

M E M O R A N D U M

TO: Local Agency Formation Commission

FROM: Stephen Lucas, Executive Officer

SUBJECT: **Agenda Item 6.1 - Executive Officer's Report**

DATE: February 26, 2020 for the meeting of March 5, 2020

ADMINISTRATION:

1. In acknowledgement of the Commission's vacant, Special District Alternate "Enterprise or Non-Enterprise" Member seat, staff issued a Call for Nominations on Thursday, January 9, 2020. This seat was most recently held by Commissioner Al McGreehan from the Paradise Recreation and Park District; however, in September 2019, Mr. McGreehan was elected to the Special District Regular "Non-Enterprise" seat on the Commission. Therefore, the Alternate seat is vacant mid-term with a remaining term to expire May 31, 2021. Nominations are due on or before Friday, March 10, 2020.
2. The second recruitment effort to fill a vacant position within LAFCO has concluded and we are happy to report that the job has been offered to, and accepted by, the chosen candidate. At such time the candidate executes the necessary employment documents, they will be announced to the Commission.
4. The Executive Officer was invited to speak at the newly reconstituted Butte County Special Districts Association meeting on February 7, 2020 to discuss the roles and functions of LAFCo. The event was well attended (approx. 40) and included a presentation to Senator Neilson as the California Special Districts Association Legislator of the Year.

PROJECT NOTES:

The following proposals are currently known and being discussed and/or considered:

- ***Miocene Canal*** - With the destruction of the upper Miocene Canal by the Camp Fire, water flow down the middle and lower Miocene has stopped. PG&E so far refuses to repair the canal infrastructure and the dependent landowners are struggling to find a solution to replace the lost water flow. One possible scenario is to form a special district to finance and manage any future facilities. Staff continues to participate in discussions.
- ***Thermalito Sewer and Water District*** - Sphere of Influence Amendment and Annexation of the clay pits recreation area southeast of the Oroville airport along Larkin Road.
- ***County of Butte*** - Expansion of Powers for CSA 164 to add fire protection services.
- ***South Feather Water and Power Agency*** - MSR/SOI Update and comprehensive annexation plan to address domestic water services to the Palermo area and other areas.
- Update to LAFCO service extension policy concerning consideration of exemptions under GC56133 which is currently being done by the Executive Officer.

- **SB2 Planning Grant** – The State Department of Housing and Community Development (HCD) has awarded a \$100,000 SB2 Planning Grant to Butte County for the development a Municipal Service Review update for back bone service providers in the Oroville region, including the SFWPA, LOAPUD, TWSD and SCOR. This will be a cooperative partnership with the County Department of Development Services to conduct the MSR in support of future housing options that can be provided once core services can be assured. Staff will now proceed to draft a Request for Proposals seeking a consultant to prepare the studies.
- **City of Oroville MSR/SOI Update** – The City of Oroville is starting the process to evaluate its growth goals and has determined that the City needs to update its SOI to accommodate new development goals and at the same time update its MSR to reflect its current service capabilities and financial position. The City anticipates executing a Letter Agreement with LAFCo to prepare the relevant documents and conduct the environmental review for the project.

CALAFCO: The CALAFCO Board has announced that its Executive Director, Pamela Miller has announced her anticipated retirement in September of this year. The CALAFCO Board will begin a recruitment for her replacement. The principal motivation for the retirement is the effect of AB5 which forces many contract staff to now become employees. This is a big loss for CALAFCO as Ms. Miller has served as the ED for the past 8 years.

LEGISLATION:

1. The 2020 legislative season continues to unfold. A top priority remains a clarification to GC56133 which requires LAFCo approval to extend services outside agency boundaries. The proposal is to clearly define LAFCo authority for all service extensions including if they qualify as exemptions, which is current practice around the state. This effort has experienced a setback as the anticipated legislative author has decided not to carry the bill.
2. The EO also continues work on the CALAFCO/CSDA Working Group that is attempting to simplify the CKH protest proceedings provisions. The CALAFCO goal is to support the Little Hoover Commission's findings that LAFCo's should be more diligent about consolidating/dissolving unneeded special districts.

GENERAL NOTES:

1. As a component of the Commission's Municipal Service Review (MSR) process, Staff periodically and informally views agency agendas for issues related to the MSR Determinations for that agency. Staff is pleased to report that the Butte County Resource Conservation District has implemented agenda items regarding its budget and consideration of a fee for service structure, both of which were discussed in the current MSR. This is one example of the positive benefits and impacts of the Commission's work.

CAMP FIRE RECOVERY UPDATE: None

APPLICATION ACTIVITY:

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<i>Project Status As of Feb. 26, 2020</i>								
File	Applicant	Project Name	Date Application Received	Certificate of Filing	LAFCO Hearing Date	Certificate of Completion	SBE Submittal Date	Additional Comments
11-06	Butte County	CSA No. 114 - Expansion of Powers	02/02/11	N/A	pending	N/A	N/A	Incomplete - On Hold
15-17	Chico	Chapman Annexation No. 1	04/17/15	05/17/15	07/02/15			To be Recorded 7/2020
15-18	Chico	Mulberry Annexation No. 1	04/17/15	05/17/15	07/02/15			To be Recorded 7/2020
18-09	TWSD	Clay Pit State Recreation Area Annexation						On hold. Incomplete Application
19-10	Durham I.D.	Holland Ave Annexation No. 1	04/03/19	11/12/19	12/05/19	01/22/20	01/22/20	Waiting for SBOE Acknowledgement
19-12	County	CSA 158 - Mandville Park Subd. Annex	05/02/19	05/29/19	10/03/19			Approved w/ conditions
20-01	LOAPUD	Ophir Rd Annexation No. 1	7/22/2019	08/19/19	10/03/19	02/11/20		Waiting for recorded C.O.C.
20-04	Chico	Ext of Services - 216 Centennial Ave	11/08/19	11/08/19	12/05/19	N/A	N/A	Waiting for fees to be paid
20-05	AGUBC	Tuscan Water District Formation						Received Notice of Intent
20-06	OMAD	Dissolution / Annexation	01/21/20	02/06/20	04/02/20			In progress