in the district owned by the nonresident voter. (3) This bill would prohibit the Fallen Leaf Lake Community Services District from providing any services or facilities except fire protection and medical services, including emergency response and services, as well as parks and recreation services and facilities.

CALAFCO is working with the sponsors of the bill and the SGFC on a broader solution to this problem, which is not exclusive to this district.

**SB 261 (Allen D) Regional transportation plans: sustainable communities strategies.**

**Current Text:** Introduced: 1/27/2021 [html](#) [pdf](#)

**Introduced:** 1/27/2021

**Status:** 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/15/2021)(May be acted upon Jan 2022)

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

**Summary:**

current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law requires that each regional transportation plan include a sustainable communities strategy developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 established by the State Air Resources Board. This bill would require that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the board. The bill would make various conforming changes to integrate those additional targets into regional transportation plans.

**Position:** Watch

**Subject:** Sustainable Community Plans

**SB 273 (Hertzberg D) Water quality: municipal wastewater agencies.**

**Current Text:** Amended: 6/21/2021 [html](#) [pdf](#)

**Introduced:** 1/29/2021

**Last Amended:** 6/21/2021

**Status:** 7/8/2021-Read second time. Ordered to third reading.

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

**Calendar:**

7/12/2021 #49 ASSEMBLY THIRD READING FILE - SENATE BILLS

**Summary:**

Would authorize a municipal wastewater agency, as defined, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, as defined, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The bill would require a municipal wastewater agency that enters into or amends one of these agreements after January 1, 2022, to file a copy of the agreement or amendment with the local agency formation commission in each county where any part of the municipal wastewater agency's territory is located, but would exempt those agreements and

amendments from local agency formation commission approval except as required by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

**Attachments:**

[CALAFCO Support June 2021](#)

[SB 273 Fact Sheet](#)

**Position:** Support

**Subject:** Municipal Services

**CALAFCO Comments:** This bill is a redo of SB 1052 from 2020 that was not moved forward because of the pandemic. This bill adds authority to municipal wastewater agencies as outlined in 13911(a) and (b) relating to stormwater runoff and management. The bill authorizes this additional authority while keeping the LAFCo process to activate these latent powers intact.

UPDATE: The amendment of 6/21/21 adds a requirement that upon entering into the agreement, the agency has 30 days to file a copy of that agreement or amended agreement with the LAFCO, as requested by CALAFCO.

The bills is sponsored by the CA Assn of Sanitation Agencies. A fact sheet is posted in the tracking section of the bill.

**[SB 274](#) ([Wieckowski D](#)) Local government meetings: agenda and documents.**

**Current Text:** Amended: 4/5/2021 [html](#) [pdf](#)

**Introduced:** 1/29/2021

**Last Amended:** 4/5/2021

**Status:** 7/8/2021-Read second time. Ordered to third reading.

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

**Calendar:**

7/12/2021 #50 ASSEMBLY THIRD READING FILE - SENATE BILLS

**Summary:**

The Ralph M. Brown Act requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by email or by other electronic means, the bill would require the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet, as specified.

**Attachments:**

[CALAFCO Support SB 274 \(3-15-21\)](#)

[SB 274 Fact Sheet](#)

**Position:** Support

**Subject:** Public Records Act

**CALAFCO Comments:** This bill is a modified redo of SB 931 from 2020 that did not move forward because of the pandemic. This bill updates the Government Code to require a public agency to email the agenda or agenda items to anyone who requests it or the link to the website where the documents can be accessed (current law requires the mailing of such documents upon request, this bill adds the option to email if requested). A fact sheet is posted in the tracking section of the bill.

The amendment on 4/5/21 was to correct a typo reflecting the authority to email information.

**[SB 475](#) ([Cortese D](#)) Transportation planning: sustainable communities strategies.**

**Current Text:** Amended: 3/10/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Last Amended:** 3/10/2021

**Status:** 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/26/2021)(May be acted upon Jan 2022)

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

**Summary:**

Would require the State Air Resources Board, on or before June 30, 2023, and in coordination with the California Transportation Commission and the Department of Housing and Community Development, to issue new guidelines on sustainable communities strategies and require these guidelines to be updated thereafter at least every 4 years. The bill would delete the provisions related to the Regional Targets Advisory Committee and instead require the State Air Resources Board to appoint, on or before January 31, 2022, the State-Regional Collaborative for Climate, Equity, and Resilience, consisting of representatives of various entities. The bill would require the State-Regional Collaborative for Climate, Equity, and Resilience to develop a quantitative tool for metropolitan planning organizations to use to evaluate a transportation plan's consistency with long-range greenhouse gas emission reduction targets and recommend guidelines for metropolitan planning organizations to use when crafting long-range strategies that integrate state goals related to climate resilience and social equity.

**Position:** Watch

**Subject:** Sustainable Community Plans

**SB 499 (Leyva D) General plan: land use element: uses adversely impacting health outcomes.**

**Current Text:** Introduced: 2/17/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Status:** 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 2/25/2021)(May be acted upon Jan 2022)

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

**Summary:**

Would prohibit the land use element from designating land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes in disadvantaged communities to be located, or to materially expand, within or adjacent to a disadvantaged community or a racially and ethnically concentrated area of poverty. By expanding the duties of cities and counties in the administration of their land use planning duties, the bill would impose a state-mandated local program.

**Attachments:**

[SB 499 Fact Sheet](#)

**Position:** Watch

**Subject:** Disadvantaged Communities

**CALAFCO Comments:** As introduced, this bill would prohibit the land use element of a general plan from designating or expanding land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes within or adjacent to disadvantaged communities (DACs) or a racially and ethnically concentrated area of poverty.

The sponsor of this bill is the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

**SB 574 (Laird D) Agricultural preserves: Williamson Act.**

**Current Text:** Amended: 3/4/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amended:** 3/4/2021

**Status:** 6/24/2021-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 8. Noes 0.) (June 23). Re-referred to Com. on APPR.

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

**Calendar:**

7/14/2021 9 a.m. - State Capitol, Assembly Chamber ASSEMBLY APPROPRIATIONS, GONZALEZ, LORENA, Chair

**Summary:**

Under the California Land Conservation Act of 1965, the board of supervisors or city council may grant tentative approval for a cancellation by petition of a landowner as to all or any part of land subject to a contract, as specified. Prior to any action by the board or council giving tentative approval to the cancellation of any contract, the county assessor is required to determine the current fair market value of the land as though it were free of the contractual restriction, and requires the assessor to send the fair market value to the Department of Conservation, hereafter department, at the same time the assessor sends the value to the landowner. Current law provides for a certificate of tentative cancellation upon tentative approval of a petition by a landowner

accompanied by a proposal for a specified alternative use of the land, as provided. Current law requires the board of supervisors or city council to provide notice to the department related to cancellation of the contract as well as in other specified instances. This bill would revise and recast these provisions to no longer require the assessor to provide notice to the department and to require the board of supervisors or city council to provide notice to the department if the certificate of tentative cancellation is withdrawn, as specified.

**Position:** Watch

**CALAFCO Comments:** This bill narrows the role of Department of Conservation (DOC) in administering the Williamson Act. It does not change other provisions in the Act except for lessening reporting requirements by local governments to the DOC. The bill repeals the ability of the DOC to agree on a cancellation value for contracted land with a landowner, along with the requirement that the department provide a preliminary valuation to the applicable assessor, and repeals the requirement that the DOC approve cancellation of a farmland security contract. The bill also repeals and narrows reporting requirements by requiring the DOC to post all local government reports on Williamson Act lands/contracts on its website rather than create a report and submit to the Legislature. The bill also repeals certain reporting requirements by local governments (cities and counties) to the DOC regarding Williamson Act contracts.

As amended on 3/4/21, the bill requires cities/counties to file annual maps on Act lands; and removes the requirement for state approval for the amount of security to be paid when paying cancellation fee.

CALAFCO will continue to watch this bill to ensure no detrimental changes are made to the Act through future amendments.

**SB 813 (Committee on Governance and Finance) Local Government Omnibus Act of 2021.**

**Current Text:** Amended: 6/21/2021 [html](#) [pdf](#)

**Introduced:** 2/23/2021

**Last Amended:** 6/21/2021

**Status:** 7/1/2021-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 8. Noes 0.) (June 30). Re-referred to Com. on APPR.

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

**Calendar:**

7/14/2021 9 a.m. - State Capitol, Assembly Chamber ASSEMBLY APPROPRIATIONS, GONZALEZ, LORENA, Chair

**Summary:**

Current law provides that a person who has made an offer to purchase an interest in an undivided-interest subdivision, as specified, and not exempted, has the right to rescind any contract resulting from the acceptance of that offer during a specified timeframe. Current law defines and describes the terms "subdivided lands" and "subdivision" for these purposes. Current law requires any person who intends to offer subdivided lands for sale or lease, as specified, to file with the Bureau of Real Estate an application for a public report consisting of, among other things, a notice of intention and a completed questionnaire. Current law exempts the proposed sale or lease of those lots or other interests in a subdivision that are limited to industrial or commercial uses by law or by a declaration of covenants, conditions, and restrictions that has been recorded in the official records of the county or counties in which the subdivision is located from certain of those provisions relating to the filing of a report with the Bureau of Real Estate and sales contracts. This bill would instead exempt the proposed sale or lease of those lots or other interests from all provisions as specified.

**Position:** Watch

**CALAFCO Comments:** This is the annual Senate Governance & Finance Committee Omnibus bill.

Total Measures: 33

Total Tracking Forms: 33

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