

Sections 56820, 56820.5, 56820.7, and 56821.7; repeals and adds Section 56811.

AB 1495 (Cox): Makes legislative declarations and changes procedures for incorporating cities in two major ways: identifying service costs and processing city incorporations.

Identifying costs: Requires the LAFCO's executive officer to include all direct and indirect costs of existing services in the incorporation area, including general fund subsidies to fee supported services when estimating service costs. Requires the LAFCO to calculate the proposed city's service costs by comparing them with the service costs in similar cities. Requires the LAFCO to identify the direct and indirect costs of services that the new city will assume from state agencies.

Processing proposals: Requires the LAFCOs to immediately notify agencies about incorporation applications and request them to submit information "within a reasonable timeframe." Requires the affected agencies to acknowledge the LAFCO's request within 15 days and submit the information within the established timeframe. Requires the LAFCOs to listen to incorporation proponents' hardships before they continue incorporation hearings. Reduces the continuance of reconsideration hearings from 70 to 35 days. Requires that a proposal that includes an incorporation be set for hearing within 15 days following adoption of a resolution making determinations. Reduces the continuance of a hearing to measure formal protests about boundary changes from up to 60 days to 35 days. Amends Government Code Sections 56658, 56666, 56800, 56815, 56895, 57002, and 57050.

SB 609 (Costa): Makes a number of clarifying and non-controversial to existing law regarding various water agency issues. In particular, this bill requires the LAFCO to require voter approval of any proposal to dissolve the Newhall County Water District if the LAFCO receives protest provisions signed by at least 10% of the voters or 10% of the landowners. Adds Government Code Sections 25210.71 and 57114.5.

SB 707 (Committee on Local Government): Provides procedural requirements for recreation and park district changes of organization or reorganization. Adds Government Code Section 56131.7.

Summary of LAFCo-Related Legislation Chaptered in 2002

AB 137 (Reyes): Requires the State Department of Conservation to advise a LAFCO if the department has any concerns regarding the LAFCO's review of a city's proposal to not succeed to a county's Williamson Act contract. In any hearing on the city's request, the LAFCO must address the department's concerns. In making its determination whether a city may not succeed to the county's contract, the LAFCO must determine that substantial evidence exists to show that the city has the option to not succeed. *Amends Government Code Sections 51243.5 and 56754. Adds Section 51243.6. (Chapter 188, Statutes of 2002)*

AB 1948 (Kelley) and SB 1384 (Costa): Change the formulas used by independent special districts to pay their shares of LAFCOs' budgets, including limiting any one district to 50% of the districts' share. *Both bills amend Government Code Section 56381. SB 1384 also amends Water Code Section 10631. [SB 1384 is Chapter 969, Statutes of 2002, and AB 1948 is Chapter 493, Statutes of 2002. AB 1948 (Kelley) was chaptered out by SB 1384 (Costa)].*

AB 2227 (Harman): Makes several changes to the Cortese-Knox-Hertzberg Act:

- 1) The Act governs the procedures for the formation and change of organization of cities and special districts. For purposes of the act, the terms "landowners" and "owner of land" are defined as any person shown as the owner of land on the most recent assessment roll being prepared by the county at the time the conducting authority adopts a resolution of application, except where that person is no longer the owner. This bill changes these definitions to any person shown as the owner of the land on the most recent assessment roll being prepared by the county at the time the proponent adopts a resolution of application or files a notice of intention to circulate a petition with the executive officer of a local agency formation commission, except where that person is no longer the owner, and would make related changes.
- 2) For purposes of the act, the term "proponent" is defined as the person or persons who file a notice of intention to circulate a petition with the executive officer. This bill changes that definition to the person or persons who file a notice of intention to circulate a petition with the executive officer or the local agency that adopts a resolution of application.
- 3) Existing law required that any action brought to determine the validity of any change of organization or reorganization be brought pursuant to specified procedures. This bill includes within this requirement actions brought to determine the validity of sphere of influence determinations.
- 4) Existing law specified how required notice shall be mailed with respect to the proceedings of a local agency formation commission. With regard to mailed notice to landowners, existing law required that notice be addressed to each person to whom land is assessed, as shown

upon the most recent assessment roll being prepared by the county at the time the commission adopts a resolution of application. With regard to mailed notice to registered voters, existing law required that notice be given to all registered voters within the property that his subject to the hearing and all registered voters within 300 feet of the exterior of the boundary. This bill provides that required notice to landowners be addressed to each person to whom land is assessed as shown on the most recent assessment roll being prepared by the county at the time the proponent adopts a resolution of application or files a notice of intention to circulate a petition with the executive officer, and to all landowners within 300 feet of the exterior boundary of the property that is subject of the hearing. This bill also provides that required notice to registered voters be addressed to all registered voters within the affected territory at the address as shown on the most recent index of affidavits prepared by the county elections official at the time the proponent adopts a resolution of application or files a notice of intention to circulate a petition with the executive officer and to all registered voters within 300 feet of the exterior boundary of the property that is the subject of the hearing.

- 5) Existing law permitted a city or district to provide extended services, as defined, outside its jurisdictional boundaries only if it first requests and receives written approval from the local agency formation commission in the affected county. Approval is not required for an extended service that a city or district was providing on January 1, 1994. This bill extends that exemption from commission approval to an extended service that a city or district was providing on or before January 1, 2001.
- 6) Existing law set forth the various powers and duties of a LAFCO in reviewing and approving or disapproving proposals for changes of organization or reorganization. Among other things, a commission required, as a condition to annexation to a city, that the city prezone the territory to be annexed and require that approval of the annexation be consistent with the planned and probable use of the property based upon the review of the general plan and rezoning designations. This bill permits the commission not to require a city to prezone the territory to be annexed if satisfactory evidence is presented to the commission that the existing future development entitlements on territory to be annexed are vested or are already at buildout, and are consistent with the city's general plan land use element.
- 7) Existing law allowed a commission to approve an annexation to a city of island territory without an election or waive a protest hearing, as specified. This bill, subject to specified conditions, requires the commission to approve the annexation and waive protest proceedings as to annexations initiated on or after January 1, 2000, and before January 1, 2007, and approve these annexations initiated on or after January 1, 2007.
- 8) Existing law required the LAFCO to mail notice of a public hearing regarding the adoption, amendment, or revision of spheres of influence, at least 15 days prior to the date of the hearing and to publish that notice in a newspaper at least 15 days prior to the hearing. This bill requires instead that the mailed and published notice be made at least 21 days prior to the date of the hearing and specify publication in a newspaper of general circulation within the affected territory.

- 9) Existing law required a LAFCO to terminate any change of organization or reorganization, except a special reorganization, that includes the detachment of territory from any city if any city from which the detachment of territory is requested adopts and transmits a resolution requesting termination of the proceedings no later than 60 days after the date that the proposal is on the commission's meeting agenda. This bill makes this requirement inapplicable if the commission receives a resolution in support of the proposed change of organization or reorganization from all cities from which the detachment of territory is proposed.
- 10) Existing law required a LAFCO to terminate any change of organization or reorganization that includes the annexation of territory to any district if any district to which the annexation of territory is requested adopts and transmits a resolution requesting termination of the proceedings no later than 60 days after the date that the proposal is on the commission's meeting agenda. This bill makes this requirement inapplicable if the commission receives a resolution in support of the proposed change of organization or reorganization from all districts to which the annexation of territory is proposed.
- 11) Existing law permitted a LAFCO to make its approval of a change of organization or reorganization of local government entities subject to any of specified conditions. This bill requires that any of the specified conditions imposed on a change of organization or reorganization constitute the exclusive conditions for the change of organization or reorganization, notwithstanding the general provisions of the act, and would make conforming changes.
- 12) Existing law provided that protest proceedings with respect to a district formation that is not part of a reorganization shall be conducted pursuant to the principal act of the district to be formed, and that commission protest procedures shall not apply except as specified. This bill provides that protest proceedings of the Act shall prevail in the event of a conflict with the principal act of the district to be formed.
- 13) Existing law required the executive officer of the commission to give mailed notice of the protest hearing on a proposed annexation to a city of 75 acres or less to each landowner within the affected territory. This bill deletes that requirement.
- 14) Existing law authorized a petition to be filed with the executive officer of the commission prior to the conclusion of the protest hearing by the commission on the issue of merging a district with a city or establishing a subsidiary district of a city, if the petition requests that any election on that question be called, held, and conducted only within the district. This bill requires the commission to forward the proposal to the affected city and requires the affected city to call, hold, or conduct any election if the executive officer certifies the petition. This bill also requires the commission to forward the proposal to the principal county and requires the principal county to call, hold, and conduct any election upon the question of a merger or the establishment of a subsidiary district only within the district to be merged or within the district to be established as a subsidiary district if the petition requesting the election is certified.

15) Existing law required the commission, in any resolution ordering a special organization, to call an election in both the territory to be detached from the city and the entire territory of the city from which the detachment is ordered to occur. This bill requires that any resolution ordering a special reorganization require the principal county to call the election.

16) This bill makes various related conforming changes.

Amends Government Code Sections 56026, 56035, 56048, 56068, 56103, 56133, 56157, 56300, 56375, 56375.3, 56383, 56386, 56427, 56661, 56663, 56668.3, 56708, 56710, 56751, 56759, 56857, 56886, 56895, 57002, 27007, 57025, 57077, 57078.5, 57080, 57102, 57108, 57109, 57119, 57302, and 57450. Amends and renumbers Section 56746. Repeals Section 56745. (Chapter 548, Statutes of 2002)

AB 2370 (Thomson): Prohibits a LAFCO from approving the annexation of Williamson Act contracted land to a city, with exceptions. *Amends Government Code Sections 51296.3, 51296.4, and 56749, and adds Sections 56426, 56426.5, and 56856.5. (Chapter 614, Statutes of 2002)*

SB 1586 (Haynes): Requires special districts to document why they block annexations. *Amends Government Code Section 56857. This bill was chaptered out by AB 2227. (Chapter 547, Statutes of 2002)*

SB 1588 (Senate Committee on Local Government): Excludes a zone of a mosquito abatement and vector control district or recreation and park district from the definition of "district" or "special district". *Amends Government Code Sections 25842.5, 53750, 53961, and 56036. Repeals Article 4 (commencing with Government Code Section 25850) of Chapter 8 of Division 2 of Title 3. Amends Health and Safety Code Sections 101285 and 106925; adds Sections 116111, Chapter 1 (commencing with Section 2000); repeals Chapter 5 (commencing with Section 2200) of Division 3. (Chapter 395, Statutes of 2002)*

SB 1717 (Machado): Limits leases of city-owned property in noncontiguous territory, and requires automatic detachment if a city leases its property in noncontiguous territory for a shopping center, hotel, or motel. *Amends Government Code Sections 37396 and 56742. (Chapter 507, Statutes of 2002)*

Summary of LAFCo-Related Legislation Chaptered in 2003

Government Code Sections amended in 2003 are: 56036, 56132, 56381, 56668, 56857, 56886, and 57116. Government Code Sections added in 2003 are: 57001.1, and 57202.1.

AB 518 (Salinas), Chapter 176: Requires a local agency formation commission (LAFCO) to assess the impact that a local agency annexation has on a city or cities and the county in achieving their respective fair shares of the regional housing needs, and extends the sunset date for Broadmoor Police Protection District's special detachment provisions. *Amends Sections 56132 and 56668 of the Government Code.*

AB 520 (Salinas), Chapter 36: Provides that, in the case of an annexation proposed by the City of Watsonville in Santa Cruz County, the effective date of the change of organization shall be fixed in the terms and conditions of the LAFCO resolution confirming the annexation. *Adds Sections 57001.1 and 57202.1 to the Government Code and amends Section 56886 of the Government Code.*

SB 66 (Committee on Local Government), Chapter 296: Makes several minor, noncontroversial changes to laws affecting local agencies' powers and duties. Specifically, this bill, among other things, corrects 26 statutory cross-references to the Cortese-Knox Hertzberg Local Government Reorganization Act of 2002. *Amends Section 56381 of the Government Code.*

SB 341 (Committee on Local Government), Chapter 57: Repeals existing laws that govern public cemetery districts and enacts the "Public Cemetery District Law." The new statute differs from the current law in dozens of ways, but particularly in policy, powers, procedures, and oversight. *Amends Section 56036 of the Government Code.*

SB 487 (Torlakson), Chapter 123: Requires a special district, to make written findings supported by substantial evidence when it requests that a LAFCO terminate a proceeding that includes annexation of territory. *Amends Section 56857 of the Government Code.*

SB 600 (Committee on Judiciary), Chapter 62: Makes non-substantive changes to the codes by recommendation of the Legislative Counsel's office. *Amends Section 57116 of the Government Code.*

Summary of LAFCo-Related Legislation Chaptered in 2004

Government Code Sections amended in 2004 are: 56036, 56077, 56132, 56337, 56375.3, 56375.5, 56810, 57025, 57120, 57125, and 57126

Government Code Sections amended in 2004, becoming inoperative on July 1, 2008, with replacement sections added on July 1, 2008: 56030, 56700, 56886.5

Government Code Sections added in 2004 to be repealed January 1, 2009, are: 56826.5 Revenue and Taxation Code Section 99 amended in 2004

AB 2067 (Harman), Chapter 471: Specifies procedures for the consolidation of two or more special districts not formed pursuant to the same principal act. **AB 2306 (Richman), Chapter 805:** Prohibits a local agency formation commission (LAFCO) from requiring an affected city to initiate proceedings for a change of organization or reorganization of territory that is not contiguous and physically related to a city's annexation proposal. (uncodified)

AB 3077 (Committee on Local Government), Chapter. 355: Makes several minor and non-controversial changes to the laws affecting LAFCOs.

SB 1266 (Torlakson), Chapter 96: Increases the maximum size of unincorporated areas that are subject to an expedited annexation procedure.

Summary of LAFCo-Related Legislation Chaptered in 2005

AB 818 (Leslie), Chapter 189: Extends the sunset date to January 1, 2010, for the mandatory process for negotiating property tax sharing agreements between a county and city in the event of an annexation of unincorporated land.

AB 1746 (Committee on Local Government), Chapter 347: Makes several minor and noncontroversial changes to the laws affecting LAFCOs.

SB 967 (Florez), Chapter 559: Adds two permanent seats to the Kern County LAFCO Code sections affected:

Government Code sections amended: 56157, 56325, 56381, 56425, 56663, 56743, 57000, 57051, 57077

Government Code sections repealed: 54975

Government Code sections added: 56328.5

Revenue & Taxation Code sections amended: 99

Summary Of LAFCo-Related Legislation Chaptered in 2006

AB 1602 (Laird), Chapter 556: Allows new cities and cities that annex inhabited territory to get a special population calculation for the purpose of the allocation vehicle license fee (VLF) revenues.

AB 2223 (Salinas), Chapter 351: Extends until January 1, 2014, the requirement that a LAFCO waive the protest hearing for annexations of unincorporated islands of 150 acres or less. Also extends until January 1, 2008, the requirement that a city and county meet at least 30 days prior to the city applying to the LAFCO for a new or updated sphere of influence.

AB 2259 (Salinas), Chapter 460: Extends until January 1, 2013, the authority of a LAFCO to review and comment on the extension of services into previously unserved unincorporated territory and to review the creation of new service providers to extend urban-type development into previously unserved unincorporated territory. Also clarifies that LAFCO's authority is to "review and comment" rather than "review and approve."

AB 3074 (Committee on Local Government), Chapter 172: Makes several minor, noncontroversial changes to the laws affecting LAFCOs.

SB 1196 (Committee on Local Government), Chapter 643: Makes several minor, non-controversial changes to the laws affecting local agencies' powers and duties, including allowing a LAFCO to approve a temporarily larger governing board of seven, nine, or eleven members for a consolidated or reorganized recreation and park district.

Code sections affected:

Note: This list includes all code sections affected by the above-listed bills. Many of these code sections are not included in this publication.

Government Code sections amended: 56036, 56048, 56074, 56128, 56375.3, 56375.4, 56425, 56434, 56661, 56663, 56668, 57002, 57050

Health & Safety Code sections amended: 4730.4, 6480.1,
32100.05 Public Resources Code sections amended: 5527.1,
5784.2, 9301.1 Public Utilities Code section amended:
15973.1

Revenue & Taxation Code sections amended: 7104, 11005,
11005.3 Streets and Highways Code section amended: 2107

Water Code sections amended: 21552.1, 30500.1, 71250.1

Summary of LAFCo-Related Legislation Chaptered in 2007

AB 745 (Silva), Chapter 109: Makes protest petitions subject to the same requirements to disclose contributions and expenditures that apply to application petitions.

AB 1262 (Caballero), Chapter 167: Makes permanent the consultation procedures that cities and counties must follow before LAFCOs amend cities' spheres of influence, and deletes the specified time limits for starting and extending those discussions.

AB 1744 (Committee on Local Government), Chapter 244: Makes several minor, noncontroversial changes to the laws affecting LAFCOs and local governments' boundaries.

SB 162 (Negrete McLeod), Chapter 428: Requires LAFCOs to consider environmental justice when they act on boundary changes, and requires LAFCOs to consider comments from the voters and residents of the affected territory.

SB 819 (Hollingsworth), Chapter 98: Permanently allows LAFCOs to consolidate special districts that were not formed under the same principal act.

SB 558 (Cogdill), Chapter 209: Declares that the requirements for voter approval under the Public Utilities Code do not apply when cities sell, lease, or transfer their utilities under the Cortese-KnoxHertzberg Act.

Code sections affected:

Government Code sections amended: 56011, 56030, 56036, 56064, 56100.1, 56157, 56332, 56375, 56381, 56425, 56430, 56663, 56668, 56700, 56700.1, 56811, 56826.5, 56886.5, 57200

Government Code sections repealed: 56030, 56700,
56886.5 Government Code sections added: 57009

Summary of LAFCo-Related Legislation Chaptered in 2008

AB 1263 (Caballero), Chapter 64: Clarifies the process by which LAFCOs may use fees or service charges to recover their costs, and allows LAFCOs and cities to use the existing expedited annexation procedures on additional specified county islands.

AB 2484 (Caballero), Chapter 196: Establishes a clear procedure and criteria for a special district to initiate, by resolution, a proposal to a LAFCO to increase, modify, decrease or divest itself of specified services or functions within its district service area.

AB 3047 (Committee on Local Government), Chapter 68: Makes several minor, non-controversial changes to the laws affecting local government organization and reorganization.

SB 301 (Romero), Chapter 375: Eliminates the deadline by which communities must incorporate and cities must annex inhabited land in order to receive additional vehicle license fee funding.

SB 1458 (Committee on Local Government), Chapter 158: Repeals the current statute and enacts a new County Service Area Law.

Code sections affected:

Government Code sections amended: 56021, 56036, 56106, 56157, 56332, 56375, 56375.3, 56375.4, 56383, 56425.5, 56654, 56706, 56824.10, 56824.12, 56824.14, 57075, 57076, 56706, 57080

Government Code sections repealed: 56650.6, 56758

Government Code sections added: None

Revenue and Taxation Code amended: 11005, 11005.3

Summary of LAFCo-Related Legislation Chaptered in 2009

AB 528 (Silva), Chapter 113: Conforms the reporting and disclosure requirements of campaigns associated with local boundary changes in the Cortese-Knox-Hertzberg Act with the requirements of the Political Reform Act.

AB 1232 (Huffman), Chapter 518: Allows the Marin County Local Agency Formation Commission to initiate and approve, after notice and hearing, a reorganization or consolidation of the Sewerage Agency of Southern Marin and its member districts, without protest hearings.

AB 1582 (Assembly Committee on Local Government), Chapter 155: Makes several minor, non-controversial changes to the laws affecting local government organization and reorganization.

SB 113 (Senate Committee on Local Government), Chapter 375: Enacts the "Local Government Omnibus Act of 2009" and makes 39 changes to the state laws affecting local agencies' powers and duties.

SB 215 (Wiggins), Chapter 570: Adds a regional transportation plan to the list of factors that local agency formation commissions must consider before making boundary decisions.

Code sections affected:

Government Code sections amended: 56100.1, 56426.5, 56663, 56668, 56700.1, 57009, 57051, 57052, 57116, 57150

Government Code sections renumbered: 56426.5

Government Code sections repealed: None

Government Code sections added: 56375.2

Revenue and Taxation Code amended: 99

Summary of LAFCo-Related Legislation Chaptered in 2010

AB 419 (Caballero), Chapter 35: Requires a county board of supervisors or city council to take timely action on items approved by a LAFCO that require an election.

AB 711 (Calderon), Chapter 25: Loans \$45,000 from the Environmental Enhancement and Mitigation Program Fund to the Los Angeles County LAFCO to cover costs related to incorporation proceedings by the East Los Angeles Residents Association. AB 711 is an urgency measure that is uncodified.

AB 1668 (Knight), Chapter 38: Extends the amount of time a city council has to fill a vacancy and changes the number of city council members that hold office following the first general municipal election in a newly incorporated city that elects council members at large.

AB 2795 (Assembly Committee on Local Government), Chapter 47: Makes several minor, noncontroversial changes to the laws affecting local government organization and reorganization.

SB 894 (Senate Committee on Local Government), Chapter 699: Makes 24 minor and noncontroversial changes to the state laws affecting local agencies' powers and duties. Several changes contained in SB 894 are relevant to LAFCOs, including the repeal of the outdated deadline for filing lawsuits affecting city incorporations, annexations, and consolidations; the insertion of the statutory cross-reference to the existing land use and environmental dispute mediation law in LAFCO statute, and the clarification of the state law which permits local agencies to voluntarily transfer property tax revenues by inserting language suggested by an Attorney General's opinion.

SB 1023 (Wiggins), Chapter 68: Creates expedited procedures to convert Resort Improvement Districts and Municipal Improvement Districts into Community Services Districts.

Code Sections Affected:

Government Code sections amended: 56100, 56332, 56375, 56381, 57000, 57075.5, 57077, 57127, 57129, 57132, 57132.5, 57377, 57379

Government Code sections added: 56037.2, 56103.5

Government Code sections added and repealed: 56853.5, 56853.6

Revenue and Taxation Code amended: 99, 99.02

News from the Board of Directors

CALAFCO QUARTERLY February 2020



CALAFCO Board Update

Results of the 2019 CALAFCO Board of Directors elections netted several new Board members for 2020. Current Board members include:

Northern: *Bill Connelly* (Butte), *David Couch* (Humboldt), *Blake Inscore* (Del Norte) and *Josh Susman* (Nevada).

Southern: *Cheryl Brothers* (Orange), *Mike Kelley* (Imperial), *Jo MacKenzie* (San Diego) and *David West* (Imperial).

Coastal: *Mike McGill* (Contra Costa), *Margie Mohler* (Napa), *Tom Murray* (San Luis Obispo) and *Jane Parker* (Monterey).

Central: *Shiva Frentzen* (El Dorado), *Gay Jones* (Sacramento), *Anita Paque* (Calaveras) and *Daniel Parra* (Fresno).

In October the Board said goodbye to *Debra Lake* (Humboldt) and *Susan Vicklund Wilson* (Santa Clara). We thank them for their service and many contributions to CALAFCO.

Additionally, a new Southern region DEO was appointed. We welcome *Gary Thompson* (Riverside) to the team and thank outgoing DEO *Keene Simonds* (San Diego) for his service. In November *Christine Crawford* (Yolo) was reappointed as the central region DEO and in December, *Martha Poyatos* (San Mateo) was reappointed as the coastal region DEO. Both will serve another two-year term.

CALAFCO Board 2020 Officers and Committees

At their November 1 meeting, the CALAFCO Board elected their officers for 2020 as follows:

- Chair – *Mike McGill* (Contra Costa - coastal)
- Vice Chair – *Mike Kelley* (Imperial - southern)
- Secretary – *Shiva Frentzen* (El Dorado - central)*
- Treasurer – *Bill Connelly* (Butte – northern)

*Secretary Frentzen resigned her position as Secretary at the December 13 Board meeting as she will be termed out at the end of 2020. The Board unanimously appointed *Anita Paque* (Calaveras) as the new Secretary.

They also appointed members to the 2020 standing committees as follows:

Legislative Committee

Bill Connelly (North)
Shiva Frentzen (Central)
Jo MacKenzie (South)
Mike McGill (Coastal)
Gay Jones (At-Large)
Michael Kelley (a) (South)
Margie Mohler (a) (Coastal)
Anita Paque (a) (Central)
Josh Susman (a) (North)
Tom Murray (a) (At-Large)

Elections Committee

David Couch
Shiva Frentzen (Chair)
Jo MacKenzie
Tom Murray

Awards Committee

Cheryl Brothers
Blake Inscore
Mike Kelley (Chair)
Margie Mohler
Anita Paque

2020 Annual Conference

Anita Paque
Jane Parker (Chair)
Daniel Parra
Josh Susman
David West

2019 Annual Business Meeting

At the October 31, 2019 Annual Business meeting, the CALAFCO membership discussed and voted on a proposed new dues structure. After almost two years of extensive discussion



about how to permanently close the structural deficit, in August 2019 the Board of Directors presented the membership with a proposed new dues structure for consideration at the Annual Business meeting. A large number of the LAFCo membership spoke on the matter and expressed various opinions on the proposed structure. After lengthy discussion and debate, the membership voted to approve the proposed new dues structure by a vote of 38 in favor, 10 against and 10 LAFCos absent. The new dues structure will take effect July 1, 2020.

The Board of Directors is set to discuss the member feedback and adopt policies relating to the new structure early in 2020.

Other CALAFCO Board Actions

During their December 13, 2019 meeting, the CALAFCO Board considered a large number of items, some of which had to be tabled to the February 21, 2020 meeting.

In executive session, the Board considered the implications of AB 5 to CALAFCO and determined in order to comply with the new law, both the Executive Director and Administrator contract relationships needed to change to employee relationships. It will take some time to determine what that will look like for each of the two contractors and what that means for the Association.

The Board tabled discussions on a proposed dues structure from Tulare LAFCo until the February 21, 2020 meeting.

There was a lengthy discussion on the 2020 legislative priorities and after much debate the Board changed direction in legislative priorities for the year. Due to limited resources, the Board unanimously supported moving away from seeking LAFCo state funding (AB 1253) and towards making changes to Gov. Code Sec. 56133. The move will be preceded by a poll of the Executive Officers to ensure alignment and support of the proposal prior to making any legislative moves. The Board also approved keeping the work of the Protest Provision Rewrite Working Group at the top of the priority list and decided to forgo an Omnibus bill in 2020.

The Board approved the quarterly financial reports and received several verbal updates on a variety of other items.

The next CALAFCO Board meeting is scheduled for Friday, February 21, 2020 in San Diego.

CALAFCO Congratulates the 2019 Annual Achievement Award Recipients

CALAFCO wishes to congratulate all of this year's nominees, and especially those who received the 2019 Achievement Award.



- ❖ Outstanding Commissioner – *Jim DeMartini* (Stanislaus LAFCo)
- ❖ Outstanding LAFCo Professional – *David Church* (San Luis Obispo LAFCo)
- ❖ Distinguished Service – *Charley Wilson* (formerly of Orange LAFCo)
- ❖ Project of the Year – *Orange LAFCo* (San Juan Capistrano Utilities MSR)
- ❖ Government Leadership – *CA State Water Resources Control Board, Los Angeles County* and *Los Angeles LAFCo* (Sativa Water District)



- ❖ Most Effective Commission – *Contra Costa LAFCo*
- ❖ Mike Gotch Courage & Innovation – *Butte LAFCo*
- ❖ Lifetime Achievement – *John Benoit* (various LAFCos), *Jurg Heuberger* (Imperial LAFCo)
- ❖ Legislator of the Year – *Assemblymember Mike Gipson*

Conferences and Workshops Update

2020 ANNUAL CONFERENCE

MARK YOUR CALENDARS FOR THE 2020 ANNUAL CONFERENCE: October 21 - 23 in Monterey at the Hyatt Regency Monterey. Watch for registration information and hotel reservations coming very soon!

2020 STAFF WORKSHOP

The 2020 Staff Workshop is set for March 25 - 27 at the Hyatt Regency Newport Beach John Wayne Airport. Our hosts for this Workshop are *Orange and Imperial LAFCos*. All Workshop program, registration and hotel information can be found on the CALAFCO website at www.calafco.org.

Other Important Conference dates

Future CALAFCO Conference dates are:

- ❖ 2021 – October 6 – 8 at the Hyatt Regency Newport Beach John Wayne Airport
- ❖ 2022 – October 19 – 21 at the Tenaya Lodge in Yosemite

CALAFCO UNIVERSITY

On January 13, 2020, CALAFCO held a CALAFCO U session in Orange County on Demystifying Legacy Costs Associated with City and District Reorganizations. With an all-star panel of LAFCo, district and state representatives, the session was well received. Special thanks go to speakers *Cheryl Clary* (IRWD), *Michael Colantuono*, *Renee Ostrander* (CalPERS) and *Kathy Rollings McDonald*, as well as DEO *Martha Poyatos* who planned the session, and *Gavin Centeno* for his onsite support.

The next CALAFCO U is planned for March 24, 2020 to coincide with the Staff Workshop. This afternoon session, scheduled the day before the start of the Workshop, will focus on building on the LAFCo basics including LAFCo 101, Brown Act and Public Records Act primers and a special Clerks 101. See all the details and register today online at www.calafco.org. Join another all-star cast (*Scott Browne*, *David Church*, *Amanda Olivas* and *Terri Tuck*) for an interactive session that is definitely not your ordinary “just the basics” session!

CALAFCO Legislative Update

The Legislature convened the second year of the two-year cycle on January 6, 2020. Deadline to introduce new bills is February 21. Watch for a full legislative update in the next Quarterly report.

CALAFCO continues to lead the Protest Provision Rewrite Working Group, which met the majority of the year in 2019. With 19 members, this is a diverse group of stakeholders with members of CSDA (including fire and water agencies), member LAFCos from all four regions, and representatives from CSAC, the League and the Assembly Local Government and Senate Governance and Finance Committees.



CALAFCO Associate Members' Corner

This section highlights our Associate Members. The information below is provided to CALAFCO by the Associate member upon joining the Association. All Associate member information can be found in the CALAFCO Member Directory.



We are pleased to acknowledge our Gold Associate Members in this edition and thank all our Associate Members for their support and partnership.

Best Best & Krieger

In meeting the needs of public and private sector clients, **BB&K** offers unique experiences in handling complex, multi-disciplinary issues and providing solutions of common interest to leaders of both business and government, including LAFCo law. **BB&K** has been CALAFCO's legal counsel since 1982.



Colantuono, Highsmith & Whatley, PC

Michael **Colantuono** served on the Commission on Local Governance in the 21st Century and helped rewrite the CKH Act. He is General Counsel to Calaveras and Yuba LAFCos and conflict counsel for Nevada, Orange, San Diego and Yolo LAFCos. Holly **Whatley** was lead litigator in a challenge to San Diego LAFCo's denial of an annexation for Home Depot and Michael and Holly are defending San Luis Obispo LAFCo in a developer's challenge to the denial of an annexation to the City of Pismo Beach. David Ruderman serves as Assistant General Counsel to the Calaveras and Yuba LAFCos and is also working on the San Luis Obispo case. Michael was counsel to the Hacienda Heights incorporation effort in Los Angeles County in 2006. Michael **Colantuono** has been a Gold Associate member since July 2008. Learn more about **Colantuono, Highsmith & Whatley, PC** at www.chwlaw.us.



CV Strategies

CV Strategies is a dedicated team helping companies with strategic planning, communications and training. **CV Strategies** joined the CALAFCO team in the fall of 2016. To learn more about their team and the services they offer, visit them at www.cvstrategies.com or contact Erin Gilhuly at erin@cvstrat.com.



Meyers Nave

Meyers Nave is a law firm dedicated to providing California's public agencies both general counsel and specialized services in matters involving land use, annexations, incorporations, labor and employment, Brown Act, telecommunications, eminent domain and other critical areas. **Meyers Nave** has been a Gold Associate Member since February 2006. Learn more about **Meyers Nave** at www.meyersnave.com.



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CALAFCO wishes to thank all of our Associate Members for your support and partnership. We look forward to continuing to highlight our Associate Members in each Quarterly Report.

Did You Know??

CALAFCO is planning to migrate to a new mail server on Monday, February 24, 2020. Email service may be temporarily interrupted for all CALAFCO emails including the list serves. This migration is needed to get us onto a more efficient cloud-based email server which will eliminate the email issues staff has been experiencing for the past year.



CALAFCO University Course Library being updated

The CALAFCO University Library is being updated. All session materials are in the process of being posted going back to 2006.

The CALAFCO Biennial Survey results are out

The Survey results were distributed to the membership and posted on the CALAFCO website in early December. We wish to thank all of the LAFCOs who took the time to respond to the survey. CALAFCO will use the feedback on what CALAFCO resources you find valuable and what you want to see on the website to inform the 2020 strategic plan goals and work plans.

Meeting Documents Online

Did you know that all **CALAFCO Board of Directors and Legislative Committee meeting documents are online?** Visit the Boards & Committees pages in the Members Section of the site. Board documents date back to 2008 and Legislative Committee documents back to 2007.

A full update of the CALAFCO online Library is planned for 2020

Watch for information on the CALAFCO online Library updates throughout the year.

Certificate of Recognition Program

Did you know that CALAFCO has a **Certificate of Recognition Program** and offers it at no cost to our members (both LAFCO and Associate members)? The program has been in place several years and while a few of you utilize this service, most of you do not. For details, visit the CALAFCO website in the Member Services Section and upload the program packet or contact the CALAFCO

Executive Director.

