

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 23, 2016 for the meeting of March 3, 2016

ADMINISTRATION:

1. The four year terms of the Commission's Public Member (Leverenz) and Public Member Alternate (Steel) are due to expire on May 31, 2016. Pursuant to state law, a 21 day Notice of Vacancy was published on February 25, 2016 and provided to the clerk of each local agency within the county. Following the close of the vacancy period, the Commission will select a public member and public member alternate from the eligible applicants.
2. At the request of Commissioner McGreehan who also serves on the Board of the California Association of Recreation and Park Districts (CARPD), the Executive Officer has been asked to make a presentation about the roles and functions of LAFCOs at the Association's annual conference in May.

PROJECT NOTES:

1. Staff continues to track the Durham Villas Subdivision, a 140 unit senior housing development on 118 acres in Durham being processed by the County. LAFCOs involvement is necessary in that the project proposed annexation to the Durham Irrigation District and the proposed formation of a county service area (CSA) or community services district (CSD). This project has been evolving since 2012 when the County Planning Commission recommended not approving the Initial Study/project and the Board of Supervisors agreed and directed the County staff to prepare an Environmental Impact Report (EIR). The Commission submitted comments on the project and Initial Study in 2012. The County staff has now prepared an Administrative Draft of the EIR and LAFCO staff was asked to undertake a preliminary review. Formal comments will be prepared on the Draft EIR when circulated. This project has created some controversy within the Durham community and is expected to be actively opposed by community members. Ultimately, the Commission may face this same opposition when considering the annexation to DID and the possible formation of a CSA/CSD.
2. Staff has begun an "in-house" comprehensive Municipal Service Review and Sphere of Influence Plan update for the 78 County Service Areas. While some CSA's have been addressed piecemeal in the past, this effort will place all CSA's into one document for ease of public review. This effort will involve the cooperation of affected County staff and is expected to take a few months to complete.

CALAFCO:

The 2016 CALAFCO Biennial Survey of its members was recently completed and the findings submitted to the CALAFCO Board for information. Topics included staffing, budgets, activity level, CALAFCO participation among others. The big picture takeaways are: 1) Half of LAFCO's are adequately funded/staffed and meet their statutory functions...half are not; 2) Most people (public) do not understand what LAFCO's do; 3) Only half of LAFCO's are meaningfully involved or support CALAFCO functions; and 4) The roles and functions of LAFCO's remain in a period of significant transition towards relevance in the majority of counties. Based on the Survey results, Butte LAFCO is generally more active than other LAFCOs in our North Region, is far more involved in CALAFCO functions and has similar staffing and budgets to other comparable counties.

LEGISLATION:

1. Joint Powers Authorities (JPA). CALAFCO seeks to require JPAs to file their agreements with the LAFCo in their county so that LAFCos can utilize this information when conducting service reviews. There has been considerable push-back on this proposal from California Association of Joint Powers Association (CAJPA) and Rural Counties Representatives of California (RCRC) who seem to be concerned that such a requirement is too onerous. Through much negotiation, the bill language underlined below has been submitted to Legislative Counsel for review and is narrowly focused on JPAs providing municipal services.

6503.6. Whenever an agency or entity files a notice of agreement or amendment with the office of the Secretary of State pursuant to Section 6503.5, the agency or entity shall file a copy of the full text of the original joint powers agreement, and any amendments to the agreement, with the Controller. Any such agency or entity that meets the definition of a joint-powers authority or joint-powers agency under Section 56047.7 and formed for the purposes of providing municipal services that includes a local agency member that is a city, district, or county shall, within 90 days after the effective date of the agreement or amendment thereto, file a copy of the agreement or amendment with the local agency formation commission in each county within which all or any part a local agency member's territory is located.

2. SB 552(Wolk) - Public Water Systems. Clean-up legislation to SB88 which gave authority to the State Water Resources Control Board (SWRCB) to consolidate failing water agencies, continues to evolve almost weekly. Essentially, the State believes there is a need to tighten regulations on creating new public water supplies that are not sustainable and sees a strong role for LAFCos to play in that process. Staff from the SWRCB, Governors' Office of Planning and Research (OPR) and the Senate Natural Resources Committee will be meeting the CALAFCO Legislative Committee on February 26 to further discuss this issue and possible solutions.

GENERAL NOTES: None

APPLICATION ACTIVITY

Attachment 1 - APPLICATION ACTIVITY								
<i>Project Status As of February 24, 2016</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
15-08	Biggs	MSR/SOI Plan Updates	01/29/15	N/A	12/03/15			Approved-Final being prepared
15-12MS	Buzztail CSD	MSR/SOI Plan Updates	03/16/15	05/14/15	03/03/16	N/A	N/A	Processing
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
16-02	Chico	Ext of Services - 14 San Gabriel Dr	11/10/15	N/A	01/07/16	N/A	N/A	Approved
16-03	Biggs	W. Biggs Gridley Rd Annex No. 2	12/08/15	12/14/15	01/07/16			Approved- Need updated Map/Legal
16-04	Chico	East 8th St. Annexation No. 21	01/19/16	02/08/16	03/03/16			Processing
16-05	LAFCO	CSA MSR / SOI Plan Update						Processing
16-06	BWD	Singh-Elcheverry Annexation No. 1			pending			Pre-application received
SP-57	LAFCo	Gateway at Butte Creek						Consultation