

# SAN BENITO LOCAL AGENCY FORMATION COMMISSION

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## REGULAR MEETING AGENDA

Wednesday, November 20, 2019

Board of Supervisors Chambers  
481 Fourth Street, Hollister CA

**3:00 P.M.**

1. Call to Order and Roll Call
2. Recitation of the Pledge of Allegiance
3. Approve Affidavit of Posting Agenda
4. Public Comment Period - This is an opportunity for members of the public to speak on items that are not on the agenda

### CONSENT AGENDA

5. Approval of minutes: September 18, 2019

### BUSINESS ITEMS – PUBLIC HEARING ITEM

6. LAFCO 532 – Cole Road Annexation to the Aromas Water District: Involving the annexation of four parcels containing approximately 21.0 acres to obtain municipal water due to diminished capacity and poor water quality from on-site wells. The territory is located on the east side of Cole Road and approximately 400 feet south of Anzar Road in the unincorporated Aromas area. (Assessor's Parcel Numbers 011-160-031, 032, 033 and 034). The annexation area is contiguous to the existing District territory across Cole Road to the west. The actions requested are to determine the annexation is exempt from environmental review under sections 15303(d) and 15319 of the CEQA Guidelines, and to consider approval of the annexation.

### BUSINESS ITEMS – NON-HEARING ITEMS

7. Review draft letter to the County Board of Supervisors, as directed at the September 18, 2019 Commission meeting, requesting the County of San Benito assume responsibility for payment of "Retirement-Medical Insurance" for a former Executive Officer who was a County employee. After approving any modifications to the draft, direct the Chair to sign the letter and forward to the Chairman of the County Board of Supervisors.

### INFORMATIONAL

8. Commissioner Announcements and Requests for Future Agenda Items
9. Report on the 2019 California Association of Local Agency Formation Commissions (CALAFCO) Annual Conference in Sacramento (October 30 to November 1, 2019)

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**Commissioners:** Cesar Flores, Chair ♦ Richard Bettencourt, Vice Chair ♦ Ignacio Velazquez ♦ Mark Medina ♦ Jim Gillio

**Alternate Commissioners:** Peter Hernandez ♦ Roberta Daniel ♦ Mary Vazquez Edge **Executive Officer:** Bill Nicholson

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10. Executive Officer Update on the FY 2018-19 Legislation proposed or monitored by the California Association of Local Agency Formation Commissions (CALAFCO)
11. Executive Officer oral status report on pending proposals
12. Adjourn to next regular meeting on December 18, 2019, unless meeting time is changed based on Commission action or cancelled by the Chair

Disclosure of Campaign Contributions – LAFCO Commissioners are disqualified and are not able to participate in proceedings involving an “entitlement for use” if, within the 12 months preceding the LAFCO decision, the Commissioner received more than \$250 in campaign contributions from the applicant, an agent of the applicant or an financially interested person who actively supports or opposes the LAFCO decision on this matter.

Those who have made such contributions are required to disclose that fact for the official record of the proceedings. Disclosures must include the amount of the contribution and the recipient Commissioner and may be made either in writing to the Executive Officer of the Commission prior to the hearing or by an oral declaration at the time of the hearing.

The foregoing requirements are set forth in the Political Reform Act of 1974, specifically in Government Code section 84308.

Disability Accommodations - Persons with a disability who require any disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the meeting are asked to contact the LAFCO office at least three (3) days prior to the meeting by telephone at 831/637-5313 or by email at [jslibsager@cosb.us](mailto:jslibsager@cosb.us).

*LOCAL AGENCY FORMATION COMMISSION  
2301 Technology Parkway  
Hollister, CA 95023*



**CERTIFICATE OF POSTING**

Pursuant to Government Code § 59454.2(a) I, Janet Slibsager, Clerk of the Board of Supervisors, certify that the **REGULAR MEETING AGENDA** for the

**SAN BENITO COUNTY LOCAL AGENCY FORMATION COMMISSION**

Scheduled for November 20, 2019 was posted at the San Benito County Planning Department, 2301 Technology Parkway, Hollister, CA and at the San Benito County Administration Office, 481 Fourth Street, Hollister, CA on this 15<sup>th</sup> Day of November, 2019.

All locations freely accessible to the general public.

A handwritten signature in blue ink that reads "Janet Slibsager".

Janet Slibsager

Clerk of the Board of Supervisors

# CONSENT AGENDA

**5. Approval of minutes: September 18, 2019 meeting.**



**SAN BENITO LOCAL AGENCY FORMATION  
COMMISSION  
MINUTES OF MEETING**

September 18, 2019  
Board of Supervisors Chambers - Hollister, CA

**CALL TO ORDER**

1. Chair Cesar Flores called the meeting to order at 3:02 p.m. Those present were Executive Officer Bill Nicholson and Commissioners: Richard Bettencourt, Jim Gillio, Cesar Flores, and Ignacio Velazquez. Commissioner Mark Medina was absent. Also present were Michael Ziman, LAFCO Counsel, and Janet Slibsager, Recording Secretary.
2. Commissioner Gillio led the Pledge of Allegiance.
3. **APPROVE AFFIDAVIT OF POSTING AGENDA**  
*Commissioner Gillio made a motion to accept the Affidavit of Posting, Commissioner Bettencourt seconded.*

Ayes: Bettencourt, Gillio, Velazquez, and Flores  
Noes: None  
Abstain: None  
Absent: Medina

**PUBLIC COMMENT**

4. **Public Comment Period:** There was no one from the public who wished to speak.

**CONSENT AGENDA**

5. **Approval of minutes of the August 21, 2019 meeting:**  
*Commissioner Gillio made a motion to approve the minutes as presented, Commissioner Bettencourt seconded.*

Ayes: Bettencourt, Gillio, Velazquez, and Flores  
Noes: None  
Abstain: None  
Absent: Medina

**BUSINESS ITEMS – PUBLIC HEARING ITEM**

6. **LAFCO 531 – Modification to Conditions of Approval on the Meadow at Gardenia Lane Annexation to County Service Area #24: Involving the annexation of approximately 7.6 acres with six residential lots into the County Service Area (CSA) #24 for the provision of street lighting, street sweeping, street maintenance and drainage maintenance. The annexation was approved at the August 21, 2019, Commission meeting with a condition of approval that a Proposition 218 election be held and passed before the annexation can be recorded. The September 18, 2019 Public Hearing is being held to consider removing this condition of approval in accordance with Government Code section 57330 which authorizes the imposition of any previously authorized tax or assessment on lands annexed to a special district without the need for an election.**

Commissioner Flores read the item.

Commissioner Gillio commented that this was a clerical issue. The CSA is not an independent district they are controlled by the Board of Supervisors. The wording is in option one on page 2 and recommends making a motion to correct the issue.

Commissioner Flores opened the public hearing.

There were no speakers.

Commissioner Gillio asked for LAFCO Counsel, Michael Ziman, to read the motion as it is very lengthy.

LAFCO Counsel, Michael Ziman read the motion to approve the modified proposal: To approve the modified proposal as submitted based upon the following findings, determinations and orders: A. Find the proposal qualifies for a Categorical Exemption in compliance with CEQA Guidelines sections 15303(d) and 15319; B. Adopt this report and approve the proposal known as the “Meadow at Gardenia Lane Annexation to the County Service Area No. 24”; C. Waive the conducting authority (protest) proceedings and direct the staff to complete the proceedings without further notice, hearing or election; D. Direct the staff not to record the annexation until the map and legal description are found by the County Surveyor to be acceptable.

*Commissioner Gillio made a motion to approve the modified proposal as submitted based on the text, Commissioner Bettencourt seconded the motion.*

Ayes: Bettencourt, Gillio, Velazquez, and Flores

Noes: None  
Abstain: None  
Absent: Medina

**BUSINESS ITEMS – NON-HEARING ITEMS**

7. **Continuation of report from investigation into Budget Account No. 645.704 “Retirement–Medical Insurance” and history of payment from LAFCO and options for seeking County of San Benito payment as an alternative – Response to information requested at the August 21, 2019 Commission meeting.**

Executive Officer Bill Nicholson followed up from last month’s overview of history given by Stewart Patri (in a memo to the Commission dated September 10, 2019). The County employee was hired by the County and LAFCO through an Employment Agreement to perform LAFCO duties on a part-time basis. As an update on last month’s meeting questions regarding county retirement rules, the County covered 70% of a retiree's medical insurance costs if they were hired prior to September 2013. Judi Johnson was grandfathered under this retirement benefit as she was hired in 2007. It is up to the Commission if they want to request the County to change the obligation for insurance premium costs because LAFCO is paying for the retirement benefits every budget year up until the passing of the ex-employee and her spouse. The commission can make a recommendation to present this to the Board of Supervisors, where the County can pay and not LAFCO.

Commissioner Velazquez commented that LAFCO was unaware of the additional cost and recommends that a letter on this matter go to the Board of Supervisors to shift over the payment responsibility.

Commissioner Bettencourt commented that he was on the Commission at the time and did not feel this was a right choice. He is more concerned for San Juan Bautista and the City of Hollister, not so much the County.

Commissioner Gillio agrees with what everyone is saying, but the County took on an extra burden back then. The employee was 100% employed by LAFCO and does not feel that the commission should send a letter to the Board of Supervisors, but will support the commission if they want to.

Commissioner Velazquez feels a letter should be sent because it is a burden on the cities. Often times contracts are misleading and everyone does not understand what was written.

Executive Officer Bill Nicholson wanted to clarify that Commissioner Bettencourt was not a part of the Commission when the employee was hired; his name does not appear in the minutes of September 13, 2007. This is the first case that LAFCO has ever had to pay this bill; often the Counties have an employee that dedicates 5%, 10% of their time to LAFCO, and LAFCOs don't get charged retirement costs.

Commissioner Bettencourt commented that Bill Nicolson was right; he was not on the Commission at the time she was hired. He was on the Commission when she resigned.

Commissioner Velazquez made a motion to send the Board of Supervisors a letter.

County Counsel, Michael Ziman made a recommendation to motion a draft letter for review first.

*Commissioner Velazquez made a motion for staff to draft a letter to the Board of Supervisors and to bring back to the next meeting for Commission review, Commissioner Bettencourt seconded.*

Ayes: Bettencourt, Velazquez, and Flores  
Noes: Gillio  
Abstain: None  
Absent: Medina

**8. Appointment of Voting Delegate and Alternate for the CALAFCO Board Elections and Related Business at the October 31st CALAFCO Business Meeting in Sacramento.**

Executive Officer Bill Nicholson provided information regarding the voting for business items such as the increased fees and changing the structure. The full Commission appoints the voting delegate with an alternate voting delegate. No one else can vote unless you are the appointed person or alternate.



Commissioner Gillio said that he would be happy to attend the Business Meeting in Sacramento, if that is what the Commission chooses.

Executive Officer Bill Nicholson clarified that the voting takes place in Sacramento in person on October 31, 2019.

*Commissioner Velazquez made a motion to approve Commissioner Gillio to be the Delegate voter for the Business Meeting, Commissioner Bettencourt seconded.*

Ayes: Bettencourt, Gillio, Velazquez, and Flores  
Noes: None  
Abstain: None  
Absent: Medina

Executive Officer Bill Nicholson made a recommendation that he be an alternate voter in case Commissioner Gillio cannot attend.

*Commissioner Velazquez made a motion to appoint Bill Nicholson as an Alternate for the Business Meeting, Commissioner Gillio seconded.*

Ayes: Bettencourt, Gillio, Velazquez, and Flores  
Noes: None  
Abstain: None  
Absent: Medina

## **INFORMATIONAL**

### **9. Commissioner Announcements and Requests for Future Agenda Items.**

There were no Announcements or Requests for Future Agenda Items.

### **10. Executive Officer oral status report on pending proposals**

Executive Officer Bill Nicholson reported that an upcoming application for Aromas Water District will be coming up in a few months for the annexation of 5 acre parcels to get water supply. One was approved already but this application has not been complete as of yet.

There will be another annexation in the County Service Area for #24. It was brought to LAFCO and was approved but needs to be recorded with the State and this was never done. The County will be submitting the paperwork and the RMA office is in the process of putting it together. This is located on the west side of Rosebud Lane. The road is there, street lights have been paid for, storm drains have been put in place but the people living there have not had to pay for any of these services. They can have a protest vote, which gives them the opportunity to say that they do not want it. RMA staff is going to send a letter explaining what happened.

Commissioner Velazquez wanted a clarification if the County is paying for all of these services without receiving any payments.

Bill Nicholson explained it comes out of the CSA budget, with 31 active CSA's. CSA #24 is currently active.

**ADJOURNMENT**

**11. Upon a motion by Commissioner Gillio, and seconded by Commissioner Bettencourt, adjourned meeting at 3:30 p.m.**

Final Minutes Approved by the Commission  
on \_\_\_\_\_

By: \_\_\_\_\_  
Cesar E. Flores, Chairman

# **BUSINESS ITEMS – PUBLIC HEARING ITEM**

**6. LAFCO 532 – Cole Road Annexation to the Aromas Water District: Involving the annexation of four parcels containing approximately 21.0 acres to obtain municipal water due to diminished capacity and poor water quality from on-site wells. The territory is located on the east side of Cole Road and approximately 400 feet south of Anzar Road in the unincorporated Aromas area. (Assessor's Parcel Numbers 011-160-031, 032, 033 and 034). The annexation area is contiguous to the existing District territory across Cole Road to the west. The actions requested are to determine the annexation is exempt from environmental review under sections 15303(d) and 15319 of the CEQA Guidelines, and to consider approval of the annexation.**



SAN BENITO LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

November 20, 2019 (Agenda)  
(AGENDA Item 6)

LAFCO No. 532: Cole Road Annexation to Aromas Water District

PROPONENT: Board of Directors of the Aromas Water District, by resolution,  
Property owners by written request

ACREAGE & LOCATION Approximately 21.0 acres (four parcels) located on the east side of Cole Road and approximately 400 feet south of Anzar Road, in the unincorporated Aromas area

PURPOSE: To make municipal water service available to the annexing parcels due to diminished water quantity and poor water quality from on-site wells.

PROJECT INFORMATION & DETERMINATIONS

1. Land Use, Planning and Zoning - Present and Future:

The four parcels, of approximately five-acres each, contain single family homes and small outbuildings. The proposed annexation will make community water service available to the parcels with one property currently in need of a connection. The County General Plan designates the area as Rural (R), and the zoning has the corresponding designation of Rural (R), which matches the density of development in the vicinity with five net acre and larger sized parcels.

All surrounding land uses are also rural with the Graniterock Company owning the open space/range land to the east which is buffer to their quarry. The District notes the annexing parcels are within the Sphere of Influence of the Aromas Water District and properties along the west side of Cole Road are currently located within the District. There is an existing District water main in Cole Road in front of all four parcels.

2. Topography, Natural Features and Drainage Basins:

The site and surrounding areas are rolling coastal hills with oak trees.

3. Population:

There four homes within the annexation area, and the annexation can be considered "uninhabited" (less than 12 registered voters) under LAFCO's definition since there are only 10 registered voters on the four parcels. Annexation is not expected to result in construction of any additional homes or in an increase of population. All landowners have consented in writing to the annexation so there will not be a need for a protest hearing.

4. Governmental Services and Controls - Need, Cost, Adequacy and Availability:

The District's "Plan for Providing Services" is addressed in response to Question 14 on the "Proposal Justification Questionnaire for Annexation" as required by the Government Code is attached. The District has 963 current metered water connections although 47 are inactive. The water demand of the four new connections will not impact the District's domestic water supply as the existing three active wells have a design capacity of 2,005 gallons per minute (gpm) and the current maximum daily demand is only 518 gpm. The estimated maximum daily demand for all four dwellings is only 16.8 gpm (based on an average maximum daily demand per meter of 0.42 gpm), which is well within the District's capacity.

The property at 1811 Cole Road, owned by Seth Capron and Jane Rekedal, has had severely diminished water supply as a result of recent drought conditions. Rather than drill a second new well, they are seeking a connection to the Aromas Water District public system because several neighbors who drilled newer wells are still having limited supply. The District indicates that all landowners can receive a connection within 20 days of submitting a connection application to the District. Improvements will consist of a water line and a water meter.

The Aromas Water District is primarily located within the Pajaro Valley Groundwater Sub-basin, and the District must obtain approval from the Pajaro Valley Water Management Agency (PVWMA) in order to transport groundwater out of the PVWMA District boundary and outside of the Pajaro Valley Sub-basin into other portions of the District. The Aromas Water District installed a well identified as the "San Juan Road Well" and by agreement in 2003, was authorized to transport water out of the Pajaro Valley Groundwater Sub-basin if they first received approval from the PVWMA. Based on the history of this agreement, and the fact that only existing homes with existing failing wells are proposed to be served through the Cole Road Annexation, the PVWMA has entered into an agreement with the Aromas Water District for the water connections that will be authorized through this annexation (see Attachment 5).

5. Impact on Prime Agricultural Land, Open Space and Agriculture:

The four parcels of approximately five acres in size do not produce commercial agricultural crops and the area is not prime agricultural land. The properties are not under Williamson Act contracts. Therefore, there will be no impact on agricultural or open space resources from the annexation.

6. Assessed Value, Tax Rates and Indebtedness:

The Tax Rate Area for all parcels is 079-018. The 2018-2019 assessed value is \$2,188,666.

Connection costs and improvements would be paid by each property owner at the time of connection. Ongoing maintenance of facilities is included in the rates charged by the District. All four property owners agreed to share in the District and LAFCO processing fees for the annexation.

7. Environmental Impact of the Proposal:

The Aromas Water District, as the "Lead Agency" under CEQA for this project, determined that the annexation qualified for a Categorical Exemption. Sections 15303(d) and 15319 were referenced in the Notice of Exemption filed by the District with the County Clerk: CEQA Guidelines sections 15303(d) entitled "New Construction or Conversion of Small Structures" including water and other similar utilities, and section 15319 entitled "Annexations of Existing Facilities and Lots for Exempt Facilities." Refer to Attachment 4 for a copy of Resolution No. 2019-04 adopted by the District making the CEQA exemption determination. The Commission can rely on this determination for the annexation in its role as a "Responsible Agency" under CEQA for processing the annexation.

8. Boundaries, Lines of Assessment and Registered Voters:

The boundaries appear to be definite and certain and there do not appear to be conflicts with lines of assessment or ownership. The four parcels are contiguous with the current District boundary running along with west side of Cole Road. Staff is still awaiting confirmation from the Contract County Surveyor as to the accuracy of the map and legal description of the annexation territory.

9. Environmental Justice and Affordable Housing

The annexation area is not adjacent to a disadvantaged unincorporated community as the adjacent land located in the County contains large rural residential lots. The annexation of an existing rural residential parcel will not involve any new affordable or market rate housing.

ALTERNATIVES FOR COMMISSION CONSIDERATION

After reviewing this report and any testimony or materials that are presented, the Commission can take one of the following actions:

OPTION 1 – APPROVE the proposal as submitted.


- A. Find the proposal qualifies for a Categorical Exemption in compliance with CEQA, as determined by the Aromas Water District, in conformance with sections 15303(d) and 15319.
- B. Adopt this report and related determinations and approve the proposal known as the Cole Road Annexation to the Aromas Water District
- C. Direct the staff not to record the annexation until the map and legal description requirements are found by the County Surveyor to be acceptable.

OPTION 2 - Adopt this report and DENY this proposal.

OPTION 3 - CONTINUE this proposal to a future meeting for additional information.

RECOMMENDED ACTION:

Approve OPTION 1.

  
\_\_\_\_\_  
BILL NICHOLSON  
Executive Officer  
LOCAL AGENCY FORMATION COMMISSION

Attachments:

1. Area Map and Assessor's Map Page
2. Proposal Justification Questionnaire - Annexation
3. Resolution No. 2019-03 by the Aromas Water District "Resolution of Application"
4. Resolution No. 2019-04 by the Aromas Water District "Categorical Exemption Finding"
5. Agreement Authorizing Aromas Water District to Annex and Estend Service to APNs 011-160-031, 032, 033 and 034 on Cole Road Outside Pajaro Valley Water Management Agency Boundary
6. Draft LAFCO Resolution No. 532 Approving the Cole Road Annexation to the Aromas Water District

cc: Robert Johnson, General Manager, Aromas Water District  
Property Owners  
Brian Lockwood, General Manager, Pajaro Valley Water Mangement Agency



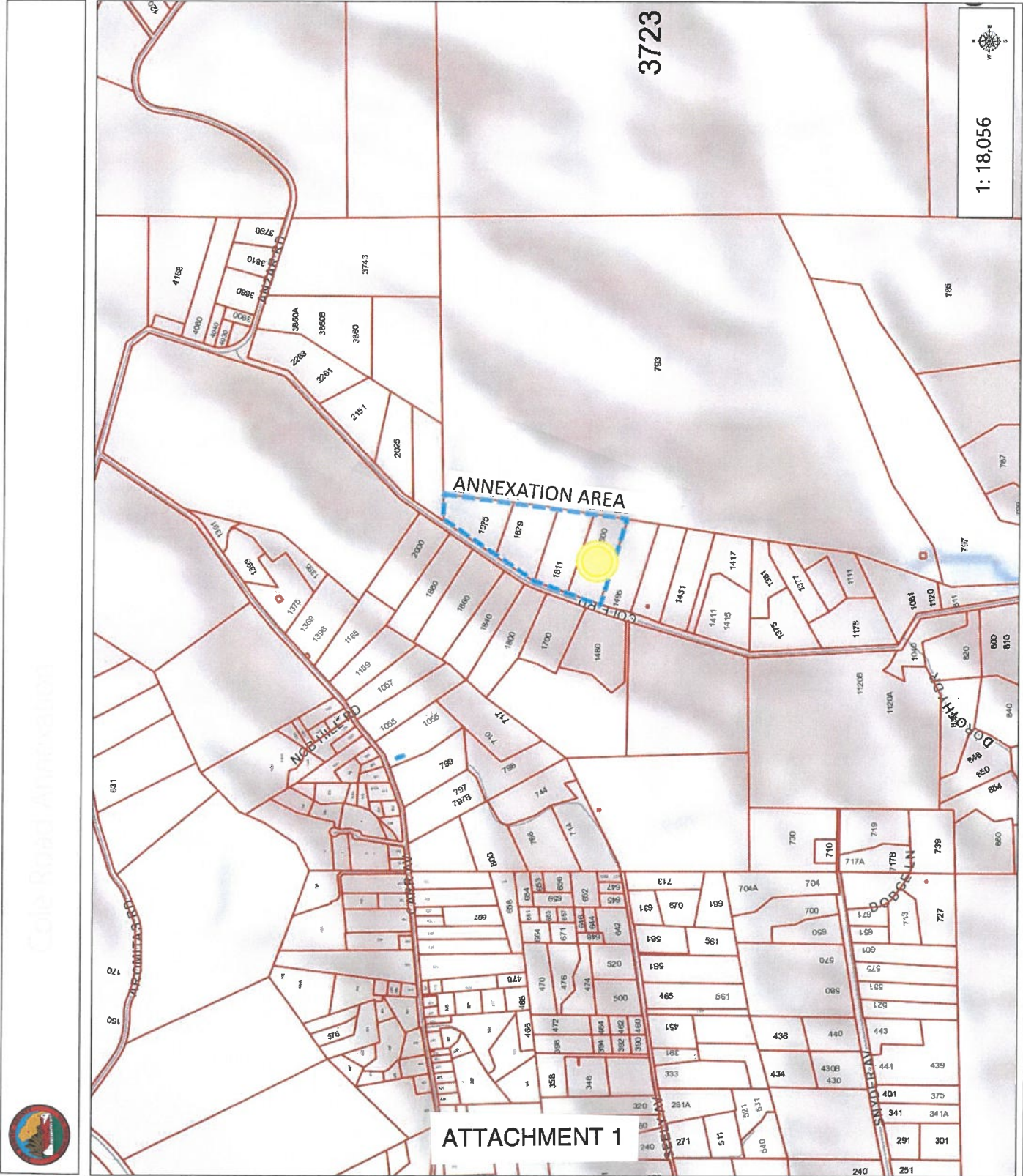


**Legend**

- Parcels
- California County Boundaries
- <all other values>
- San Benito
- City Limit
- Tentative Subdivision
- Hollister Airport Runways
- Tentative Streets
- Park

**Notes**

Cole Road Annexation to the Aromas Water District (1600, 1811, 1879 and 1975 Cole Rd)



**ATTACHMENT 1**

Scale: 1: 18,056

Scale bar: 0, 1,504.66, 3,009.3 Feet

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
©County of San Benito, GIS Services



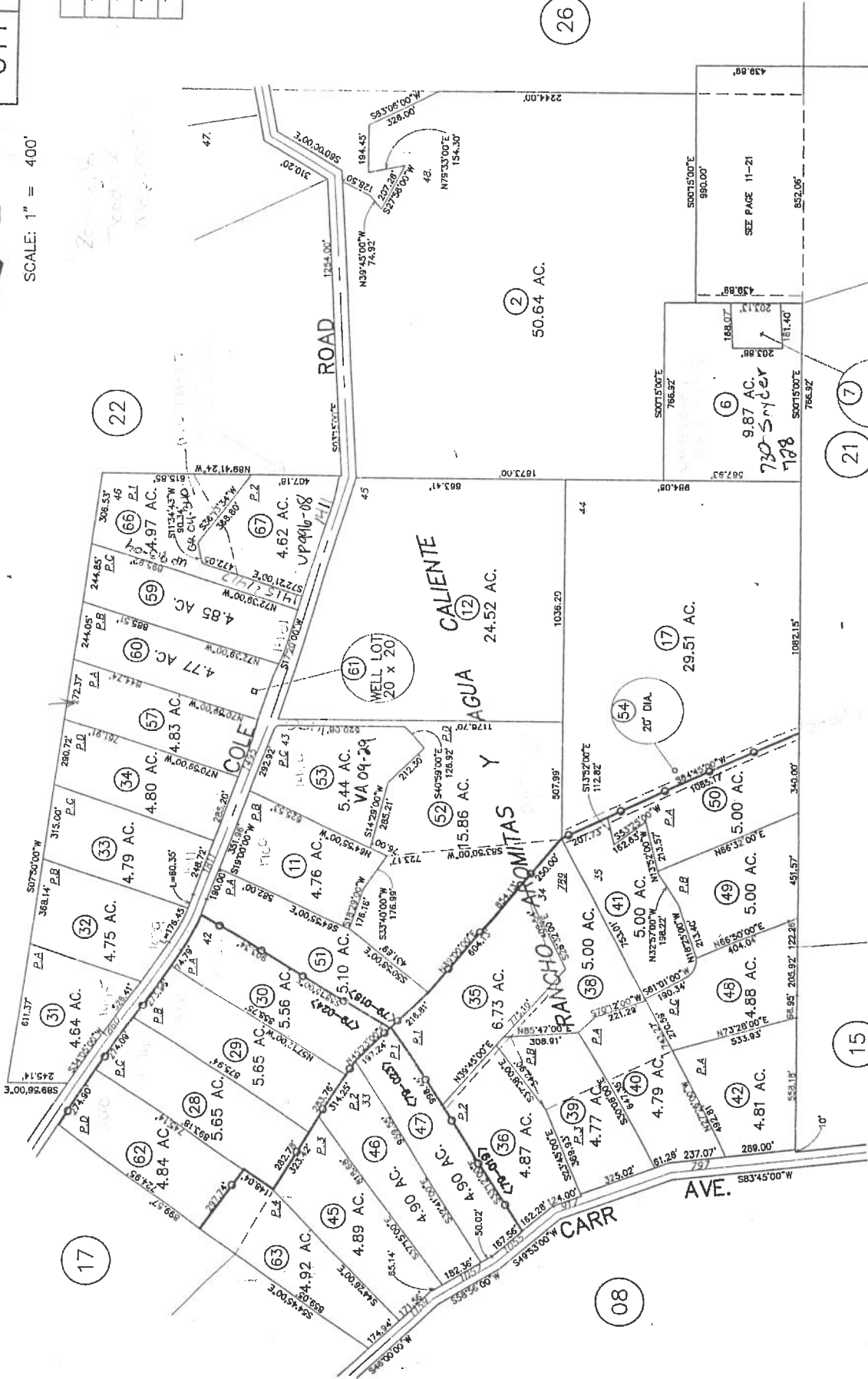
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SCALE: 1" = 400'

BOOK	PAGE
011	16

T	R	A
79	018	
79	019	
79	023	
79	024	



PTN. CARRS SUBDIVISION

# Proposal Justification Questionnaire for Cole Road Annexation



1. Name of Application:

Cole Road Annexation to Aromas Water District (AWD) of four residential properties: APNs 011-016-031-000, 011-016-032-000, 011-016-033-000 and 011-016-034-000

2. Describe the acreage and general location:

Four parcels, each less than five acres located within the AWD Sphere of Influence and contiguous with the current annexed boundary.

3. Assessor Parcel Number:

#s 011-016-031-000, 011-016-032-000, 011-016-033-000 and 011-016-034-000

4. Purpose of Proposal:

Four residential single family residences, all on less than five-acre parcels requesting municipal water service from AWD due to diminished water quantity and poor water quality from their on-site residential wells. The existing water main fronts all four properties and all are contiguous with the existing AWD boundary.

5. Land Use and Zoning- Present and Future:

- A. Existing Land Use: each has one single family residence and small outbuildings
- B. Describe changes in land uses that would result from this annexation: There would be no changes from the current land use.
- C. Existing zoning designations: properties is zoned Rural
- D. Describe any proposed change in zoning: No zone change will be required; the current land use conforms with the current Rural zoning.

6. Describe the area surrounding the proposed annexation:

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>
East	One 213 acre parcel in Open space / Range land and one single family dwelling, located within the AWD Sphere of Influence	Rural (R)	Rural (R)
West	Across Cole Road, five acre parcels with existing residences within the AWD	Rural (R)	Rural (R)

# Proposal Justification Questionnaire for Cole Road Annexation



North	Five acre parcels within the AWD	Rural (R)	Rural (R)
South	On same side of Cole Road, five acre parcels with existing residences within the AWD Sphere of Influence	Rural (R)	Rural (R)

7. Conformity with Sphere of Influence:

The proposed parcel is within the existing AWD Sphere of Influence.

8. Conformity with County General Plans:

This parcel conforms with the County General Plan designation of the area.

9. Topography and Natural Features:

The proposed parcel's topography is low-lying undulating hills – there are NO significant natural features that may affect this proposal.

10. Impacts on Agriculture:

Responses for 10A through 10D are Not Applicable. This proposal has no impact on Agriculture.

11. Impact on Open Space:

This proposal has no effect on the surrounding area.

12. Relationship to Regional Housing Goals and Policies (City annexations only):

Not Applicable to this proposal

13. Population:

- A. There is one existing dwelling unit on each of the four properties.
- B. Possible new dwelling units = Zero

14. Government Services and Controls – Plan for Providing Services:

- A. Water service will be provided to the parcels in this proposal from the existing water main on Cole Road.
- B. Domestic water service for four single-family residences on four parcels
- C. Service can be provided within 20 days of application approval
- D. Improvements would include a water meter and service line from mainline
- E. Individual connections for each parcel will be paid for by the property owners. The monthly costs invoiced to the property owners pay for the District maintenance, operation costs and the metered water.
- F. No alternatives are necessary

# Proposal Justification Questionnaire for Cole Road Annexation



15. Ability of the annexing agency to provide services:

The annexing entity, the Aromas Water District has the capacity to provide the services requested –The District currently has 916 metered connections and 47 inactive meters for a total of 963. Maximum day demand could require 407 gallons per minute (gpm). The design capacity of the three active wells is 2,005 gpm, current capacity is 1,500 gpm. Please see revised “Aromas Water District Capacity to Provide Service” document attached.

Please also see attached Resolution # 2019-03 & 2019-04

16. Dependability of Water Supply for Projected Needs:

An existing water main runs in front of the parcels on Cole Road, so the timely availability is recorded above in Answer 14C – 20 days

17. Bonded indebtedness and zones:

Responses for 17A through 17D are Not Applicable to this proposal. There is existing infrastructure that has been paid for the provide water to the Cole Road area, of which the parcels requesting annexation are part. The proposed annexation area will not be liable for payment of any existing special assessments currently assessed by AWD.

18. Environmental Impact of the Proposal:

A. Who is the “Lead agency” for this proposal? – The Aromas Water District

B. Environmental Documentation prepared – Categorical Exemption

C. An EIR was NOT prepared – Not Applicable

19. Boundaries:

A. The annexation boundaries include four contiguous parcels. One of these parcels has an immediate water shortage with dramatically reduced well production, and the adjacent parcels have similar marginal domestic water systems. This four parcel annexation will be contiguous with the current AWD annexed boundaries on the north and west and within the AWD Sphere of Influence on all boundaries. No other properties have been included in this proposal.

B. This question is Not Applicable

20. Final Comments:

A. Conditions –

a. none to be added

B. Comments/justifications regarding proposal –

a. The residential well's capacities have reduced significantly, thus making the provision of water a health and safety issue

C. No additional reports besides the contents of the application packet

# Proposal Justification Questionnaire for Cole Road Annexation



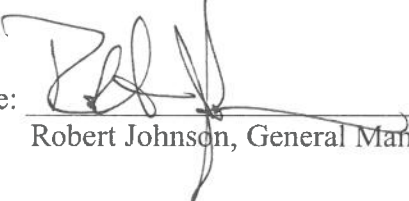
## 21. Notices and Staff Reports:

List up to three persons to receive copies of a notice of hearing and staff report.

<u>Name and Agency</u>	<u>Address</u>	<u>Email address</u>
A. Robert Johnson, Aromas Water District / PO Box 388, Aromas, CA 95004 / <a href="mailto:robert@aromaswaterdistrict.org">robert@aromaswaterdistrict.org</a>		
B. Seth Capron, requestor / 1811 Cole Road, Aromas, CA 95004 / <a href="mailto:sethcapron@razzolink.com">sethcapron@razzolink.com</a>		

Who should be contacted if there are questions about this application?

<u>Name</u>	<u>Address</u>	<u>Email address</u>	<u>Phone</u>
A. Robert Johnson / PO Box 388, Aromas, CA / <a href="mailto:robert@aromaswaterdistrict.org">robert@aromaswaterdistrict.org</a> / (831) 726.5071			
B. Seth Capron, requestor / 1811 Cole Road, Aromas, CA 95004 / <a href="mailto:sethcapron@razzolink.com">sethcapron@razzolink.com</a> (408) 592-9666			

Signature:  \_\_\_\_\_  
Robert Johnson, General Manager

Date: 9/13/19



## RESOLUTION 2019-03

**RESOLUTION OF APPLICATION OF THE AROMAS WATER DISTRICT  
INITIATING PROCEEDINGS FOR THE NARANJO, FORD, CAPRON AND  
REKEDAL, AND MELLO AND SKOGEN PROPERTIES  
(APNs: 011-016-031, 011-016-032, 011-016-033 & 011-016-034)  
ANNEXATION TO THE AROMAS WATER DISTRICT**

**WHEREAS**, the Aromas Water District (DISTRICT) desires to initiate a proceeding for the adjustment of boundaries specified herein.

**NOW, THEREFORE BE IT RESOLVED**, the Aromas Water District Board of Directors hereby resolves and order as follows:

1. This proposal is made, and it is requested that proceedings be taken, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, commencing with section 56000 of the California Government Code.
2. This proposal is an annexation to the DISTRICT
3. A map of the affected territory is set forth in Exhibit A, attached hereto and by reference incorporated herein.
4. It is desired that the proposal be subject to the following terms and conditions: *DISTRICT water will be utilized for municipal uses only.*
5. The reasons for the proposal are to: *Health and Safety Issues related to the lack of available well water and the need to annex into the DISTRICT to receive DISTRICT water.*
6. The proposal is consistent with the Sphere of Influence of the DISTRICT.
7. Consent is hereby given to the waiver of conducting authority proceedings.

**PASSED AND ADOPTED** by the Board of Directors of the Aromas Water District, Aromas, Monterey and San Benito Counties, California, at a Regular meeting duly held on this 23rd day of APRIL by the following vote:

AYES: DUTRA, HOLMAN, LEAP, NORTON, SMITH.

NOES: NONE

ABSENT: NONE

APPROVE:



Richard Smith, Board President

ATTEST:



Board Secretary, Louise Coombes



**RESOLUTION 2019-04**

**A RESOLUTION OF**

**THE BOARD OF DIRECTORS OF THE AROMAS WATER DISTRICT  
FINDING THAT A PROJECT IS CATEGORICALLY EXEMPT  
UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The Aromas Water District has made the following findings:

**WHEREAS**, the requested annexation for service by Naranjo, Ford, Capron and Rekedal and Mello and Skogen, owners of APN 011-016-031, 011-016-032, 011-016-033 and 011-016-034 (San Benito County) respectively and

**WHEREAS**, the California Environmental Quality Act provides a Categorical Exemption for annexations of single-family dwellings for provision of utilities pursuant to Sections 15303(d) and 15319 of the California Code of Regulations Guidelines for Implementation of the California Environmental Quality Act.

**NOW THEREFORE, BE IT RESOLVED**, the Aromas Water District Board of Directors hereby resolves, and order as follows:

that the annexations of San Benito Parcels with APN Nos. 011-016-031, 011-016-032, 011-016-033 and 011-016-034 to the Aromas Water District is Categorically Exempt under Sections 15303(d) and 15319 of the California Code of Regulations from the requirements of the California Environmental Quality Act.

**PASSED AND ADOPTED** by the Aromas Water District Board of Directors, Aromas, Monterey and San Benito Counties, California, at a Regular meeting duly held on this 23rd day of APRIL by the following vote:


AYES: DUTRA, HOLSTAN, LEAP, NORTON, SMITH


NOES: NONE

ABSENT: NONE

APPROVE:

ATTEST:

  
Richard Smith, Board President

  
Board Secretary, Louise Coombes



AGREEMENT AUTHORIZING AROMAS WATER DISTRICT TO ANNEX AND EXTEND SERVICE TO APNS 011-160-033, 011-160-034, 011-160-032, AND 011-160-031 (CAPRON/REKEDAL, SKOGEN/MELLO, FORD AND NARANJO PROPERTIES)

This AGREEMENT AUTHORIZING AROMAS WATER DISTRICT TO ANNEX AND EXTEND SERVICE TO APNS 011-160-033, 011-160-034, 011-160-032, AND 011-160-031 (CAPRON/REKEDAL, SKOGEN/MELLO, FORD AND NARANJO PROPERTIES<sup>1</sup> (the "Agreement")) is made and entered into on the date it has been executed by all parties hereto (the "Effective Date") by and between the AROMAS WATER DISTRICT ("Aromas"), a special district organized and existing under the County Water District Law (Water Code §30000, et seq.) and Pajaro Valley Water Management Agency ("PV Water"), a public agency organized and existing under the Pajaro Valley Water Management Agency Act (the "Act") (Water Code Appendix, Chapter 124), who agree as follows:

RECITALS

- A. PV Water was formed in 1984 by a special act of the California Legislature with the express purpose of and authority for management of the groundwater resources of the Pajaro Valley to reduce long-term overdraft and ultimately balance the groundwater basin.
- B. Pursuant to the Act, Section 516, PV Water has "prevailing authority over any special district within the boundaries of the agency which exercises any of the powers enumerated in" the Act.
- C. The Sustainable Groundwater Management Act ("SGMA") (Cal. Water Code § 10270, et seq.), enacted by the California Legislature in 2014, provides for sustainable management of groundwater basins, to enhance local management of groundwater, to establish minimum standards for sustainable groundwater management, and to provide local groundwater agencies with the authority and the technical and feasible assistance necessary to manage groundwater.
- D. Section 10723(c)(1)(L) establishes PV Water as the exclusive local agency within its statutory boundaries to comply with the requirements of SGMA.
- E. By Resolution No. 2015-25, adopted on August 19, 2015, PV Water elected to become a Groundwater Sustainability Agency under SGMA for that portion of the Pajaro Valley Groundwater Basin underlying its statutory boundaries.
- F. While Aromas is mostly within the jurisdictional boundaries of PV Water, a portion of its territory is located outside of PV Water boundaries and outside of the California Department of Water Resources definition of the Pajaro Valley Sub-basin 3-002.01.

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<sup>1</sup> Hereinafter the "Cole Road Parcels".

- G. In 1998, the Board of Directors of PV Water adopted Ordinance 98-1, which prohibits water extracted or otherwise produced within the jurisdictional boundaries of PV Water from being exported, except for uses or contractual commitments that pre-dated the ordinance. Under the terms of Ordinance 98-1, the export prohibition may be waived by the Board of Directors if the waiver is consistent with the PV Water's adopted Basin Management Plan
- H. Also in 1998, Ordinance 98-2 was adopted by voter initiative, which mandates that PV Water prohibit all new exports of water outside the boundaries of PV Water.
- I. In 2003 the parties entered into the AGREEMENT FOR PERMITTING OF NEW WELL ("2003 Agreement"), pursuant to which PV Water authorized Aromas to construct a new well outside of but immediately adjacent to PV Water's boundary (the "San Juan Road Well") to alleviate a well capacity shortfall caused by the failure of an existing well operated by Aromas within PV Water's boundary. Under the 2003 Agreement the parties agreed that the San Juan Road Well would be "subject to the export prohibitions of Ordinance 98-1" for any new distribution of water outside PV Water's boundary and that the San Juan Road well would likewise be subject to any then-existing or future PV Water ordinances and resolutions as though the San Juan Road Well were located within the PV Water boundaries.
- J. In late 2018, Aromas brought to PV Water's attention the circumstances confronted by the residents of the Cole Road Parcels that currently obtain water from on-site wells, and currently are neither located within the jurisdictional boundaries of Aromas, or within PV Water's jurisdictional boundaries or Pajaro Valley Sub-basin 3-002.01. Owing to the poor quality and quantity of well production, the owners of the Cole Road Parcels have sought to annex into and obtain water service from Aromas.
- K. The purpose of this Agreement is to permit an exception to the 2003 Agreement to enable Aromas to annex and provide water service to the Cole Road Parcels under the terms and conditions set forth herein.

NOW, THEREFORE, the parties agree as follows:

1. PV Water authorizes Aromas to extend water service to the Cole Road Parcels under the terms and conditions set forth below and such further conditions as may be agreed to between PV Water and Aromas to carry out the terms of this Agreement.
2. The authorization provided herein shall be deemed an emergency waiver to the export prohibitions of Ordinances 98-1 and 98-2. Except for the Cole Road Parcels, Aromas will not establish new water service outside of PV Water's boundary without the prior express written consent of PV Water, which shall be in PV Water's sole discretion. This authority is limited to

existing parcels of record as of the date of this Agreement and shall not extend to any further divisions of existing parcels or new parcels created by any other means.

3. As between Aromas and PV Water, Aromas shall be solely responsible for obtaining any and all necessary permits or other regulatory approvals from any agency with jurisdiction over such matters in order to construct the necessary water service extension to the Cole Road Parcels, and shall be deemed "Lead Agency" for purposes of complying with the California Environmental Quality Act. PV Water agrees to reasonably cooperate with Aromas in seeking any such regulatory approvals.

4. Aromas agrees to indemnify, defend and hold PV Water harmless, its officers, agents, employees and attorneys, against any and all claims, demands, losses, costs or liability of any kind which PV Water, its officers, employees, agents or attorneys may incur arising from or related to this Agreement, or any activities of Aromas pursuant thereto.

5. To the extent it is inconsistent therewith, the terms of this Agreement shall be deemed to have amended the 2003 Agreement. Except as so amended, the 2003 Agreement shall remain in full force and effect.

6. This Agreement shall be binding upon and inure to the benefit of the parties' respective successors in interest and assigns.

7. This Agreement may be executed in any number of counterparts, each of which shall be an original but all of which together shall constitute one and the same instrument.

8. Notices under this Agreement shall be in writing and shall be delivered as follows:

If to PV Water:

General Manager  
Pajaro Valley Water Management Agency  
36 Brennan Street  
Watsonville, CA 95076

If to Aromas:

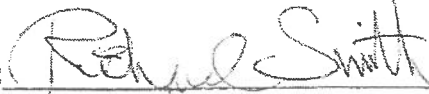
District Manager  
Aromas Water District  
P.O. Box 388  
Aromas, CA 95004

9. If any provision of this Agreement is determined to be invalid, illegal or unenforceable, such provision shall be deemed to be severed or deleted from this Agreement and the balance of this Agreement shall remain in full force and effect notwithstanding such invalidity, illegality or unenforceability.


IN WITNESS WHEREOF, the parties have executed this Agreement on the dates set forth below:

AROMAS WATER DISTRICT

Dated: 4/23/19

By:   
President, Board of Directors

Approved as to form:


  
Robert E. Bosso

PAJARO VALLEY WATER  
MANAGEMENT AGENCY

Dated: March 7, 2019

By:   
Chair/Board of Directors

Approved as to form:

  
General Counsel

LAFCO No. 532

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION COMMISSION  
MAKING DETERMINATIONS AND APPROVING THE COLE  
ANNEXATION TO THE AROMAS WATER DISTRICT

WHEREAS, the Cole Road Annexation to the Aromas Water District (LAFCO File No. 532) has been filed with the Executive Officer of the San Benito Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Sections 56000 et seq. of the Government Code); and

WHEREAS, the proposal seeks Commission approval to annex four parcels totaling 21.0 acres into the Aromas Water District ("District") identified by the San Benito County Assessor as APN Numbers 011-160-031, 032, 033 and 034; and

WHEREAS, the property is within the District's Sphere of Influence, and the District has requested the Commission approve the annexation in District Resolution No. 2019-03; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report with recommendations; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing held on the proposal on November 20, 2019; and

WHEREAS, at the times and in the manner required by law the Executive Officer has given notice of the Commission's consideration of the proposal through publication in the Hollister Freelance Newspaper, and notice to neighboring landowners within 300 feet; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's Report and recommendation, the determination of exemption from CEQA by the Aromas Water District as lead agency, and consistency with the San Benito County General Plan; and

WHEREAS, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter "CEQA"), the Commission serves as responsible agency for the annexation and has determined that the application is exempt from CEQA as the territory is already developed; and

WHEREAS, the Local Agency Formation Commission finds the applications to be in the best interests of the affected area and the organization of local governmental agencies within San Benito County.

NOW, THEREFORE, BE IT RESOLVED DETERMINED AND ORDERED by the Local Agency Formation Commission of San Benito County as follows:

(1) The Commission finds the annexation is exempt from environmental review in compliance with CEQA Guidelines sections 15303(d) and 15319.

(2) The annexation proposal is assigned the distinctive short-form designation:  
COLE ROAD ANNEXATION TO THE AROMAS WATER DISTRICT

(4) Said territory is found to be uninhabited as there are less than 12 registered voters within the annexation area.

(5) The boundaries of the affected territory are found to be definite and certain as approved and set forth in the legal descriptions, with verification from the County Surveyor.

(6) All proceedings in connection with this proposal shall be conducted in compliance with the approved boundaries set forth in the attachments.

(7) The annexation boundary is consistent with the sphere of influence of the Aromas Water District.

(8) The Commission has considered evidence in the record regarding the District's potable water capacity, and the approval from the Pajaro Valley Water Management Agency for the water connection outside the Pajaro Valley Water Management Agency and Pajaro Valley Sub-basin boundaries.

(9) Since all affected landowners have given written consent to the annexation and additionally since the annexing agency has given written consent to the waiver of a protest hearing, therefore a protest hearing is waived and the staff is directed to complete the proceeding without further notice, hearing or election.

(10) The territory being annexed shall be liable for any existing or authorized taxes, charges, fees or assessments comparable to properties presently within the District.

(11) The proposal is APPROVED, and Staff is directed not to record the annexation until the following condition of approval has been satisfied:

(a) The map and legal description presented are found by the County Surveyor to be acceptable.

I, Cesar E. Flores, Chairman of the Local Agency Formation Commission of San Benito County, California, do hereby certify that the foregoing resolution was duly and regularly adopted by said Commission at a regular meeting thereof held upon the 20th day of November, 2019, by the following vote:

AYES:

NOES:

ABSTAINS:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Cesar E. Flores, Chair  
San Benito Local Agency Formation Commission

ATTEST

\_\_\_\_\_  
Bill Nicholson, Executive Officer  
San Benito Local Agency Formation Commission

# **BUSINESS ITEMS – NON- HEARING ITEMS**

**7. Review draft letter to the County Board of Supervisors, as directed at the September 18, 2019 Commission meeting, requesting the County of San Benito assume responsibility for payment of “Retirement–Medical Insurance” for a former Executive Officer who was a County employee. After approving any modifications to the draft, direct the Chair to sign the letter and forward to the Chairman of the County Board of Supervisors.**





**LOCAL AGENCY FORMATION COMMISSION**

SAN BENITO COUNTY

2301 Technology Parkway

Hollister, CA 95023

Phone: (831) 637-5313 Fax: (805) 647-7647

DATE: November 20, 2019 (Agenda)

TO: Local Agency Formation Commission

FROM: <sup>BN</sup> Bill Nicholson, Executive Officer

RE: Review of Draft Letter to the San Benito County Board of Supervisors, as directed at the September 18, 2019 Commission Meeting, Requesting the County of San Benito Assume Responsibility for Payment of Retirement-Medical Insurance Premiums for a Former Executive Officer who was a County Employee **(Agenda Item 7)**

After review of background documents at several Commission meetings, the Commission took action at the August 21, 2019 regular meeting to approve sending a letter to the San Benito County Board of Supervisors requesting the County assume payment of the Retirement Medical Insurance premiums for a former part-time LAFCO Executive Officer who was hired as a County employee. This benefit, classified as an "Other Post Employment Benefit" (OPEB) was granted to the employee, Judy Johnson, due to her retirement from San Benito County while she was performing LAFCO duties.

The attached draft letter acknowledges that LAFCO and the County were both parties to the Employment Agreement with Judi Johnson (dated September 25, 2007), and the Commission was aware of various employment benefits that were the responsibility of LAFCO to pay including: vacation, sick leave, holidays, and the employee and employer contributions to the Public Employee Retirement System. It is also noted that the OPEB benefits were not addressed in the Employment Agreement. The medical insurance payment became a liability of LAFCO as a result of a memorandum of understanding between the County and employee organizations, and the County's practice of assigning responsibility for the Retirement Medical Insurance payment obligation to the last department where an employee worked. In Ms. Johnson's case, this "department" was LAFCO. It is also argued that had the Commission known of this long term post-employment obligation at the time the Employment Agreement was negotiated, they may have objected or negotiated a modification of this requirement.

Action Requested

Review the attached draft letter regarding the transfer of responsibility for payment of Retirement Medical Benefits to the County, and after making any revisions, authorize the LAFCO Chair to sign the letter and forward to the Chair of the San Benito County Board of Supervisors.

Enclosure: Draft Letter and Attachments

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**Commissioners:** Cesar Flores, Chair ♦ Richard Bettencourt, Vice Chair ♦ Mark Medina ♦ Ignacio Velazquez ♦ Jim Gillio

**Alternate Commissioners:** Roberta Daniel ♦ Peter Hernandez ♦ Mary Vazquez-Edge **Executive Officer:** Bill Nicholson

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## LOCAL AGENCY FORMATION COMMISSION

SAN BENITO COUNTY

2301 Technology Parkway

Hollister, CA 95023

Phone: (831) 637-5313 Fax: (805) 647-7647

November 20, 2019

Honorable Mark Medina, Chair  
San Benito County Board of Supervisors  
481 Fourth Street  
Hollister, CA 95023

RE: Request for San Benito County to assume payment of Retiree-Medical Insurance premiums from San Benito LAFCO for former San Benito LAFCO Executive Officer Judi Johnson who was a County Employee

Dear Honorable Chair Medina:

At both the proposed and final LAFCO budget hearings for the adoption of the 2019-20 Fiscal Year Budget, the Commission inquired about the basis for the annual billing included in the Budget Account for "Retirement-Medical Insurance." The Commission has annually budgeted \$10,000 in this account to pay for Retirement-Medical Insurance payments for a former part-time Executive Officer who was also a County employee. There is no other employee for whom LAFCO makes retirement system or Other Post Employment Benefit (OPEB) payments.

Based upon direction given by the Commission at the June 13, 2019, Final Budget hearing, the current Executive Officer, Bill Nicholson, coordinated with County Administration staff – most directly with Stewart Patri, Budget Officer – as well as County Auditor's staff and County Counsel to determine if LAFCO entered any agreement with the County that committed LAFCO to pay this cost.

Following this coordination and research into LAFCO minutes and files, it was discovered that both LAFCO and San Benito County entered an Employment Agreement dated September 25, 2007 with Judi Johnson to perform Executive Director functions for San Benito LAFCO on a part time (20 hours per week) basis. The Agreement (copy attached) clearly identified the obligation of LAFCO regarding salary, terms and benefits for the Executive Director including accrual of vacation, sick leave, payment for holidays and the employer and employee costs of participation in the California Public Employee's Retirement System.

However, the Agreement was silent as to Other Post Employment Benefits (OPEB) including Retiree-Medical Insurance premiums. There was no reference to OPEB nor do the Commission minutes indicate there was an express or implied commitment for LAFCO to pay the full costs of the employee's Retirement-Medical Insurance for the remainder of the employee's and her spouse's life. This was probably not anticipated because the employee was only a part-time employee and because the County's practice of assigning mandated Other Post Employment

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**Commissioners:** Cesar Flores, Chair ♦ Richard Bettencourt, Vice Chair ♦ Mark Medina ♦ Ignacio Velazquez ♦ Jim Gillio

**Alternate Commissioners:** Roberta Daniel ♦ Peter Hernandez ♦ Mary Vazquez-Edge **Executive Officer:** Bill Nicholson

Honorable Mark Medina, Chair  
San Benito County Board of Supervisors  
November 20, 2019  
Page 2

Benefits (OPEB) to the department or agency where the retiring employee last worked was not disclosed to LAFCO at the time.

As an additional point of concern to the LAFCO Commissioners – which includes two City members who's Cities help share in LAFCO's annual operating costs, and a public member who has no allegiance to the County or any individual city – is the disclosure in the letter from Stewart Patri to LAFCO dated September 10, 2019, (copy attached) that it was through a Memorandum of Understanding between the County and employee groups that set the terms of the Retiree-Medical Insurance. There is no means to determine how the Commission would have acted on the Employment Agreement with Judi Johnson back in 2007 if they had known of this potential post employment benefit payment and that it potentially extends decades after the employees retirement. However, it is likely that this provision would have been negotiated out of the contract for a part-time employee, or LAFCO would have negotiated with the County to pay this benefit since the employee was already a part-time employee of the County at the time of her employment with LAFCO.

Therefore, the San Benito Local Agency Formation Commission respectfully requests the County Board of Supervisors take the necessary steps to have the County assume responsibility for this Retiree Medical Insurance payment. If you need more information, or would like a the LAFCO Chair to attend a Board meeting to discuss further options, please feel free to contact me at San Benito City Hall at (831) 623-4661 or by email at: [c.flores@san-juan-bautista.ca.us](mailto:c.flores@san-juan-bautista.ca.us).

Respectfully,

Cesar E. Flores, Chair  
San Benito LAFCO

Enclosures

cc: Supervisor Gillio  
Supervisor Hernandez  
Supervisor De Le Cruz  
Supervisor Botelho  
Ray Espinosa, County Administrative Officer  
Stewart Patri, County Budget Officer

EMPLOYMENT AGREEMENT

THIS AGREEMENT is made and entered into on this ~~25<sup>th</sup>~~ day of September, 2007 by and between the SAN BENITO COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO), established under the Cortese-Knox-Hertzberg Act, Government Code section 56000, et seq.; the BOARD OF SUPERVISORS on behalf of the COUNTY OF SAN BENITO, a political subdivision of the State of California (hereinafter collectively referred to as "Employer"); and Judi Johnson (hereinafter "Employee"). pursuant to these terms and conditions:

WHEREAS, the Employer and Employee mutually desire to set forth herein certain procedures, benefits and requirements regarding the employment of Employee by Employer, and

WHEREAS, the Employer desires to employ the services of Employee on the terms and conditions set forth herein as the Executive Director of the Local Agency Formation Commission under the terms and conditions recited herein, and

WHEREAS, Employee desires to accept employment as the Executive Director of the Local Agency Formation Commission under the terms and conditions recited herein.

NOW, THEREFORE, the Employer and Employee hereby mutually covenant and agree to the following:

1. SPECIFIED TERM

The Employer hereby hires employee and Employee hereby accepts employment with Employer beginning September 2007, and ending September 2010. Employer and Employee may by mutual agreement extend this term beyond September 2010, at any time this agreement is in effect.

See Page 4

RECEIVED

SEP 14 2009

SAN BENITO COUNTY  
AUDITOR'S OFFICE

2. TITLE AND DESCRIPTION OF DUTIES:

- A. The Employee shall serve as the Executive Director of the Local Agency Formation Commission. In that capacity, Employee shall do and perform all duties, services, acts, or things necessary or advisable to fulfill the duties of the Executive Director of the Local Agency Formation Commission as specified in Exhibit "A". The Executive Director position is a part-time position and Employee is expected to work twenty (20) hours per week. Employee shall at all times be subject to the direction of the Local Agency Formation Commission.
- B. The Local Agency Formation Commission and Employee agree to meet on or before December 1, 2007 to establish an initial set of specific goals and performance objectives to be accomplished by Employee and the Local Agency Formation Commission; this Agreement shall then be amended to allow a copy of the agreed upon specific goals and performance objectives and work plan or as may be subsequently amended pursuant to subparagraph C of the paragraph 2 to be attached as Exhibit "B" and made a part of this agreement as though fully set forth in full.
- C. Annually the Local Agency Formation Commission and the Employee shall review and further define those goals and performance objectives, which they determine necessary for attainment of the Commission's policy objectives. The Local Agency Formation

Commission will annually review and evaluate the performance of Employee based upon the Employee's accomplishments.

3. LOYAL AND CONSCIENTIOUS PERFORMANCE OF DUTIES:

Employee agrees that to the best of her ability and experience she will at all times loyally and conscientiously perform all the duties and obligations required of her office either expressly or implicitly by the terms of this Agreement.

4. DEVOTION OF ENTIRE TIME TO EMPLOYER'S BUSINESS

- A. Employee shall devote her entire professional-productive time, ability and attention to the business of Employer during the term of this agreement. Entire time is herein defined as compensated time provided by Employer.
- B. During the term of this Agreement, Employee shall not engage in any other business duties or pursuits without the prior written consent of the Local Agency Formation Commission. However, the expenditure of reasonable amounts of time for educational, charitable or professional activities, such as advice to previous employers, occasional teaching or writing, performed on Employee's time off shall not be deemed a breach of this Agreement if those activities do not materially interfere with the services required under this Agreement and shall not require prior written consent.
- C. This Agreement shall not be interpreted to prohibit Employee from making passive personal investments or conducting private business

affairs if those activities do not materially interfere with the services required under this Agreement.

5. OBLIGATIONS OF EMPLOYER:

Employer shall provide Employee with compensation, benefits and business expense reimbursement specified elsewhere in this Agreement.

6. COMPENSATION OF EMPLOYEE

A. Salary

As compensation for the services to be rendered by Employee hereunder, employer shall pay Employee at an annual salary at the rate per annum of Fifty Eight Thousand Dollars (\$58,000) payable in pro rata installments at the same time as other employees of the County of San Benito are paid.

B. Performance Evaluation

The Local Agency Formation Commission shall review the performance of the Employee every twelve months from the date of hire and, if merited and approved by Employer, Employer shall provide an increase in salary based upon satisfactory performance and accomplishments set forth in Exhibit "B"

C. Cost of Living Increase

Employee shall receive a cost of living increase when department head level personnel at the County of San Benito are afforded one and in the same proportion.

D. Tax Withholding

Employer shall have the right to deduct or withhold from the compensation due to Employee hereunder any and all sums required for federal income and all state or local taxes now applicable or that may be enacted and become applicable in the future.

E. Holidays and Personal Leave

1. Holidays shall apply on a pro-rata basis to Employee as they now exist, or hereafter may be amended, granted to management/supervisory personnel to the County of San Benito.
2. Employee shall be entitled to forty (40) hours of administrative leave, which shall be credited each calendar year on January 1. The amount shall be prorated based on her employment start date to correspond to months worked in 2007.
3. Employee shall accrue three and one-third (3.33) hours of vacation a month and shall accrue five (5) hours of sick leave per month.

7 CUMULATIVE SICK LEAVE AND VACATION UPON TERMINATION

A. Upon termination by Employer, for any reason whatsoever, the Employer shall compensate Employee for all accrued vacation time; said compensation shall be based upon Employee's salary as of the date of termination. In the event the employee retires from Employer's service, she shall receive payment for one-half of her accrued sick leave up to a maximum of one thousand (1,000) hours.



B. In the event the Employee voluntarily resigns or dies while employed by Employer under this Agreement or any renewals thereof, the Employee or her beneficiaries or those entitled to her estate, shall be entitled to her earned or accrued vacation hours.

#### 8. INSURANCE

Employer shall provide major medical, dental and life insurance for Employee, Employee's spouse and eligible family members as provided by the County of San Benito for permanent part-time employees.

#### 9. RETIREMENT

The Employer shall pay Employer and Employee's costs of participation in the California Public Employee's Retirement System.

#### 10. PROFESSIONAL DEVELOPMENT

Employer agrees to budget for reasonable costs of travel and business expenses for Employee to attend professional and official travel, meetings, and occasions adequate to continue the professional development of employee and to adequately pursue necessary official and other functions for the Employer, including but not limited to annual and special conferences and such other regional and local governmental groups and committees thereof on which Employee may serve as a member.

#### 11. TERMINATION OF EMPLOYMENT

Employer may terminate Employee at any time without cause upon the giving of thirty (30) days written notice. Employee may, at any time, for any reason

whatsoever, terminate her employment with the Employer by providing thirty (30) days advance written notice of termination to Employer

#### 12. ENTIRE AGREEMENT

This Agreement supersedes any and all other agreements, either oral or in writing, between the parties thereto with respect to the employment of Employee by Employer, and contains all of the covenants and agreements between the parties with respect to that employment in any manner whatsoever. Each party to this Agreement acknowledges that no representations, inducements, promises, or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied herein, and that other agreement, statement, or promise not contained in this Agreement shall be valid or binding.

#### 13. MODIFICATIONS

Any modification of this Agreement will be effective only if it is in writing signed by the party to be charged.

#### 14. EFFECT OF WAIVER

The failure of either party to insist on strict compliance with any of the terms, covenants, or conditions of this Agreement by the other party shall not be deemed a waiver of that term, covenant, or condition, nor shall any waiver or relinquishment of any right or power at any one time or times be deemed a waiver or relinquishment of that right or power for all or any other times.

#### 15. SEVERABILITY

If any provision of this Agreement is held by a Court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way

#### 16. INDEMNIFICATION

In accordance with and subject to the California Tort Claims Act, Employer shall defend and indemnify Employee against any and all losses sustained by Employee as a direct consequence of the discharge of her duties on Employer's behalf for the period of her employment and beyond such period regardless of whether the notice of filing of a lawsuit occurs during or following employment

Employer shall defend, hold harmless and indemnify Employee against any tort, professional liability claim, demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of her duties as Executive Director of the Local Agency Formation Commission

#### 17. LAW GOVERNING AGREEMENT

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

#### 18. CAPTIONS

The captions of each paragraph in the Agreement are inserted as a matter of convenience and reference only, and in no way define, limit, or describe the scope or intent of the Agreement or in any way affect it.

IN WITNESS WHEREOF, the San Benito County Local Agency Formation Commission has caused this Agreement to be signed and executed in its behalf by the Chair of the Commission, the County of San Benito has caused

this Agreement to be signed and executed in its behalf by the Chair of the Board of Supervisors, and duly attested to, and the Employee has signed and executed this Agreement, both in duplicate, the day and year first above written.

EMPLOYER

By: Jose R. Alvarez  
Chair, Local Agency Formation  
Commission

By: Don Marcus  
Don Marcus  
Chair of the Board of Supervisors  
County of San Benito  
9-25-07

EMPLOYEE

Judi Johnson  
Judi Johnson

ATTEST

By: Linda Churchill  
Linda Churchill  
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

By: Terra J. Chaffee  
County Counsel



# COUNTY OF SAN BENITO

## ADMINISTRATIVE OFFICE

481 FOURTH STREET, HOLLISTER, CA 95023 (831) 636-4000 FAX: (831) 636-4010  [WWW.COSB.US](http://WWW.COSB.US)

### RAY ESPINOSA, COUNTY ADMINISTRATIVE OFFICER

EDGAR NOLASCO, DEPUTY COUNTY ADMINISTRATIVE OFFICER

Stewart Patri  
Budget Officer

Dulce Alonso  
Management Analyst

Lauren Hull  
Management Analyst

Lorena Moreno  
Executive Secretary

September 10, 2019

To San Benito County LAFCO Commission,

I appreciate you allowing me to speak on behalf of the County at the August 21, 2019 LAFCO meeting. Presented at the meeting was the agreement between LAFCO and San Benito County regarding the employment of Judi Johnson, Executive Director, made and entered into on September 25, 2007. The LAFCO Commission indicated that they wanted clarification on the OPEB (Other Post-Employment Benefits), also known as Retiree Medical Insurance, that the County provided to employees at this time.

As explained in the excerpt below, from the County's Memorandum of Understanding (MOU) between the employee groups, the County contribution for Medicare eligible retirees is 70% of the normal monthly premium contribution.

#### 9.3 RETIREE MEDICAL INSURANCE

##### A. Eligibility and Maximum County Contribution

*Employees in the Unit who retire from the County of San Benito and are eligible for a pension through CalPERS may enroll in a CSAC-EIA medical plan within ninety (90) calendar days of the date of separation as a retiree from the County, if consistent with plan eligibility. To receive this contribution, all retirees must maintain medical care coverage through a County sponsored plan and receive CalPERS retirement.*

##### B. County Contribution for employees hired on or before September 30, 2013.

#### 1. The County will make the following maximum monthly premium contribution to a CSAC-EIA medical plan:

##### a. For pre-65 retirees who are not eligible for Medicare:

- i. Retiree Only: \$550
- ii. Retiree Plus One: \$1050
- iii. Retiree Plus Family: \$1315

##### b. For Medicare eligible retirees or their eligible survivor (spouse and/or dependent children) the County will contribute 70% of the amount stated in paragraph B1a above.

*The County's contribution is frozen at these rates and any changes to the County's contribution are subject to negotiations and final authorization by the Board of Supervisors.*

**C. Employees Hired on or after October 1, 2013.**

***For the purposes of calculating the County's contribution towards medical plan premiums in the County's CSAC – EIA plan, employees hired on or after October 1, 2013 who retired from the County shall only receive a County monthly contribution equal to the PEMHCA minimum.***

The retired employee in question is receiving the benefits consistent with the County's MOU as stated above for a Medicare Eligible Retiree Plus One (70% of the normal monthly premium contribution of \$1,050).

If there are any additional questions please contact me at the number or email listed below.

Regards,

Stewart Patri  
Budget Officer  
County of San Benito  
Phone: 831.636.4000 ext. 15  
Email: [spatri@cosb.us](mailto:spatri@cosb.us)

# INFORMATIONAL

- 8. Commissioner Announcements and Requests for Future Agenda Items**
- 9. Report on the 2019 California Association of Local Agency Formation Commissions (CALAFCO) Annual Conference in Sacramento (October 30 to November 1, 2019)**
- 10. Executive Officer Update on the FY 2018-19 Legislation proposed or monitored by the California Association of Local Agency Formation Commissions (CALAFCO)**
- 11. Executive Officer oral status report on pending proposals**
- 12. Adjourn to next regular meeting on December 18, 2019, unless meeting time is changed based on Commission action or cancelled by the Chair**





**LOCAL AGENCY FORMATION COMMISSION**

SAN BENITO COUNTY

2301 Technology Parkway

Hollister, CA 95023

Phone: (831) 637-5313 Fax: (805) 647-7647

**MEMO**

DATE: November 11, 2019 (Agenda)

TO: LAFCO Commissioners

FROM: Bill Nicholson, Executive Officer <sup>Bh</sup>

RE: Summary of the California Association of Local Agency Formation Commissions (CALAFCO) 2019 Annual Conference in Sacramento  
(Agenda Item 9)

The 2019 Annual CALAFCO Conference held in Sacramento from October 30 to November 1, 2019 was attended by Commissioner Jim Gillio, LAFCO Counsel Michael Ziman and Executive Officer Bill Nicholson. A highlight of the Conference this year was a special session on the dissolution of the Sativa Water District in the unincorporated area of Meadowbrook in Los Angeles County that required special State legislation to assist Los Angeles LAFCO. This session was sponsored in a Committee Conference Room in the State Capitol and hosted by the author of the legislation, Assembly member Mike Gipson and Janice Hann, Chair of the Los Angeles County Board of Supervisors.

A brief summary of the key sessions will be provided at the Commission meeting on November 20<sup>th</sup>, and in the meantime, attached is a copy of "The Sphere" an annual CALAFO publication of news and activities concerning LAFCOs around the State.

Enclosure: The Sphere; October 2019 Edition

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**Commissioners:** Cesar Flores, Chair □ Richard Bettencourt, Vice Chair □ Ignacio Velazquez □ Mark Medina □ Jim Gillio

**Alternate Commissioners:** Peter Hernandez □ Roberta Daniel □ Mary Vazquez Edge      **Executive Officer:** Bill Nicholson

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SAN BENITO COUNTY

2301 Technology Parkway  
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**MEMO**

DATE: November 11, 2019 (Agenda)  
TO: LAFCO Commissioners  
FROM: *BN*  
Bill Nicholson, Executive Officer  
RE: Update on the Fiscal Year 2018-19 Legislation Proposed or Monitored By the California Association of Local Agency Formation Commissions (CALAFCO)  
(Agenda Item 10)

At the 2019 Annual CALAFCO Conference in Sacramento, Pamela Miller and committee representatives from the State Senate and State Assembly gave an overview of legislation approved or pending during the 2018-19 Legislative Session which was recently completed. Attached is a copy of the "CALAFCO List of Tracked Bills" which was distributed during this session (dated 10/14/2019). The CALAFCO Executive Board has adopted three levels of priority for ranking bills of importance to CALAFCO.

This was a busy Legislative session and CALAFCO identified xx Bills as "Priority 1" which includes the bills from Page 1 to Page 6 of the attached report. A lot of attention was given to promoting the construction of new housing this year, especially affordable housing, but none of the housing related bills directly affect LAFCOs. Unfortunately, the LAFCO Grant Funding Bill, AB 1253 (Rivas) was turned into a two year bill with the hope \$1.5 million will be placed in the next Budget. This would provide a grant fund for which individual LAFCOs can submit proposals for studies to help struggling special districts in disadvantaged communities.

As a member on the Legislative Committee, I will be prepared to give a brief summary of key legislation (the Priority 1 bills) the Legislative Committee has been tracking, and highlights from the Legislative Committee meeting scheduled on November 15, 2019.

Enclosure:

1. CALAFCO List of Tracked Bills (Current Bills and Priority Ranking) as of October 14, 2019

**CALAFCO List of Tracked Bills  
As of 10/14/2019**

**Priority 1**

**AB 315**

**(Garcia, Cristina D) Local government: lobbying associations: expenditure of public funds.**

**Current Text:** Amended: 7/5/2019 [html](#) [pdf](#)

**Introduced:** 1/30/2019

**Last Amend:** 7/5/2019

**Status:** 9/13/2019-Re-referred to Com. on RLS. pursuant to Assembly Rule 96.

**Location:** 9/13/2019-A. RLS.

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

**Summary:** Current law authorizes the legislative body of a local agency, defined as a county, city, or city and county, or a district, defined broadly to include other political subdivisions or public corporations in the state other than the state or a county, city and county, or city, to attend the Legislature and the Congress of the United States, and any committees thereof, and to present information regarding legislation that the legislative body or the district deems to be beneficial or detrimental to the local agency or the district. Current law also authorizes the legislative body of a local agency or a district to enter into an association for these purposes and specifies that the cost and expense incident to the legislative body's or district's membership in the association and the activities of the association are proper charges against the local agencies or districts comprising the association. This bill, with respect to moneys paid to or otherwise received by an association from a local agency or district member of the association, would prohibit an association of local agencies or districts from expending those moneys for any purpose other than the above-described activities and educational activities.

Position

Subject

Watch

**CALAFCO Comments:** As gut and amended, this bill appears to have significant impact to CALAFCO in the uses of member LAFCO and certain Associate Member dues being limited to only direct educational activities. CALAFCO will engage with stakeholders and the author's office as the bill moves forward in the next legislative year.

**AB 508**

**(Chu D) Drinking water: consolidation and extension of service: domestic wells.**

**Current Text:** Chaptered: 9/27/2019 [html](#) [pdf](#)

**Introduced:** 2/13/2019

**Last Amend:** 8/12/2019

**Status:** 9/27/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 352, Statutes of 2019.

**Location:** 9/27/2019-A. CHAPTERED

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

**Summary:** The California Safe Drinking Water Act requires the state board, before ordering consolidation or extension of service, to, among other things, obtain written consent from any domestic well owner for consolidation or extension of service. The act makes any domestic well owner within the consolidation or extended service area that does not provide written consent ineligible, until consent is provided, for water-related grant funding, as specified. The act also requires the state board, before ordering consolidation or extension of service, to make a finding that consolidation of the receiving water system and subsumed water system or extension of service to the subsumed water system is appropriate and technically and economically feasible. The act defines "subsumed water system" for these purposes as the public water system, state small water system, or affected residences consolidated into or receiving service from the receiving water system. This bill would modify the provision that authorizes consolidation or extension of service if a disadvantaged community is reliant on a domestic well described above to instead authorize consolidation or extension of service if a disadvantaged community, in whole or in part, is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water.

Position

Subject

Watch

Disadvantaged Communities, Water

**CALAFCO Comments:** This bill allows the SWRCB to order an extension of service in the case a disadvantaged community has at least one residence that are reliant on a domestic well that fails to provide safe drinking water. It allows members of the disadvantaged community to petition the SWRCB to initiate the process and requires the SWRCB to develop policies for this process by July 1, 2020. The bill allows the owner of the property to opt out of the extension. The bill also places limitations on fees, charges and terms and conditions imposed as a result of the extension of service. Finally, the extension of service does not require annexation in the cases where that would be appropriate.

**AB 600**

**(Chu D) Local government: organization: disadvantaged unincorporated communities.**

**Current Text:** Chaptered: 10/8/2019 [html](#) [pdf](#)

**Introduced:** 2/14/2019

**Last Amend:** 9/4/2019

**Status:** 10/8/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 612, Statutes of 2019.

**Location:** 10/8/2019-A. CHAPTERED

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 and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Existing law prohibits a local agency formation commission from approving an annexation to a city of any territory greater than 10 acres, or as determined by commission policy, where there exists a disadvantaged unincorporated community that is contiguous to the area of proposed annexation, unless an application to annex the disadvantaged unincorporated community into the subject city has been filed. This bill would clarify that the prohibition on approving an annexation involving a disadvantaged unincorporated community, as described above, applies to the annexation of territory greater than 10 acres, or smaller as determined by commission policy. The bill would also provide that the existing approval prohibition and the exemptions to the application requirement apply to the annexation of two or more contiguous areas that take place within 5 years of each other and that are individually less than 10 acres but cumulatively more than 10 acres.

Position	Subject
Watch With Concerns	Disadvantaged Communities, Water

**CALAFCO Comments:** UPDATE: As amended September 4, 2019, the bill removes all of CALAFCO's direct policy concerns. The bill now provides clean up and clarification to 8(B) and 8(B)(i) by adding "disadvantaged" to unincorporated community; and prohibits the approval of an annexation of two or more contiguous areas that take place within 5 years of each other and are individually less than 10 acres but cumulatively greater than 10 acres. As a result of the changes in this version of the bill, CALAFCO has removed our opposition. We do, however, remain concerned over the lack of a holistic approach by the Legislature to address service delivery issues to DUCs and the definition of a DUC.

**AB 1253**

**(Rivas, Robert D) Local agency formation commissions: grant program.**

**Current Text:** Introduced: 2/21/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Status:** 7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was GOV. & F. on 6/6/2019)(May be acted upon Jan 2020)

**Location:** 7/10/2019-S. 2 YEAR

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

**Summary:** This bill would require the Strategic Growth Council, until July 31, 2025, to establish and administer a local agency formation commissions grant program for the payment of costs associated with initiating and completing the dissolution of districts listed as inactive, the payment of costs associated with a study of the services provided within a county by a public agency to a disadvantaged community, as defined, and for other specified purposes, including the initiation of an action, as defined, that is limited to service providers serving a disadvantaged community and is based on determinations found in the study, as approved by the commission. The bill would specify application submission, reimbursement, and reporting requirements for a local agency formation commission to receive grants pursuant to the bill. The bill would require the council, after consulting with the California Association of Local Agency Formation Commissions, to develop and adopt guidelines, timelines, and application and reporting criteria for development and implementation of the program, as specified, and would exempt these guidelines, timelines, and criteria from the rulemaking provisions of the Administrative Procedure Act. The bill would make the grant program subject to an appropriation for the program in the annual Budget Act, and would repeal these provisions on January 1, 2026. This bill contains other existing laws.

Position Subject  
 Sponsor Disadvantaged Communities, LAFCo  
 Administration, Municipal Services,  
 Special District Consolidations

**CALAFCO Comments:** This is a CALAFCO sponsored bill following up on the recommendation of the Little Hoover Commission report of 2017 for the Legislature to provide LAFCos one-time grant funding for in-depth studies of potential reorganization of local service providers. Last year, the Governor vetoed AB 2258 - this is the same bill. The Strategic Growth Council (SGC) will administer the grant program. Grant funds will be used specifically for conducting special studies to identify and support opportunities to create greater efficiencies in the provision of municipal services; to potentially initiate actions based on those studies that remove or reduce local costs thus incentivizing local agencies to work with the LAFCo in developing and implementing reorganization plans; and the dissolution of inactive districts (pursuant to SB 448, Wieckowski, 2017). The grant program would sunset on July 31, 2024.

The bill also changes the protest threshold for LAFCo initiated actions, solely for the purposes of actions funded pursuant to this new section. It allows LAFCo to order the dissolution of a district (outside of the ones identified by the SCO) pursuant to Section 11221 of the Elections code, which is a tiered approach based on registered voters in the affected territory (from 30% down to 10% depending).

The focus is on service providers serving disadvantaged communities. The bill also requires LAFCo pay back grant funds in their entirety if the study is not completed within two years and requires the SGC to give preference to LAFCos whose decisions have been aligned with the goals of sustainable communities strategies.

We were unsuccessful in getting the \$1.5 M into the budget so the author has decided to make this a 2-year bill and try again in the next budget. As this is a new Governor we are unsure about his willingness to make General Fund appropriations for items not in the budget.

**AB 1389**

**(Eggman D) Special districts: change of organization: mitigation of revenue loss.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 5/3/2019-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/14/2019)(May be acted upon Jan 2020)

**Location:** 5/3/2019-A. 2 YEAR

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

**Summary:** Would authorize the commission to propose, as part of the review and approval of a proposal for the establishment of new or different functions or class of services, or the divestiture of the power to provide particular functions or class of services, within all or part of the jurisdictional boundaries of a special district, that the special district, to mitigate any loss of property taxes, franchise fees, and other revenues to any other affected local agency, provide payments to the affected local agency from the revenue derived from the proposed exercise of new or different functions or classes of service.

Position Subject  
 Watch CKH General Procedures

**CALAFCO Comments:** This bill allows LAFCo, when approving a proposal for new or different functions or class of service for a special district, to propose the district provide payments to any affected local agency for taxes, fees or any other revenue that may have been lost as a result of the new service being provided.

**AB 1628**

**(Rivas, Robert D) Environmental justice.**

**Current Text:** Chaptered: 9/27/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amend:** 8/26/2019

**Status:** 9/27/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 360, Statutes of 2019.

**Location:** 9/27/2019-A. CHAPTERED

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

**Summary:** Current law requires the Office of Planning and Research to be the coordinating agency in state government for environmental justice programs. Current law requires the Director of State Planning and Research to, among other things, coordinate its efforts and share information regarding environmental justice programs with various federal agencies. Existing law defines "environmental justice" for these purposes to mean the fair treatment of people of all

racess, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. This bill would revise the definition of "environmental justice" to also include the meaningful involvement of people of all races, cultures, incomes, and national origins with respect to those same actions, and would provide that "environmental justice" includes, among other things, the availability of a healthy environment for all people.

Position Subject  
 Watch Environmental Justice

**CALAFCO Comments:** Amended on August 26 to reflect work between CALAFCO, the author and sponsors of the bill, the definition change in section 56668 now contains a definition specific to the context of the section rather than the same definition contained in 30107.3 of the Public Resources Code (which has been amended via this bill). It expands the scope of the definition of environmental justice (as one of the factors to be considered in the review of a proposal) to include national origins and a reference to the effects of pollution not being disproportionately borne by any particular population or community.

AB 1751

**(Chiu D) Water and sewer system corporations: consolidation of service.**

**Current Text:** Amended: 7/5/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amend:** 7/5/2019

**Status:** 8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/12/2019)(May be acted upon Jan 2020)

**Location:** 8/30/2019-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	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 and imposes on the State Water Resources Control Board related 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 2019, would authorize a water or sewer system corporation to file an application and obtain approval from the commission through an order authorizing the water or sewer system corporation to consolidate with a public water system or state small water system that has fewer than 3,300 service connections and serves a disadvantaged community, or to implement rates for the subsumed water system.

Position Subject  
 Watch Water

**CALAFCO Comments:** This bill would authorize a water or sewer system corporation to file an application and obtain approval from the PUC through an order authorizing the water or sewer system corporation to consolidate with a public water system or state small water system that has fewer than 3,300 service connections and serves a disadvantaged community, or to implement rates for the subsumed water system. The bill would require the commission to approve or deny the app. Unless the commission designates a different procedure because it determines a consolidation warrants a more comprehensive review, the bill would authorize a water or sewer system corporation to instead file an advice letter and obtain approval from the commission through a resolution authorizing the water or sewer system corporation to consolidate with a public water system or state small water system that has fewer than 3,300 service connections and serves a disadvantaged community, or to implement rates for the subsumed water system.

AB 1822

**(Committee on Local Government) Local Government: omnibus.**

**Current Text:** Chaptered: 6/26/2019 [html](#) [pdf](#)

**Introduced:** 3/11/2019

**Last Amend:** 4/8/2019

**Status:** 6/26/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 20, Statutes of 2019.

**Location:** 6/26/2019-A. CHAPTERED

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

**Summary:** Current law requires a 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 the commission, in order to prepare and update spheres of influence in

accordance with this requirement, to conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission, as specified. Current law defines "sphere of influence" to mean a plan for the probable physical boundaries and service area of a local agency. Current law defines the term "service" for purposes of the act to mean a specific governmental activity established within, and as a part of, a general function of the special district, as specified. This bill would revise the definition of the term "service" for these purposes to mean a specific governmental activity established within, and as a part of, a function of the local agency.

Position  
Sponsor

Subject  
LAFCo Administration

**CALAFCO Comments:** This is the annual Omnibus bill.

**SB 272**

**(Morrell R) Fire Protection District Law of 1987.**

**Current Text:** Amended: 4/4/2019 [html](#) [pdf](#)

**Introduced:** 2/13/2019

**Last Amend:** 4/4/2019

**Status:** 5/3/2019-Failed Deadline pursuant to Rule 61(a)(3). (Last location was GOV. & F. on 2/21/2019)(May be acted upon Jan 2020)

**Location:** 5/3/2019-S. 2 YEAR

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

**Summary:** The Fire Protection District Law of 1987 provides that whenever a district board determines that it is in the public interest to provide different services, to provide different levels of service, or to raise additional revenues within specific areas of the district, it may form one or more service zones by adopting a resolution that includes specified information, fixing the date, time, and place for public hearing on the formation of the zone, publishing notice, as specified, hearing and considering any protests to the formation of the zone at the hearing, and, at the conclusion of the hearing, adopting a resolution ordering the formation of the zone. If a resolution adopted after the public hearing would substantially expand the provision of services outside of an existing service zone and the extension of service would result in those persons in the expanded area paying charges for the expansion of services, this bill would provide that the resolution does not become effective unless approved by a majority of the voters within the expanded service area.

Position

Subject

Watch

**CALAFCO Comments:** As amended, the bill amends the Health & Safety code regarding the formation of zones within a fire protection district by requiring the district hold an election, regardless of the protest level, if the district wants to substantially expand (as defined in the bill) services outside the zone. This is unrelated to 56133. CALAFCO will retain a Watch position.

**SB 414**

**(Caballero D) Small System Water Authority Act of 2019.**

**Current Text:** Amended: 6/25/2019 [html](#) [pdf](#)

**Introduced:** 2/20/2019

**Last Amend:** 6/25/2019

**Status:** 8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/21/2019)(May be acted upon Jan 2020)

**Location:** 8/30/2019-A. 2 YEAR

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

**Summary:** Would create the Small System Water Authority Act of 2019 and state legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems. The bill, no later than March 1, 2020, would require the state board to provide written notice to cure to all public agencies, private water companies, or mutual water companies that operate a public water system that has either less than 3,000 service connections or that serves less than 10,000 people, and are not in compliance, for the period from July 1, 2018, through December 31, 2019, with one or more state or federal primary drinking water standard maximum contaminant levels, as specified.

Position

Subject

Support

Water

**CALAFCO Comments:** This bill is very similar to AB 2050 (Caballero) from 2018. Several changes have been made. This bill is sponsored by Eastern Municipal Water District and the CA Municipal Utilities Assoc. The intent is to give

the State Water Resources Control Board (SWRCB) authority to mandate the dissolution of existing drinking water systems (public, mutual and private) and authorize the formation of a new public water authority. The focus is on non contiguous systems. The SWRCB already has the authority to mandate consolidation of these systems, this will add the authority to mandate dissolution and formation of a new public agency.

LAFCo will be responsible for dissolving any state mandated public agency dissolution, and the formation of the new water authority. The SWRCB's appointed Administrator will act as the applicant on behalf of the state. LAFCo will have ability to approve with modifications the application, and the new agency will have to report to the LAFCo annually for the first 3 years.

SB 646

**(Morrell R) Local agency utility services: extension of utility services.**

**Current Text:** Chaptered: 7/10/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amend:** 5/7/2019

**Status:** 7/10/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 78, Statutes of 2019.

**Location:** 7/10/2019-S. CHAPTERED

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

**Summary:** The Mitigation Fee Act, among other things, requires fees for water or sewer connections, or capacity charges imposed by a local agency to not exceed the estimated reasonable cost of providing the service for which the fee or charge is imposed, unless a question regarding the amount of the fee or charge imposed in excess of the reasonable cost of providing the service or materials is submitted to and approved by 2/3 of the electors voting on the issue. The Mitigation Fee Act defines the term "fee" for these purposes. This bill would revise the definition of "fee" to mean a fee for the physical facilities necessary to make a water connection or sewer connection, and that the estimated reasonable cost of labor and materials for installation of those facilities bears a fair or reasonable relationship to the payor's burdens on, or benefits received from, the water connection or sewer connection.

Position

Subject

Neutral

CKH General Procedures

**CALAFCO Comments:** UPDATE AS OF THE 4/11/19 AMENDMENTS: These amendments address all of our concerns and the bill now only addresses fees.

## Priority 2

AB 213

**(Reyes D) Local government finance: property tax revenue allocations: vehicle license fee adjustments.**

**Current Text:** Introduced: 1/15/2019 [html](#) [pdf](#)

**Introduced:** 1/15/2019

**Status:** 8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/19/2019)(May be acted upon Jan 2020)

**Location:** 8/30/2019-S. 2 YEAR

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

**Summary:** Would, for the 2019–20 fiscal year, require the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount in the 2018–19 fiscal year, the product of that sum and the percentage change in gross taxable assessed valuation within the jurisdiction of that entity between the 2018–19 fiscal year to the 2018–19 fiscal year, and the product of the amount of specified motor vehicle license fee revenues that the Controller allocated to the applicable city in July 2010 and 1.17.

Position

Subject

Support

Tax Allocation

**CALAFCO Comments:** Sponsored by the League, this bill will reinstate ERAF funding for inhabited annexations. This bill is the same as AB 2268 (Reyes) from last year.



**AB 818**

**(Cooley D) Local government finance: vehicle license fee adjustment amounts.**

**Current Text:** Introduced: 2/20/2019 [html](#) [pdf](#)

**Introduced:** 2/20/2019

**Status:** 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/3/2019)(May be acted upon Jan 2020)

**Location:** 5/17/2019-A. 2 YEAR

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

**Summary:** Current property tax law, for the 2006–07 fiscal year, and for each fiscal year thereafter, requires the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount for the prior fiscal year, if specified provisions did not apply, and the product of the amount as so described and the percentage change from the prior fiscal year in the gross taxable valuation within the jurisdiction of the entity. Current law establishes a separate vehicle license fee adjustment amount for a city that was incorporated after January 1, 2004, and on or before January 1, 2012. This bill would establish a separate vehicle license fee adjustment amount for a city incorporating after January 1, 2012, including an additional separate vehicle license fee adjustment amount for the first fiscal year of incorporation and for the next 4 fiscal years thereafter.

Position  
Support

Subject  
Financial Viability of Agencies

**CALAFCO Comments:** Sponsored by the League, this bill will reinstate ERAF funding for cities incorporating after 2018. This is the same bill as AB 2491 from 2018.

**AB 1304**

**(Waldron R) Water supply contract: Native American tribes.**

**Current Text:** Amended: 5/6/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amend:** 5/6/2019

**Status:** 7/12/2019-Failed Deadline pursuant to Rule 61(a)(11). (Last location was N.R. & W. on 5/29/2019)(May be acted upon Jan 2020)

**Location:** 7/12/2019-S. 2 YEAR

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

**Summary:** Current law provides for the establishment and operations of various water districts. This bill would specifically authorize a water district, as defined, to enter into a contract with a Native American tribe to receive water deliveries from an infrastructure project on tribal lands. The bill would repeal its provisions on January 1, 2025.

Position  
Watch

Subject  
Municipal Services, Water

**CALAFCO Comments:** This bill amends the water code to allow a Native American tribe to sell/deliver water to a water district (as defined in the water code section 20200). The bill sunsets on January 1, 2025.

**SB 379**

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

**Current Text:** Chaptered: 7/10/2019 [html](#) [pdf](#)

**Introduced:** 2/20/2019

**Status:** 7/10/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 74, Statutes of 2019.

**Location:** 7/10/2019-S. CHAPTERED

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 2019, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Position  
Support

Subject  
LAFCo Administration

**CALAFCO Comments:** This is one of three annual validating acts.

**SB 380**

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

**Current Text:** Chaptered: 7/10/2019 [html](#) [pdf](#)

**Introduced:** 2/20/2019

**Status:** 7/10/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 75, Statutes of 2019.

**Location:** 7/10/2019-S. CHAPTERED

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 2019, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Position  
Support

Subject  
LAFCo Administration

**CALAFCO Comments:** This is one of three annual validating acts.

**SB 381**

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

**Current Text:** Chaptered: 7/10/2019 [html](#) [pdf](#)

**Introduced:** 2/20/2019

**Status:** 7/10/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 76, Statutes of 2019.

**Location:** 7/10/2019-S. CHAPTERED

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 2019, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Position  
Support

Subject  
LAFCo Administration

**CALAFCO Comments:** This is one of three annual validating acts.

**Priority 3**

**AB 134**

**(Bloom D) Safe Drinking Water Restoration.**

**Current Text:** Amended: 5/20/2019 [html](#) [pdf](#)

**Introduced:** 12/5/2018

**Last Amend:** 5/20/2019

**Status:** 7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was E.Q. on 6/12/2019)(May be acted upon Jan 2020)

**Location:** 7/10/2019-S. 2 YEAR

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

**Summary:** Would require the State Water Resources Control Board to report to the Legislature by July 1, 2025, on its progress in restoring safe drinking water to all California communities and to create an internet website that provides data transparency for all of the board's activities described in this measure. The bill would require the board to develop metrics to measure the efficacy of the fund in ensuring safe and affordable drinking water for all Californians.

Position

Subject

Watch

Water

**AB 530**

**(Aguiar-Curry D) The Fairfield-Suisun Sewer District.**

**Current Text:** Chaptered: 7/10/2019 [html](#) [pdf](#)

**Introduced:** 2/13/2019

**Last Amend:** 4/22/2019

**Status:** 7/10/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 69, Statutes of 2019.

**Location:** 7/10/2019-A. CHAPTERED

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

**Summary:** The Fairfield-Suisun Sewer District Act creates the Fairfield-Suisun Sewer District and grants to the district various powers relating to the treatment and disposal of sewage. The current act provides for the election of a board of directors for the district and administrative procedures for the operation of the district. Violation of regulations adopted by the board is a misdemeanor. This bill would make various administrative changes to the act, including removing the requirement that the district appoint a clerk and changing the posting requirements for regulations.

Position Subject  
 Watch Special District Powers, Special Districts Governance

**CALAFCO Comments:** This bill makes administrative changes to this special act district. It also allows for an extension of service pursuant to 56133 (keeping that LAFCo process intact).

**AB 948**

**(Kalra D) Coyote Valley Conservation Program.**

**Current Text:** Chaptered: 9/27/2019 [html](#) [pdf](#)

**Introduced:** 2/20/2019

**Last Amend:** 8/12/2019

**Status:** 9/27/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 356, Statutes of 2019.

**Location:** 9/27/2019-A. CHAPTERED

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

**Summary:** Current law creates the Santa Clara Valley Open-Space Authority, and prescribes the jurisdiction and functions and duties of the authority. Current law authorizes the authority, among other things, to acquire, hold, and dispose of real and personal property, within the authority's jurisdiction, necessary to the full exercise of its powers. This bill would authorize the authority to establish and administer the Coyote Valley Conservation Program to address resource and recreational goals of the Coyote Valley, as defined. The bill would authorize the authority to collaborate with state, regional, and local partners to help achieve specified goals of the program. The bill would authorize the authority to, among other things, acquire and dispose of interests and options in real property.

Position Subject  
 Support

**AB 1053**

**(Dahle R) Fallen Leaf Lake Community Service District.**

**Current Text:** Amended: 3/25/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Last Amend:** 3/25/2019

**Status:** 7/12/2019-Failed Deadline pursuant to Rule 61(a)(11). (Last location was GOV. & F. on 5/22/2019)(May be acted upon Jan 2020)

**Location:** 7/12/2019-S. 2 YEAR

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

**Summary:** Would prohibit, on and after January 1, 2020, the Fallen Leaf Lake Community Services District from providing any services or facilities except fire protection, including medical response and emergency services, and parks and recreation services or facilities.

Position Subject  
 Watch

**CALAFCO Comments:** CALAFCO will watch this bill to determine if the outcome of the State Audit on this district will have an impact on all CSDs.

**AB 1457**

**(Reyes D) Omnitrans Transit District.**

**Current Text:** Amended: 5/24/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amend:** 5/24/2019

**Status:** 7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was GOV. & F. on 6/25/2019)(May be acted upon Jan 2020)

**Location:** 7/10/2019-S. 2 YEAR

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

**Summary:** Would create the Omnitrans Transit District in the County of San Bernardino. The bill would provide that the jurisdiction of the district would initially include the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa, and specified portions of the unincorporated areas of the County of San Bernardino. The bill would authorize other cities in the County of San Bernardino to subsequently join the district.

Position  
Neutral

Subject

**CALAFCO Comments:** This is a special act district formation. The bill takes what is currently a JPA and transforms it into a special district. CALAFCO has been working with the author and sponsor on amendments and the May 24 version addresses the vast majority of concerns. CALAFCO continues to work with the author and sponsor on minor technical amendments.

SB 654

**(Moorlach R) Local government: planning.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/14/2019-Referred to Com. on RLS.

**Location:** 2/22/2019-S. RLS.

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

**Summary:** Current law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, makes certain findings and declarations relating to local government organizations, including, among other things, the encouragement of orderly growth and development, and the logical formation and modification of the boundaries of local agencies, as specified. This bill would make nonsubstantive changes to these findings and declarations.

Position  
Watch

Subject

**CALAFCO Comments:** This is a spot bill. The author indicates he has no plans to use this for LAFCo law.

SB 780

**(Committee on Governance and Finance) Local Government Omnibus Act of 2019.**

**Current Text:** Chaptered: 9/20/2019 [html](#) [pdf](#)

**Introduced:** 2/28/2019

**Last Amend:** 8/12/2019

**Status:** 9/20/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 329, Statutes of 2019.

**Location:** 9/20/2019-S. CHAPTERED

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

**Summary:** Current law requires the governing body of a public agency, within 70 days after the commencement of the agency's legal existence, to file with the Secretary of State, on a form prescribed by the secretary, and also with the county clerk of each county in which the public agency maintains an office, a specified statement of facts about the agency. Current law requires this information to be updated within 10 days of a change in it. Current law requires the Secretary of State and each county clerk to establish and maintain an indexed Roster of Public Agencies that contains this information. This bill would instead require the Secretary of State and each county clerk to establish and maintain an indexed Registry of Public Agencies containing the above-described information.

Position  
Watch

Subject

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

**Total Measures: 24**