

9335 Hazard Way • Suite 200 • San Diego, CA 92123 (858) 614-7755 • FAX (858) 614-7766

San Diego Local Agency Formation Commission

Website: www.sdlafco.org

REGULAR MEETING AGENDA SPECIAL DISTRICTS ADVISORY COMMITTEE

<u>Friday, June 15, 2018</u> County of San Diego Operations Center | UC Extension Suite 201 9335 Hazard Way, San Diego, California 92123

> **Chair Kimberly Thorner** Olivenhain Municipal Water District

> > Vice Chair Julie Nygaard Tri-City Health Care District

9:30 A.M. - CALL TO ORDER BY CHAIR

PLEDGE OF ALLEGIANCE

ROLL CALL AND SELF-INTRODUCTIONS

INTRODUCTION OF NEW LAFCO EMPLOYEE

Linda Zambito, Local Governmental Analyst

AGENDA REVIEW

The Chair will consider requests to remove or rearrange items on the agenda.

OPEN TIME

This portion of the meeting is reserved for persons desiring to address the Committee on any matter not on the current agenda germane to the Committee. All statements that require a response will be referred to LAFCO staff for reply in writing or will be placed on a future agenda of the Committee. Speakers are limited to three minutes.

PRESENTATIONS/UPDATES

- Chris Palmer, Public Affairs Coordinator, California Special Districts Association

CONSENT ITEMS

All items calendared as consent are considered ministerial or non-substantive and subject to a single motion approval. The Chair will also consider requests to pull an item for discussion.

1. Approval of Meeting Minutes | March 16, 2018 (Action)

The Committee will consider approving summary minutes prepared by LAFCO staff for the regular meeting held on March 16, 2018.

1

BUSINESS ITEMS

2. LAFCO's Approved Disadvantaged Unincorporated Communities Program (Discussion)

The Committee will receive a presentation from staff on the recent approval of a formal disadvantaged unincorporated communities program and impact therein on special districts in San Diego County. Feedback generated will help inform implementation.

3. LAFCO's Approved Study Schedule for FY2019-2023 (Discussion)

The Committee will receive a presentation from staff on the recent approval of a formal study schedule calendaring municipal service reviews and sphere of influence updates over the next five years. Feedback generated will help inform implementation.

4. Legislative Update (Discussion)

The Committee will receive a report on the second year of the Legislature's 2017-2018 sessions as it relates to bills and other related matters of interest to LAFCOs. This item also provides the opportunity for the Committee to communicate comments on other bills of interests affecting one or more special districts in San Diego County. Feedback generated from the Committee will be conveyed to the Commission as appropriate.

5. Update on Proposals (Information)

The Committee will receive a report on current proposals on file with LAFCO. The report is being presented to the Committee for information only.

STAFF UPDATES

COMMITTEE MEMBER REPORTS AND ANNOUNCEMENTS

ADJOURNMENT TO NEXT REGULAR MEETING

Friday, September 21, 2018

Attest to Posting:

Ruth auller

Ruth Arellano Executive Assistant

Any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or a copy of all the documents constituting the agenda packet for a meeting upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting. Please contact the LAFCO office at least three (3) working days prior to the meeting for any requested arraignments or accommodations.



Officers

Kimberly Thorner, Chair Olivenhain Municipal Water

Special Districts Advisory Committee

Julie Nygaard, Vice Chair J Tri-City Healthcare

Members

Gary Arant Valley Center Municipal Water

Jack Bebee Fallbrook Public Utility

Bill Haynor Whispering Palms CSD

Tom Kennedy Rainbow Municipal Water

Erin Lump Rincon Diablo Municipal Water

Tony Michel Rancho Santa Fe Fire

John Pastore Rancho Santa Fe CSD

Tom Pocklington Bonita-Sunnyside Fire

Mark Robak Otay Water

Augie Scalzitti Padre Dam Municipal Water

Joel Scalzitti Helix Water

Dennis Sheppard North County Cemetery

Robert Thomas Pomerado Cemetery

Teresa Thomas South Bay Irrigation June 15, 2018

TO: Committee Members

FROM: Ruth Arellano, Executive Assistant

SUBJECT: Approval of Meeting Minutes | March 16, 2018

SUMMARY

San Diego Local Agency Formation Commission

The Special Districts Advisory Committee ("Committee") will receive minutes prepared for the last regular meeting held on March 16, 2018. The minutes are being presented for formal approval with any desired corrections or clarifications as requested by the Committee.

BACKGROUND

The Ralph M. Brown Act was enacted by the State Legislature in 1953 and establishes standards for the public to attend and participate in meetings of local government bodies. The "Brown Act" requires – and among other items – public agencies to maintain written minutes for qualifying meetings.

DISCUSSION

This item is for the Committee to consider approving summary minutes for the regular meeting held on March 16, 2018 as recorded by staff.

ANALYSIS

The attached summary minutes for the regular meeting held on March 16, 2018 accurately reflects the Committee's actions and related discussions as recorded by staff.

AGENDA REPORT

Consent | Action

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ALTERNATIVES FOR ACTION

The following alternatives are available to the Committee:

Alternative One (Recommended) Approve the draft action summary prepared for the regular meeting held on March 16, 2018 with any desired corrections or clarifications.

<u>Alternative Two</u> Continue the item to the next regular meeting and provide direction as needed.

RECOMMENDATION

It is recommended the Committee proceed with the action identified in the preceding section as Alternative One.

PROCEDURES

This item has been placed on the agenda as part of the consent calendar. Accordingly, a successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation as provided unless otherwise specified by the Committee.

Respectfully,

Ruth auller

Ruth Arellano Executive Assistant

Attachment: 1) Draft Meeting Minutes for March 16, 2018

DRAFT LOCAL AGENCY FORMATION COMMISSION SPECIAL DISTRICTS ADVISORY COMMITTEE MARCH 16, 2018 MEETING

There being a quorum present, the meeting was convened at 9:30 a.m., by Chairwoman Kimberly Thorner (Olivenhain MWD). Attending were: <u>Committee Members:</u>, Jack Bebee (Fallbrook PUD), Bill Haynor (Whispering Palms CSD), Tom Kennedy (Rainbow MWD), Erin Lump (Rincon del Diablo MWD), Tony Michel (Rancho Santa Fe FPD); Mark Robak (Otay WD); Augie Scalzitti (Padre Dam MWD) (arrived 9:40 am), Robert Thomas (Pomerado CD) and Terry Thomas (South Bay ID); Dennis Shepard (North County CD); Tom Pocklington (Bonita-Sunnyside FPD); and Joel Scalzitti (Helix WD) (arrived 9:40 am). Absent were: <u>Committee Members</u> – Vice Chairwoman Julie Nygaard (Tri-City HCD); Gary Arant (Valley Center MWD) and John Pastore (Rancho Santa Fe CSD). <u>LAFCO Staff</u> – LAFCO Executive Officer, Keene Simonds; Executive Assistants, Ruth Arellano and Tamaron Luckett and Administrative Assistant, Erica Blom.

PLEDGE OF ALLEGIANCE

Committee Member Erin Lump led the Pledge of Allegiance at the meeting.

AGENDA REVIEW

Chairwoman Thorner indicated that there were no revisions to the agenda and called the meeting to order.

ROLL CALL AND INTRODUCTIONS

The Advisory Committee Secretary performed the roll call for the March 16, 2018, Special Districts Advisory Committee meeting. With the exception of committee members Gary Arant (Valley Center MWD) and John Pastore (Rancho Santa Fe CSD), all other committee members were present.

Chairwoman Thorner asked newly appointed committee member Tony Michel (Rancho Santa Fe FPD) to start off the self-introductions.

Other introductions from the audience members present were: Jerry Thomas, public member; Tish Berge, General Manager, Sweetwater Authority; Mark Baker, Director, Lakeside Fire Protection District; and Chris Palmer, Public Affairs Coordinator, California Special Districts Association.

OPEN TIME

Chairwoman Thorner indicated there were no speaker slips received from members of the public for comments.

PRESENTATIONS/UPDATES

Chris Palmer, Public Affairs Coordinator, California Special Districts Association. Mr. Palmer provided a brief presentation and distributed a brochure to provide the Committee on behalf of the California Special Districts Association information and to provided updates regarding new legislative requirements for special districts websites; RDA Oversight Committee appointment deadlines; the Little Hoover Commission; and the upcoming Legislative Days event (May $22^{nd} - 23^{rd}$).

CONSENT ITEMS

Item 1 Approval of Minutes of November 17, 2017

On motion of Joel Scalzitti, seconded by Erin Lump, and carried unanimously by the remaining committee members present; the Advisory Committee dispensed with reading the minutes of November 17, 2017 and approved said minutes.

Item 2 Proposed Amendments / Special Districts Advisory Committee Rules

On motion of Joel Scalzitti, seconded by Erin Lump, and carried unanimously by the remaining committee members present; the Advisory Committee approved the Executive Officer's recommendations as follows:

- 1. Amend Section IV/B to transition regular meetings of the Committee from monthly to quarterly occurrence based on a March, June, September and December cycle;
- 2. Amend Section IV/C to reset the location of the Committee's regular meetings from the LAFCO office to the University of California at San Diego's Cooperative Extension in the County of San Diego Operations Center.

6

2

BUSINESS ITEMS

Item No. 3

Countywide Oversight Board for Successor Redevelopment Agencies | Review of Nomination and Direction on Next Steps

Keene Simonds provided a brief overview and requested feedback and recommendations from the Committee regarding the scheduled timelines and appointments for the Countywide Oversight Board for Successor Redevelopment Agencies.

After Committee discussion and concurrence the following recommendations were made:

- 1) Establish the following Election timelines: 1) ballots to be distributed by LAFCO to the Districts, March 20, 2018; and 2) return ballots to LAFCO no later than April 2, 2018;
- 2) Decision not to have a candidate's forum at the next CSDA Chapter Dinner given tight timeline.
- 3) Establish a Nominating Committee consisting of the following Advisory Committee members: Robak, Haynor, and Lump. The Nominating Committee will review the ballots after the April 2nd deadline and provide recommendations of a primary candidate and alternate.

Item No. 4 Development of Five-Year Study Schedule | Update on Agency Outreach

Executive Officer Keene Simonds gave a brief update to the Committee on the ongoing development of a five-year study schedule to calendar municipal service reviews and sphere of influence updates beginning in Fiscal Year 2018-19. Mr. Simonds indicated this item was to receive any feedback from the Committee and to emphasize the importance of information provided to LAFCO staff from the distributed questionnaires. Discussion followed.

Item No. 5

Review of Proposed Workplan and Budget for FY2019

Executive Officer Keene Simonds provided an overview of the upcoming fiscal year 2018-19 Budget and Workplan. Mr. Simonds requested any recommendations from the Committee related to the Advisory Committee which will presented at the April 2nd Commission meeting. Discussion followed.

7

3

BUSINESS ITEMS CONTINUED...

Item No. 6 Legislative Report

Executive Officer Keene Simonds provided a report on the recent Legislature's activity with an emphasis on items of interest to LAFCOs. Discussion followed.

<u>Item No. 7</u> <u>Update on Proposals</u>

Executive Officer Keene Simonds provided updates to the Committee regarding current LAFCO proposals. Discussion followed.

STAFF UPDATES

None.

COMMITTEE MEMBER REPORTS AND ANNOUNCEMENTS

None

ADJOURNMENT

There being no further business to come before the Special Districts Advisory Committee, the meeting was adjourned at 10:50 a.m. to the scheduled meeting on June 15, 2018.

RUTH ARELLANO EXECUTIVE ASSISTANT SAN DIEGO LOCAL AGENCY FORMATION COMMISSION

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San Diego Local Agency Formation Commission

TO: Committee Members

FROM: Keene Simonds, Executive Officer Robert Barry, Chief Policy Analyst

SUBJECT: Approved Disadvantaged Unincorporated Communities Program

SUMMARY

The Special Districts Advisory Committee ("Committee") will receive a presentation from staff on the recent approval of a formal disadvantaged unincorporated communities program and impact therein on special districts in San Diego County. Feedback generated will help inform implementation.

BACKGROUND

Local Agency Formation Commissions' (LAFCOs) regulatory and planning responsibilities were expanded on January 1, 2012 to begin explicitly addressing social equity as a result of the earlier passage of Senate Bill 244. This legislation – notably – expanded the lexicon of planning terms in California to include disadvantaged unincorporated communities (DUCs) and the definition therein of all or a portion of any unincorporated inhabited territory with an annual median household income less than 80% of the statewide average. It also established three ongoing LAFCO directives:

- 1) LAFCO shall map all qualifying DUCs with discretion on the part of Commission to define "inhabited."
- 2) LAFCO shall not approve an annexation to a city involving 10 or more acres – or as determined by Commission policy – where a DUC is contiguous to the affected lands unless a second annexation application involving the lands is on file or an exemption applies.



3) LAFCO shall make determinations regarding the location, characteristics, and service needs therein as it relates to water, wastewater (sewer), and structural fire protection of DUCs within or contiguous to spheres of influence as part of the regular municipal service review and sphere update process.

DISCUSSION

This item is for the Committee to receive a presentation on the recent approval of a formal DUC program. The program was approved by San Diego LAFCO at its June 4, 2018 meeting and comprises two distinct items. The first item are maps showing qualifying DUCs within and contiguous to the spheres of influence of cities and qualifying special districts. The second item is an implementing policy – Policy L-111 – that provides local guidance for LAFCO in identifying and analyzing DUCs in San Diego County.

ANALYSIS

DUC Program | Part One: Final Maps

There are 71 local agencies under San Diego LAFCO's oversight that are subject to the DUC statutes. The affected agencies include all 18 cities and 53 special districts that provide one or more of the qualifying services: sewer, structural fire protection, and/or water services. Additional details follow.

- 11 of the 18 incorporated cities have one or more identified DUCs located within or contiguous to their adopted sphere of influence. The remaining seven cities – Carlsbad, Coronado, Del Mar, Encinitas, Imperial Beach, Poway, and Solana Beach – have no DUCs within or contiguous to their adopted sphere of influence.
- 36 of the 53 special districts that provide one or more of the qualifying services (wastewater, water, and structural fire protection) have at least one identified DUC located within or contiguous to their adopted sphere of influence. The remaining 17 special districts with no existing DUCs are detailed in the accompanying footnote.¹

Maps showing all DUCs in San Diego County are available online at <u>www.sdlafco.org</u>.

¹ Alpine Fire Protection District (FPD), Rancho Santa Fe FPD, Valley Center FPD; Sewer - Leucadia Wastewater District, Fairbanks Ranch Community Services District (CSD), Pauma Valley CSD, Rancho Santa Fe CSD, Whispering Palms CSD; and, Water - Descanso CSD, Santa Fe Irrigation District (ID), Carlsbad Municipal Water District (MWD), Mootamai MWD, Olivenhain MWD, Questhaven MWD, San Luis Rey MWD, Valley Center MWD, San Dieguito Water District (WD).

DUC Program | Part Two: Policy Guidance

The second component of the DUC program is the establishment of Policy L-111, which provides local policy guidance for San Diego LAFCO regarding the identification and analysis of DUCs. This includes providing definitions for key DUC terms to assist staff and local agencies in applying the applicable requirements. Key policy provisions follow:

- DUCs shall be identified and mapped by census tract based on the most recent five-year average median household income produced by the US Census Bureau.
- DUC maps shall be updated every five years in conjunction with commencing a new cycle of municipal service reviews and sphere of influence updates under Government Code Sections 56430 and 56425, respectively.
- The Executive Officer shall perform outreach to residents within affected DUCs as part of the municipal service review and sphere of influence update processes. This outreach will be appropriately scaled as determined by the Executive Officer to help ensure residents are made reasonably aware of the proceedings and given the opportunity to comment before Commission action is taken.
- Any annexation to a city of any territory greater than 10 acres that excludes a contiguous DUC will require filing an application to annex the DUC unless exempted under Government Code Section 56375(a) with importantly the later (i.e., filing) tied to the issuance of a certificate of filing.

A copy of Policy L-111 is attached.

ALTERNATIVES FOR ACTION

None; discussion and feedback only.

RECOMMENDATION

The Committee should provide feedback to staff on implementation as appropriate.

PROCEDURES

This item has been placed on the agenda for discussion as part of the business calendar. The following procedures, accordingly, are recommended in the consideration of this item:

- 1) Receive verbal report from staff;
- 2) Invite comments from interested audience members (voluntarily); and
- 3) Discuss item and provide feedback as requested.

Respectfully,

Robert Barry Chief Policy Analyst

Attachments:

1) Approved DUC Program; Policy L-111

ATTACHMENT ONE

LEGISLATIVE POLICY L-111

Subject

DISADVANTAGED UNINCORPORATED COMMUNITIES

Purpose

To establish a comprehensive policy and procedural program for regularly identifying and addressing disadvantaged unincorporated communities in San Diego County in accordance with processing qualifying boundary changes, municipal service reviews, and sphere of influence updates and/or amendments.

Background

Effective January 1, 2012, SB 244 requires the identification and description of all disadvantaged unincorporated communities (DUC) located within or contiguous to the existing spheres of influence of cities and of special districts that provide structural fire protection, wastewater, and/or water services. The underlying focus is to ensure contiguous DUCs and their residents are not excluded from proposed city annexations of more than 10 acres. It is also a focus that all identified DUCs are proactively addressed during the processes for municipal service reviews and sphere of influence updates and/or amendments involving affected agencies.

Policy

It is the policy of the Commission that:

- 1. This policy shall be referred to as the Commission's "Disadvantaged Unincorporated Communities Program."
- 2. The following definitions are incorporated in administering this program:
 - a. *"Application"* means a resolution of application or petition initiating a change of organization or reorganization with supporting documentation as required by the Commission or Executive Officer. (Government Code Section 56017.2)
 - b. *"Contiguous"* means territory that abuts or shares a common boundary with territory within a local agency; however, territory is not contiguous if the only contiguity is based upon a strip of land more than 300 feet long and less than 200 feet wide at its

narrowest width, that width to be exclusive of highways. (Government Code Section 56031)

- *"Disadvantaged Unincorporated Community"* means inhabited territory that constitutes all or portion of a disadvantaged community having an annual median household income that is less than 80 percent of the statewide annual household income. (Government Code Section 56033.5; Water Code Section 79505.5)
- d. *"Filed"* means the issuance of a certificate of filing by the Executive Officer. (Government Code Section 56202.6)
- e. *"Inhabited"* means territory where there reside 12 or more registered voters. (Government Code Section 56046)
- f. *"Written Evidence"* means a petition or other document satisfactory to the Executive Officer signed by the majority of registered voters within the affected territory indicating opposition to annexation. (Government Code Section 56375(a)(8))
- 3. Beginning January 1, 2012, the Commission shall establish and update DUC maps for all cities and special districts under LAFCO authority in San Diego County.
- 4. The following procedures shall underlie the establishment and subsequent updating of DUC maps:
 - a. DUCs shall be identified and mapped by census tract based on the tract's most recent five-year average median household income produced by the US Census Bureau.
 - b. DUC maps shall be updated every five years in conjunction with commencing a new cycle of municipal service reviews and sphere of influence updates under Government Code Sections 56430 and 56425, respectively.
 - c. Draft DUC maps shall be made available to local agencies for review and comment before being presented to the Commission at a public meeting in final form for formal acceptance.

- 5. The Commission shall incorporate DUC maps and information therein as part of the municipal service review and sphere of influence update and/or processes:
 - a. Any municipal service review update for a city or a special district that provides public facilities or services related to water, wastewater, or structural fire protection, the Commission shall evaluate the location and characteristics of any DUCs located within or contiguous to the sphere of influence of the affected agencies. (Government Code Section 56430)
 - b. Any sphere of influence update and/or amendment for a city or a special district that provides public facilities or services related to water, wastewater, or structural fire protection, the Commission shall consider the present and probable needs for DUCs and their residents located within the affected agencies' sphere of influence. (Government Code Section 56425)
 - c. The Executive Officer shall perform outreach to residents within affected DUCs as part of the municipal service review and sphere of influence update and/or amendment processes. This outreach will be appropriately scaled as determined by the Executive Officer to help ensure residents are made reasonably aware of the proceedings and given the opportunity to comment before Commission action is taken.
- 6. Any annexation to a city of any territory greater than 10 acres that excludes a contiguous DUC will require filing an application to annex the DUC unless exempted under Government Code Section 56375(a):
 - a. For purposes of this subsection a certificate of filing serves as the threshold for determining an *"application"* is on file with the Commission.

Adopted: May 7, 2018

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Special Districts Advisory Committee

Officers

Kimberly Thorner, Chair Olivenhain Municipal Water

Julie Nygaard, Vice Chair Tri-City Healthcare

Members

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Dennis Sheppard North County Cemetery

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Teresa Thomas South Bay Irrigation June 15, 2018

TO:Committee MembersFROM:Keene Simonds, Executive Officer

SUBJECT: Approved Study Schedule for FY2019-2023

SUMMARY

The Special Districts Advisory Committee ("Committee") will receive a presentation from staff on the recent approval of a formal study schedule calendaring a new cycle of municipal service reviews and sphere of influence updates. Feedback will help inform implementation.

BACKGROUND

Local Agency Formation Commissions (LAFCOs) are responsible for reviewing and updating spheres of influence for all cities, towns, and special districts every five years. The statutes specify LAFCOs must inform their sphere updates by preparing comprehensive evaluations – titled municipal service reviews – to determine the availability and adequacy of local governmental services relative to current and future community needs. The underlying purpose of these cyclical planning documents is for LAFCOs to independently assess the availability and adequacy of local government services relative to community needs, and take additional actions as appropriate. This includes drawing from the municipal service reviews to inform sphere updates and – if merited – initiate formations, consolidations, mergers, or dissolutions.

DISCUSSION

This item is for the Committee to receive a presentation on an approved study schedule calendaring a new five-year round of municipal service reviews and sphere updates beginning July 1, 2018. The study schedule was approved by San Diego LAFCO at its June 4th meeting and – among other features – covers all 100 plus local cities and special districts in San Diego County.





San Diego Local Agency Formation Commission

ANALYSIS

The approved study schedule represents a new approach for San Diego LAFCO in addressing its directive under State law to cyclically prepare municipal service reviews and sphere updates. This approach is marked by establishing an explicit and transparent guide in managing LAFCO's core planning responsibilities as well as offer advance notice to local agencies and the general public in telegraphing these activities and soliciting their involvement; the latter of which helps address LAFCO's direction to consider local conditions in performing the underlying duties. Further description and key features therein regarding (a) emphasis, (b) scope, (c) sequence, and (d) implementation follows.

• <u>Emphasis</u>

The study schedule emphasizes the preparation of municipal service reviews in determining whether to perform any sphere updates.

• <u>Scope</u>

The study schedule includes 30 total municipal service reviews calendared over the 60-month period with coverage of all 101 local agencies directly subject to LAFCO's planning cycle.

• <u>Sequencing</u>

The study schedule sequences the municipal service reviews to focus each year within a particular region and divided therein among subareas.

• Implementation

Staff intends to follow a standardized format to guide the preparation of all of the municipal service reviews to help ensure one document is similar in content and orientation to another. This includes focusing on three central topics: growth and development issues; service demands and capacities; and financial standing.

ALTERNATIVES FOR ACTION

None; discussion and feedback only.

RECOMMENDATION

The Committee should provide feedback to staff on implementation as appropriate.

PROCEDURES

This item has been placed on the agenda for discussion as part of the business calendar. The following procedures, accordingly, are recommended in the consideration of this item:

- 1) Receive verbal report from staff;
- 2) Invite comments from interested audience members (voluntarily); and
- 3) Discuss item and provide feedback as requested.

Respectfully,

Keene Jimonde

Keene Simonds Executive Officer

Attachments:

1) Approved Study Schedule for FY2019 to FY2023

Special Districts Advisory Committee June 15, 2018 Regular Meeting Agenda Item No. 3 | Approved Study Schedule for FY2019 to FY 2023

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ATTACHMENT ONE

San Diego Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

Final Study Schedule | FY2019 to FY2023 Cycle

2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
Mid County Focus	North County Focus	Coastal Focus	South Focus	East Focus
Escondido Region	Poway Region	Oceanside/Carlsbad Region	National City/Chula Vista Region	El Cajon/Santee Region
City of Escondido	City of Poway	City of Oceanside	City of Chula Vista	City of El Cajon
Rincon del Diablo MWD		City of Carlsbad	City of National City	City of Santee
Deer Springs FPD	Ramona Region	Carlsbad MWD	South Bay ID	Padre Dam MWD
	Ramona MWD	Morro Hills CSD	Otay WD	
San Marcos Region			Lower Sweetwater FPD	Lemon Grove/La Mesa Region
City of San Marcos	Fallbrook/Rainbow Region	Encinitas Region	Bonita-Sunnyside FPD	City of La Mesa
San Marcos FPD	Fallbrook PUD	City of Encinitas		City of Lemon Grove
Vallecitos WD	North County FPD	Leucadia WD	Silver Strand Region	Helix WD
	Rainbow MWD	Olivenhain MWD	City of Coronado	Lemon Grove Sanitation
Vista Region	San Luis Rey MWD	San Dieguito WD	City of Imperial Beach	
City of Vista				Heartland Region
Vista Irrigation District	Pauma Valley Region	Del Mar/Solana Beach Region	San Diego Region	Lakeside FPD
Vista FPD	Pauma MWD	City of Solana Beach	City of San Diego	San Miguel FPD
Buena Sanitation	Pauma CSD	City of Del Mar		Lakeside WD
	Yuima MWD	Santa Fe ID	San Diego Flood Control	CSA No. 69 (Heartland)
San Diego County Sanitation	Mootamai MWD		San Diego Flood Control	CSA No. 115 (Pepper Drive)
Harmony Grove System	Rincon Ranch CSD	Rancho Santa Fe Region		
Alpine System		Rancho Santa Fe FPD	Port Services	Alpine Region
Campo System	Valley Center Region	Rancho Santa Fe CSD	San Diego Unified PD	Alpine FPD
Julian System	Valley Center MWD	Questhaven MWD	Oceanside Small Harbor PD	
Winter Gardens System	Valley Center CSD	Fairbanks Ranch CSD		Southeast Region
Spring Valley System	Valley Center FPD	Whispering Palms CSD	Cemetery Services	Canebrake Co. WD
			North County CD	Descanso CSD
Julian Region	Resource Conservation Services	Healthcare Services	Pomerado CD	Jacumba CSD
Julian-Cuyamaca FPD	RCD of Greater San Diego	Fallbrook HD	Ramona CD	
Julian CSD	Mission RCD	Palomar Health HD	Valley Center CD	Borrego Region
Wynola WD	Upper San Luis Rey RCD	Tri-City HD		Borrego WD
Majestic Pines CSD		Grossmont HD	CSAs Non Fire	Borrego Springs FPD
Cuyamaca WD	County Fire Services		Multiple	Coachella Valley WD
Lake Cuyamaca PR	CSA No. 135			
,	CSA No. 115			

Total: 17 agencies

Total: 19 agencies

Total: 20 agencies

Total: 27 agencies

Total: 18 agencies

21

San Diego LAFCO retains discretion to amend the study schedule to address pertinent changes in resources, priorities, and community needs as determined by the Commission. Amendments will be considered at noticed public meetings.

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Augie Scalzitti Padre Dam Municipal Water

Joel Scalzitti Helix Water

Dennis Sheppard North County Cemetery

Robert Thomas Pomerado Cemetery

Teresa Thomas South Bay Irrigation June 15, 2018 **TO:** Committee Members

FROM: Keene Simonds, Executive Officer Robert Barry, Chief Policy Analyst

SUBJECT: Legislative Update

SUMMARY

The Special Districts Advisory Committee ("Committee") will review current legislation proposals of interest to San Diego LAFCO. This includes the six bills the Commission has taken formal positions on to date and highlighted by Assembly Bill (AB) 2050 and provisions to create an expedited consolidation process for non-compliant public or private small drinking water systems into a new public agency overseen by LAFCOs. Feedback will be reported back to the Commission as appropriate.

BACKGROUND

San Diego LAFCO draws on its active participation with CALAFCO in considering legislative matters affecting the Commissoin's ability to effectively administer its regulatory and planning responsibilities. The CALAFCO Legislative Committee comprises nearly two dozen members across the state – including San Diego LAFCO's Chief Policy Analyst – and tasked with drafting and reviewing legislation and related items. San Diego LAFCO relies on the information and analysis generated from the CALAFCO Legislative Committee in making its own position recommendations.

DISCUSSION

This item is for the Committee to review and provide feedback on current legislation being tracked by CALAFCO. This includes the six bills San Diego LAFCO has taken formal positions on and highlighted by AB 2050 and provisions to create an expedited consolidation process for non-compliant

AGENDA REPORT Business | Discussion



San Diego Local Agency Formation Commission

public or private small drinking water systems into a new public agency overseen by LAFCOs. Other notable bills previously acted on by the Commission updated in this report include AB 2258 and its provision of grant funding opportunities for LAFCOs and AB 1944 and its provision to restructure the implementation of the Sustainable Groundwater Management Act in the San Luis Rey basin.

ANALYSIS

The second year of the 2017-2018 legislative session has been relatively quiet with no bills proposing significant impacts on LAFCOs. There are several bills of interest, however, to LAFCOs that would further – and largely advantageously – define and/or broaden existing regulatory and planning responsibilities. These bills are detailed in the succeeding attachment and highlighted by AB 2050 and its provisions to create an expedited consolidation process for non-compliant public or private small drinking water systems into a new public agency overseen by LAFCOs with 11 eligible systems already identified in San Diego County. Additionally – and in contrast to the California Special Districts Association or CSDA – LAFCO has taken a support position for AB 2258 and its provisions to establish grant funding for LAFCOs to prepare special studies, develop reorganization plans, and – as merited – proceed with expedited dissolutions on inactive districts. AB 2258 includes establishing protest proceedings at a 25% threshold. CSDA has taken an oppose unless amended position on AB 2258 to decrease the protest level to 10%.

ALTERNATIVES FOR ACTION

None; discussion and feedback only.

RECOMMENDATION

The Committee should provide feedback to staff on implementation as appropriate.

PROCEDURES

This item has been placed on the agenda for discussion as part of the business calendar. The following procedures, accordingly, are recommended in the consideration of this item:

- 1) Receive verbal report from staff;
- 2) Invite comments from interested audience members (voluntarily); and
- 3) Discuss item and provide feedback as requested.

Respectfully,

Robert Barry Chief Policy Analyst

Attachment: 1. CALAFCO Legislative Report

CALAFCO Daily Legislative Report as of Friday, June 08, 2018

1

AB 2050 (Caballero D) Small System Water Authority Act of 2018.

Current Text: Amended: 5/25/2018 html pdf

Introduced: 2/6/2018

Last Amended: 5/25/2018

Status: 6/7/2018-Referred to Coms. on EQ. and GOV. & F.

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Summary:

Would create the Small System Water Authority Act of 2018 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, 2019, 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 with one or more state or federal primary drinking water standard maximum contaminant levels as of December 31, 2018, and for 4 consecutive quarters, as specified.

Position: Watch

Subject: LAFCo Administration, Municipal Services, Water

CALAFCO Comments: 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.

CALAFCO continues to work with the author and sponsor on additional amendments including giving the authority to levy fines to the SWRCB (rather than the LAFCo); addressing process and timing issues/details; and ensuring codification in CKH.

<u>AB 2238</u> (<u>Aguiar-Curry</u> D) Local agency formation: regional housing need allocation: fire hazards: local health emergencies: hazardous and medical waste.

Current Text: Amended: 4/3/2018 html pdf

Introduced: 2/13/2018

Last Amended: 4/3/2018

Status: 6/6/2018-In committee: Hearing postponed by committee.

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Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 specifies the factors that a local agency formation commission is required to consider in the review of a proposal for a change of organization or reorganization, including, among other things, the proposal's consistency with city or county general and specific plans. This bill would require the commission to consider information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or maps that identify land determined to be in a state responsibility area if it is determined that such information is relevant to the area that is the subject of the proposal.

Attachments:

CALAFCO Support Letter May 2018

Position: Support

Subject: Climate Change, Growth Management

CALAFCO Comments: This bill seeks to add another factor for LAFCo consideration in the review of a proposal. That factor is information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

The bill also adds two non-LAFCo-related sections pertaining to the update of a housing element.

This bill is in response to the rash of wildfires throughout the state over the past several years and the ongoing threat of same as a result of climate change.

AB 2258 (Caballero D) Local agency formation commissions: grant program.

Current Text: Amended: 4/23/2018 html pdf

Introduced: 2/13/2018

Last Amended: 4/23/2018

Status: 6/7/2018-Referred to Coms. on GOV. & F. and N.R. & W.

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Summary:

Current law establishes the Strategic Growth Council in state government and assigns to the council certain duties, including providing, funding, and distributing data and information to local governments and regional agencies that will assist in the development and planning of sustainable communities. This bill would require the Strategic Growth Council, until January 1, 2024, 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, and for other specified purposes, including the initiation of an action, based on determinations found in the study, as approved by the commission.

Attachments:

CALAFCO Support March 2018 CALAFCO Support March 2018

Position: Sponsor

Subject: Other

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. CALAFCO is working with the Strategic Growth Council (SGC) who has agreed to 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, Wieckowksi, 2017). The grant program would sunset on December 31, 2023.

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 a majority protest (mirroring existing language in Government Code Section 57077.1.c). For all other changes of organization or reorganization pursuant to this section, the threshold would be 25% rather than 10%, in accordance with Government Code Section 57075.

A separate budget ask of \$2 million over 5 years is being done as a companion to this bill.

AB 2600 (Flora R) Regional park and open space districts.

Current Text: Introduced: 2/15/2018 html pdf Introduced: 2/15/2018

Status: 5/3/2018-Referred to Com. on GOV. & F.

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Summary:

Would authorize the formation of a district by the adoption of a resolution of application by the legislative body of any county or city that contains the territory proposed to be included in the district. The bill would require the resolution to contain certain information, including the methods by which the district would be financed. The bill would require a public hearing before the adoption of the resolution, as provided.

Attachments:

CALAFCO Support March 2018

Position: Support

CALAFCO Comments: This bill would expand the process of initiating the formation of a regional pack and open space district by adding that a local governing body may adopt a resolution proposing to form a new district. This would be in lieu of having a 5,000 signature petition. The LAFCo process remains intact.

The intent of this bill is to create an easier way to proposed the formation of these types of districts, thereby removing the need for special legislation to do so. The bill is author-sponsored.

AB 3254 (Committee on Local Government) Local government organization: omnibus.

Current Text: Amended: 5/17/2018 <u>html</u> pdf **Introduced:** 3/14/2018 **Last Amended:** 5/17/2018 **Status:** 5/30/2018-Referred to Com. on GOV. & F.

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Calendar:

6/13/2018 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair **Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act) 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. Current law defines various terms for purposes of that Act, including the terms "affected territory" and "inhabited territory." This bill would revise those definitions to include territory that is to receive extended services from a local agency, and additionally define the term "uninhabited territory" for purposes of the Act.

Attachments:

CALAFCO Support

Position: Sponsor

CALAFCO Comments: This is the annual Assembly Local Government Committee Omnibus bill, sponsored by CALAFCO. Amendments are pending to add several items.

<u>SB 1215</u> (<u>Hertzberg</u> D) Provision of sewer service: disadvantaged communities.

Current Text: Amended: 4/30/2018 html pdf

Introduced: 2/15/2018

Last Amended: 4/30/2018

Status: 5/29/2018-Read third time. Passed. (Ayes 30. Noes 8.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

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Summary:

This bill would authorize the State Water Resources Control Board to order the provision of sewer service by a special district, city, or county to a disadvantaged community, as defined, under specified circumstances. By authorizing the state board to require a special district, city, or county to provide sewer service, this bill would impose a state-mandated local program.

Position: Watch With Concerns

Subject: Disadvantaged Communities, Water

CALAFCO Comments: As amended, this bill authorizes the State Water Resources Control Board (SWRCB) to mandate extension of service or consolidation of wastewater systems - both public and private, under certain circumstances. The process mirrors the process set forth in SB 88 giving the SWRCB authority to mandate the same for drinking water systems.

The current version includes a number of amendments that address previous CALAFCO concerns.

ctweb.capitoltrack.com/public/publish.aspx?id=df65aca7-700f-4150-9095-3e6c9d434f6b

However, there is an outstanding issue of annexing territory to which services were extended into a city. (The bill does now call for a mandatory annexation into a district should the services be extended by them.)

<u>SB 1496</u> (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 6/1/2018 html pdf

Introduced: 3/1/2018

Status: 6/1/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 23, Statutes of 2018.

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Summary:

This bill would enact the Second Validating Act of 2018, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

CALAFCO Support March 2018

Position: Support

<u>SB 1497</u> (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 6/1/2018 html pdf

Introduced: 3/1/2018

Status: 6/1/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 24,

Statutes of 2018.

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Summary:

This bill would enact the First Validating Act of 2018, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Attachments:

CALAFCO Support March 2018

Position: Support

Subject: LAFCo Administration

<u>SB 1499</u> (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 6/1/2018 html pdf

Introduced: 3/1/2018

Status: 6/1/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 25,

Statutes of 2018.

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Summary:

This bill would enact the Third Validating Act of 2018, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

CALAFCO Support March 2018

Position: Support **Subject:** LAFCo Administration

2

<u>AB 2268</u> (<u>Reyes</u> D) Local government finance: property tax revenue allocations: vehicle license fee adjustments.

 Current Text: Amended: 4/16/2018
 html
 pdf

 Introduced: 2/13/2018
 Last Amended: 4/16/2018
 html
 pdf

ctweb.capitoltrack.com/public/publish.aspx?id=df65aca7-700f-4150-9095-3e6c9d434f6b

Status: 5/25/2018-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 5/2/2018)

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Summary:

for the 2018–19 fiscal year, would require the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount in the 2017–18 fiscal year, the product of that sum and the percentage change in gross taxable assessed valuation within the jurisdiction of that entity between the 2017–18 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.

Attachments:

CALAFCO Support Letter May 2018

Position: Support

Subject: Tax Allocation

CALAFCO Comments: Sponsored by the League, this bill will reinstate ERAF funding for inhabited annexations.

AB 2491 (Cooley D) Local government finance: vehicle license fee adjustment amounts.

Current Text: Amended: 4/2/2018 html pdf

Introduced: 2/14/2018

Last Amended: 4/2/2018

Status: 5/25/2018-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 4/25/2018)

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Summary:

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. This bill contains other related provisions and other existing laws.

Attachments:

CALAFCO Support March 2018

Position: Support **Subject:** Tax Allocation **CALAFCO Comments:** Sponsored by the League, this bill will reinstate ERAF funding for cities incorporating after 2017.

<u>AB 2501</u> (<u>Chu</u> D) Drinking water: consolidation and extension of service.

Current Text: Amended: 4/17/2018 html pdf Introduced: 2/14/2018 Last Amended: 4/17/2018

Status: 6/7/2018-Referred to Com. on EQ.

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Calendar:

6/20/2018 8:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, WIECKOWSKI, Chair **Summary:**

The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order extension of service to an area within a disadvantaged community that does not have access to an adequate supply of safe drinking water so long as the extension of service is an interim extension of service in preparation of consolidation. The act defines "disadvantaged community" for these purposes to mean a disadvantaged community that is in an unincorporated area, is in a mobilehome park, or is served by a mutual water company or small public water system. This bill would redefine "disadvantaged community" for these purposes to also include a disadvantaged community that is served by a state small water system or domestic well.

Position: Watch With Concerns **Subject:** Disadvantaged Communities, Water

3

<u>AB 1577</u> (<u>Gipson</u> D) California Safe Drinking Water Act: administrative and managerial services: Sativa-Los Angeles County Water District.

Current Text: Amended: 6/6/2018 html pdf Introduced: 2/17/2017 Last Amended: 6/6/2018 Status: 6/7/2018-Withdrawn from committee. Re-referred to Com. on RLS.

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Summary:

The California Safe Drinking Water Act provides for the operation of public water systems and imposes on the State Water Resources Control Board various responsibilities and duties. The act authorizes the state board to order consolidation with a receiving water system where a public water system or a state small water system, serving a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water. This bill would require the state board to order the Sativa-Los Angeles County Water District to accept administrative and managerial services, including full management and control, from an administrator selected by the state board.

Position: Watch

Subject: Disincorporation/dissolution, Water

AB 1889 (Caballero D) Santa Clara Valley Water District.

Current Text: Amended: 4/4/2018 html pdf Introduced: 1/18/2018

Last Amended: 4/4/2018

Status: 5/10/2018-Referred to Com. on GOV. & F.

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Summary:

The Santa Clara Valley Water District Act authorizes the district to impose special taxes at minimum rates according to land use category and size. The district act authorizes the district to provide an exemption from these taxes for residential parcels owned and occupied by one or more taxpayers who are at least 65 years of age, or who qualify as totally disabled, if the household income is less than an amount approved by the voters of the district. This bill would authorize the district to require a taxpayer seeking an exemption from these special taxes to verify his or her age, disability status, or household income, as prescribed.

Position: Watch

AB 2019 (Aguiar-Curry D) Health care districts.

Current Text: Amended: 4/30/2018 html pdf Introduced: 2/5/2018 Last Amended: 4/30/2018 Status: 6/6/2018-In committee: Hearing postponed by committee.

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Summary:

The Local Health Care District Law provides for local health care districts that govern certain health care facilities. The bill would require a district that is authorized and elects to use the design-build process, as specified, for the construction of housing to require that at least 20% of the residential units constructed be subject to a recorded affordability restriction for at least 55 years and be affordable to lower income households, very low income households, extremely low income households, and persons and families of low or moderate income, as defined, unless the city, county, or city and county in which the district is predominantly located has adopted a local ordinance that requires a greater percentage of the units be affordable to those groups. This bill contains other related laws and provisions.

Position: Watch

CALAFCO Comments: This bill places a number of statutory requirements on healthcare districts (HCDs). One provision that directly affects LAFCo is the HCDs will be required to notify their respective LAFCo when they file for bankruptcy.

(Gipson D) Municipal corporations: public utility service: water and sewer service. AB 2179

Current Text: Introduced: 2/12/2018 html pdf

Introduced: 2/12/2018

Status: 6/7/2018-Referred to Coms. on E., U. & C. and GOV. & F.

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Summary:

Would authorize a municipal corporation to utilize the alternative procedures to lease, sell, or transfer that portion of a municipal utility used for furnishing sewer service outside the boundaries of the municipal corporation.

Position: Watch Subject: Municipal Services

AB 2262 (Wood D) Coast Life Support District Act: urgent medical care services.

Current Text: Amended: 4/16/2018 html pdf

Introduced: 2/13/2018

Last Amended: 4/16/2018

Status: 5/3/2018-Referred to Coms. on GOV. & F. and HEALTH.

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Calendar:

6/13/2018 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

Summary:

Current law, the Coast Life Support District Act, establishes the Coast Life Support District and specifies the powers of the district. The district is authorized, among other things, to supply the inhabitants of the district emergency medical services, as specified. This bill would additionally authorize the district to provide urgent medical care services.

Attachments:

CALAFCO Oppose Unless Amended CALAFCO Support as amended

Position: Support

Subject: LAFCo Administration, Special District Powers

CALAFCO Comments: This is a single district bill in which the district is seeking to add the power of providing urgent care (actually to codify powers they have been performing for a number of years). As amended, the bill cleans up the outdated reference to the Act and adds a provision requiring the district to seek LAFCo approval to activate the new power. As a result of these amendments, CALAFCO has removed our opposition and now supports the bill.

(Gipson D) Water utility service: sale of water utility property by a city. AB 2339

Current Text: Amended: 4/3/2018 html pdf Introduced: 2/13/2018

Last Amended: 4/3/2018

Status: 6/4/2018-In Senate. Read first time. To Com. on RLS. for assignment.

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Summary:

Would permit a city that owns and operates a public utility for furnishing water service to sell the public utility for the purpose of consolidating its public water system with another public water system pursuant to the specified procedures, only if the potentially subsumed water system is wholly within the boundaries of the city, if the city determines that it is uneconomical and not in the public interest to own and operate the public utility, and if certain requirements are met. The bill would prohibit the city from selling the public utility for one year if 50% of interested persons, as defined, protest the sale.

Position: Watch Subject: Water

SB 522 (Glazer D) West Contra Costa Healthcare District.

Current Text: Amended: 1/3/2018 html pdf Introduced: 2/16/2017

Last Amended: 1/3/2018

Status: 4/19/2018-Referred to Com. on L. GOV.

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Calendar:

6/13/2018 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

Current law provides for the formation of local health care districts and specifies district powers. Under existing law, the elective officers of a local health care district consist of a board of hospital directors consisting of 5 members, each of whom is required to be a registered voter residing in the district and whose term shall be 4 years, except as specified. This bill would dissolve the existing elected board of directors of the West Contra Costa Healthcare District, effective January 1, 2019, and would require the Board of Supervisors of the County of Contra Costa, at its election, to either serve as the district board or appoint a district board, as specified.

Position: Watch

Subject: Special Districts Governance

<u>SB 561</u> (Gaines R) Fallen Leaf Lake Community Services District: elections.

Current Text: Amended: 5/10/2018 html pdf

Introduced: 2/17/2017

Last Amended: 5/10/2018

Status: 5/10/2018-From committee with author's amendments. Read second time and amended. Re-referred to Com. on L. GOV.

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Calendar:

6/20/2018 1:30 p.m. - State Capitol, Room 444 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

Under current law, the Fallen Leaf Lake Community Services District is a resident voting district. This bill would require the El Dorado County elections official, with the assistance of the Fallen Leaf Lake Community Services District, to conduct district elections pursuant to the Uniform District Election Law, except as otherwise provided in the bill.

Position: Watch **Subject:** Special Districts Governance

<u>SB 623</u> (Monning D) Water quality: Safe and Affordable Drinking Water Fund.

Current Text: Amended: 8/21/2017 html pdf

Introduced: 2/17/2017

Last Amended: 8/21/2017

Status: 9/1/2017-From committee: Without recommendation. (Ayes 11. Noes 0.) (September 1) Re-referred to Com. on RLS.

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Summary:

Would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the State Water Resources Control Board. The bill would require the board to administer the fund to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure. The bill would authorize the state board to provide for the deposit into the fund of federal contributions, voluntary contributions, gifts, grants, bequests, and settlements from parties responsible for contamination of drinking water supplies.

Position: Watch **Subject:** Water

SB 778(Hertzberg D)Water systems: consolidations: administrative and managerial services.
Current Text: Amended: 7/13/2017
html pdfIntroduced: 2/17/2017
Last Amended: 7/13/2017

ctweb.capitoltrack.com/public/publish.aspx?id=df65aca7-700f-4150-9095-3e6c9d434f6b

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. on

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Summary:

Would require, on or before March 1, 2018, and regularly thereafter, as specified, the State Water Resources Control Board to track and publish on its Internet Web site an analysis of all voluntary and ordered consolidations of water systems that have occurred on or after July 1, 2014. The bill would require the published information to include the resulting outcomes of the consolidations and whether the consolidations have succeeded or failed in providing an adequate supply of safe drinking water to the communities served by the consolidated water systems.

Position: Watch **Subject:** Municipal Services

<u>SB 929</u> (<u>McGuire</u> D) Special districts: Internet Web sites.

Current Text: Amended: 3/6/2018 html pdf Introduced: 1/25/2018 Last Amended: 3/6/2018 Status: 4/30/2018-Referred to Com. on L. GOV.

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Calendar:

6/13/2018 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

The California Public Records Act requires a local agency to make public records available for inspection and allows a local agency to comply by posting the record on its Internet Web site and directing a member of the public to the Web site, as specified. This bill would, beginning on January 1, 2020, require every independent special district to maintain an Internet Web site that clearly lists contact information for the special district, except as provided. Because this bill would require local agencies to provide a new service, the bill would impose a state-mandated local program.

Attachments:

CALAFCO Support Letter May 2018

Position: Support

<u>SB 1498</u> (Committee on Governance and Finance) Local Government Omnibus Act of 2018.

Current Text: Amended: 4/18/2018 html pdf

Introduced: 3/1/2018

Last Amended: 4/18/2018

Status: 5/25/2018-Referred to Com. on L. GOV.

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Summary:

Current law sets forth various provisions governing cities that reference various officers and employees. This bill would make these references gender neutral.

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

Total Measures: 24 Total Tracking Forms: 24

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Special Districts Advisory Committee

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Augie Scalzitti Padre Dam Municipal Water

Joel Scalzitti Helix Water

Dennis Sheppard North County Cemetery

Robert Thomas Pomerado Cemetery

Teresa Thomas South Bay Irrigation June 15, 2018

TO: Committee Members

FROM: Robert Barry, Chief Policy Analyst Linda Zambito, Analyst I

SUBJECT: Update on Proposals

SUMMARY

The Special Districts Advisory Committee ("Committee") will receive a report on current proposals on file with San Diego LAFCO. The report is being presented to the Committee for information only.

BACKGROUND

San Diego LAFCO is responsible under State law to oversee boundary changes involving the formation, expansion, merger, and dissolution of cities, towns, and special districts. LAFCO is also responsible for overseeing contracts or agreements for outside service extensions.

DISCUSSION

This item is for the Committee to receive an update on active proposals on file with San Diego LAFCO. The item is being presented for information with the invitation for the Committee to provide feedback as appropriate with respect to processing procedures and performance measurements.

ANALYSIS

San Diego LAFCO presently has on file 23 active proposals. A summary – including purpose and status – is provided as part of Attachment One.



ALTERNATIVES FOR ACTION

None; discussion and feedback only.

RECOMMENDATION

The Committee should provide feedback to staff as appropriate.

PROCEDURES

This item has been placed on the agenda for information as part of the business calendar. The following procedures, accordingly, are recommended in the consideration of this item:

- 1) Receive verbal report from staff;
- 2) Discuss item and provide feedback as requested.

Respectfully,

Robert Barry Chief Policy Analyst

Attachment: 1. Current Proposal Report

ATTACHMENT ONE

	Proposal Number	Proposal Name / Affected Agencies	Project Lead	Proposal Summary
			AC	TIVE – INCOMPLETE
1	DA08-10	"Avocado Way-Potter Annexation" Vallecitos WD (Annexation)	Robert Barry	Proposed annexation to Vallecitos WD to obtain sewer service for two existing residences along Avocado Way. Proposal application submitted in March 2008, but deemed incomplete in April 2008 status letter. A new status letter was sent to the applicant in January 2018 stating the proposal will be considered abandoned unless notified otherwise. The current property owner has responded and conveyed their interest to proceed with the annexation. Ongoing discussions with Vallecitos WD as of Spring 2018.
2	RO08-09	"South Mollison Ave-Snyder Reorganization" City of El Cajon (Annexation)	Robert Barry	Proposed annexation to the City of El Cajon. The annexation area includes approximately 1.25 acres and is subject to a proposed multi-family residential project. Proposal application submitted in May 2008, but deemed incomplete in June 2008 status letter. A new status letter was sent in January 2018 to the applicant, new property owner and City stating the proposal will be considered abandoned unless notified otherwise. No response to date.
3	RO08-15 SA08-15	"Crestlake Estates Reorganization" San Diego County SD (Annexation) Lakeside FPD (Annexation) CSA 69 (Annexation)	Robert Barry	The proposed reorganization would provide sewer services to an approved Tentative Map allowing the development of 60 single-family residences. Proposal application submitted in May 2008, but deemed incomplete in June 2008 status letter. A new status letter was sent to the applicant in February 2018 stating the proposal will be considered abandoned unless notified otherwise. No response to date.
4	DA12-02	"Lorch Annexation" Borrego WD (Annexation)	Robert Barry	Annexation of approximately 9.4 acres to the Borrego Water District to provide water service to one parcel. The site is within the adopted sphere. Proposal application submitted in March 2012, but deemed incomplete in April 2012 status letter. A new status letter was sent in January 2018 stating the proposal will be considered abandoned unless notified otherwise. Borrego WD responded to the letter and has reinitiated discussions with the landowner regarding possible service terms.
5	RO06-17	"Tobacco Road Reorganization" City of Escondido (Annexation)	Robert Barry	In 2006, LAFCO approved two out of service agreements to allow the City of Escondido to provide sewer service to two residences with failing septic systems located along Tobacco Road. The agreements between the City and landowners required the annexation of the two parcels. To implement this condition, a reorganization including six other parcels was submitted to LAFCO in March 2006, but deemed incomplete in April 2006 status letter. A new status letter was sent in January 2018 stating the proposal will be considered abandoned unless notified otherwise. Two of the affected landowners have responded to the letter and are now working with the City in proceeding forward in determining if the other landowners are interested/willing to proceed with the annexation at this time.

	Proposal Number	Proposal Name / Affected Agencies	Project Lead	Proposal Summary
6	R014-12 R014-13	"CSA 115 Reorganization" San Miguel FPD (Annexation) Lakeside FPD (Annexation) CSA 115 (Dissolution)	John Traylor	LAFCO received competing proposals from Lakeside and San Miguel Consolidated FPDs in March 2015 to dissolve CSA No. 115 and concurrently annex the 440 acre affected territory to each FPD. The affected territory lies outside of each FPD's sphere. LAFCO proceeded to establish special sphere study areas for both FPDs to include the CSA No. 115 boundary with the FPDs amending their filings into a joint-proposal to divide the annexation of the affected territory generally along Pepper Drive. The joint-proposal remains incomplete at this time pending additional analysis of factors identified by the Commission in establishing the referenced special sphere study areas.
7	DA16-10	"CSA 17 Harmony Grove Annexation" CSA 17 (Annexation)	Linda Zambito	Proposal submittal required as cross-condition of the Rancho Santa Fe Fire Protection District Reorganization: Dissolution of CSA No. 107 (Elfin Forest/Harmony Grove). This involves requiring the initiation of the annexation of approximately 3,600 acres to CSA 17 for ambulance service. Proposal application submitted in May 2016, but deemed incomplete in June 2016 status letter. The CSA 17 Advisory Committee has opposed the annexation. A negotiated property tax exchange agreement is also necessary. LAFCO Staff met with the applicant in December 2017 to provide assistance. The applicant and County staff will be meeting with the goal of finding a solution and completing the application during 2018.
8	RO16-11	"Rancho Hills Annexation" Rancho Santa Fe CSD (Annexation)	Robert Barry	Proposed annexation to Rancho Santa Fe CSD to establish sewer service to a portion of a 37- lot residential subdivision titled "Rancho Hills." A concurrent latent power expansion for Olivenhain MWD is needed to accommodate sewer to the remaining project site. Proposal application submitted in October 2016, but deemed incomplete in November 2016 status letter. Applicant has requested the proposal processing be placed on hold. Staff has remained in contact with the applicant and is awaiting their confirmation to proceed.
9	SA16-13 RO16-13	"Windmill Construction Reorganization" City of La Mesa (annexation) San Miguel FPD (Detachment) CSA 135 (Detachment)	Robert Barry	Proposal originally submitted as an outside service extension request with the City of La Mesa. The proposal has transitioned into a reorganization as a City condition of service to develop a single residential lot. The City of La Mesa has initiated a General Plan Amendment to expand their planning boundaries and establish a land use designation for the affected territory. Proposal application submitted in October 2016, but deemed incomplete in November 2016 status letter. Staff has remained in contact with the applicant and working therein addressing outstanding information needs to complete the administrative review.
10	DA16-15 SA16-15	"Alpine Islands Annexation" Alpine FPD (Annexation) CSA 135 – LP Fire Area (Latent Powers Divesture)	John Traylor	Proposal involves the annexation of approximately 6,600+ acres of remaining non- jurisdictional lands within Alpine FPD's existing sphere and as part of the continued draw- down following dissolution of Rural FPD. Proposal application submitted in September 2016, but application deemed incomplete in November 2016 status letter. Alpine FPD continues to negotiate a property tax exchange agreement with the County. The application remains incomplete while the negotiation continues.

	Proposal Number	Proposal Name / Affected Agencies	Project Lead	Proposal Summary
11	SA16-20 LP16-20	"CSA 135 Islands Reorganization" CSA 135 – LP Fire Area (Latent Powers Expansion/Divestiture) Alpine FPD (Annexation) Lakeside FPD (Annexation) SMCFPD (Annexation)	John Traylor	Proposal involves annexation of remaining unserved islands within Heartland area and reorganization of local fire service territory among four agencies: CSA 135; Alpine FPD; Lakeside FPD; and San Miguel FPD. Reorganization proposal submitted by resolution of the San Diego County Fire Authority and involves the expansion of CSA No. 135's latent powers to provide fire protection and emergency medical services to three unincorporated and unserved island areas totaling approximately 21,048 acres. A concurrent amendment to add the affected territory to CSA No. 135's sphere of influence is also required to accommodate the proposed action. The proposal application is incomplete and pending receipt of additional documentation and information from the applicant to complete staff's analysis. The proposal also requires a negotiated property tax exchange agreement.
12	SA17-07 RO17-07	"San Marcos Highlands Reorganization" City of San Marcos (Annexation) San Marcos FPD (Annexation) Vista FPD (Detachment) Vallecitos WD (Sphere Amendment, Annexation) Vista ID (Detachment)	Robert Barry	Proposal involves annexation of a 189-SFR development to the City of San Marcos. Proposal submitted by resolution of the City of San Marcos and involves annexation of approximately 125 acres to the City with concurrent reorganizations between the San Marcos FPD and the Vista FPD for fire protection services, and between the Vallecitos WD and Vista ID for the provision of sewer and water services. The City of San Marcos has approved development plans and environmental review for the referenced development titled "San Marcos Highlands." The City's approvals included a condition requiring the City and the County to execute a habitat protection agreement with State and Federal agencies for the proposal area. The submitted proposal application is incomplete pending receipt of additional documentation – including the referenced habitat document – and information from the applicant to complete staff's analysis.
13	R018-06, R013-04, R013-39, & R015-15	"North Avenue Estates Reorganization" City of Escondido (Annexation) CSA 135 (Detachment) Deer Springs FPD (Detachment)	Robert Barry	Proposal involves annexation of a 34-lot residential development to the City of Escondido. Affected territory spans five parcels totaling 17.96-acres of unincorporated territory located within the Escondido sphere of influence with concurrent detachments from the Deer Springs Fire Protection District (FPD) and CSA No. 135. Three subject parcels are presently developed with single-family residences and receive sewer from Escondido through earlier approved outside service extensions. The remaining two parcels are undeveloped and subject to the referenced development of 34 single-family residences. The submitted proposal application is incomplete pending additional analysis.
14	SA18-07 OAS18-07	"Carmichael Drive – Wyman Contractual Service Agreement" (City of La Mesa)	Robert Barry	Proposal involves an outside service extension for the City of La Mesa to provide sewer service to one developed single-family lot. The purpose of the request is to allow the landowner to proceed with an intensity improvement to develop an accessory workshop unit, which exceeds the permitted capacity of the onsite septic system. The affected territory lies outside La Mesa's sphere of influence. The submitted proposal application is incomplete pending additional analysis.

	Proposal Number	Proposal Name / Affected Agencies	Project Lead	Proposal Summary
15	RO18-08	"Camino Largo Reorganization" (City of Vista)	Linda Zambito	Proposal involves annexation of one parcel totaling approximately 9.3 acres to the City of Vista with concurrent detachment from Vista Fire Protection District. The purpose of the proposal is to facilitate an 8-lot single-family residential subdivision consistent with the City's adopted tentative map. The affected territory lies within the City's sphere. The submitted proposal application is incomplete pending additional analysis. It is anticipated the proposal will be scheduled for Commission hearing in mid-2018.
16	RO18-09	"Julian – Cuyamaca Fire Protection District Reorganization" Julian – Cuyamaca FPD (Dissolution) County Service Area No. 135 (Fire) (LP expansion; sphere amendment)	John Traylor	Reorganization involves dissolution of the approximate 52,100 acre Julian-Cuyamaca FPD and concurrent authorization for CSA No. 135 to assume fire protection and emergency medical services for the approximate 51,800 acre affected territory. The submitted proposal is incomplete and pending receipt of additional documentation and information from the applicant to complete staff's analysis. The proposal will also require a negotiated property tax exchange agreement.
17	DD18-10	"Pala Detachment" San Luis Rey MWD (Detachment)	Robert Barry	Proposed by petition of the landowners is a detachment of approximately 334.33 acres from the San Luis Rey Municipal Water District. The proposal area includes 11 unincorporated parcels that are owned by the Pala Band of Mission Indians, but are not part of the Pala Reservation area. The submitted proposal application is incomplete and pending receipt of additional documentation and information from the applicant to complete staff's analysis.
18	DA18-11	"Lake Henshaw Annexation" Vista Irrigation District (ID)	Linda Zambito	Proposal submitted by resolution of the Vista ID, involves annexation of three unincorporated parcels that make up a portion of the Lake Henshaw watershed. The three parcels are owned by Vista ID and the District wishes to annex the parcels to eliminate the property tax obligations. The affected territory lies outside the sphere. The submitted proposal application is incomplete and pending receipt of additional documentation and information from the applicant to complete staff's analysis.
			ACTIVE – C	OMPLETE / PENDING TERMS
19	DA18-02	"Sanford Lane-McLean Annexation" Leucadia Wastewater District (Annexation)	Linda Zambito	This proposal involves the annexation of 0.35 acre parcel developed with an existing single- family residence to Leucadia WD. The proposal was approved by LAFCO on April 2, 2018. Recordation of the approved proposal is contingent on satisfying standard terms.
20	DA18-03	"Lakeside Rodeo Arena Annexation" San Diego County SD (Annexation)	Linda Zambito	This proposal involves the annexation of approximately 11.4 acres to the San Diego County SD. The affected territory includes the Lakeside Rodeo and a portion of the adjacent El Capitan High School. Annexation formalizes existing sewer services provided to the affected territory through private lateral connections to the El Capitan High School's main campus. The proposal was approved by the Commission at the May 7, 2018 meeting. Recordation of the approved proposal is contingent on satisfying standard terms.

	Proposal	Proposal Name /	Project	Proposal
	Number	Affected Agencies	Lead	Summary
21	RO18-05	"Hymettus Avenue – Zinser Annexation" Leucadia Wastewater District (Annexation)	Linda Zambito	This proposal involves the annexation of approximately 0.35 acres to the Leucadia WD to facilitate service to an existing single-family residence and allowance therein to proceed with an intensity improvement marked by adding an accessory unit. The proposal was approved by the Commission at the May 7, 2018 meeting. Recordation of the approved proposal is contingent on satisfying standard terms.
22	LP18-01 SA18-01	"Connemara Drive-Trinh Latent Powers Expansion" Olivenhain MWD (Service-Specific Sphere Amendment; Latent Sewer Power Expansion)	Linda Zambito	Proposal involves expansion of Olivenhain MWD's activated wastewater LP area to serve an approximately 0.30 acre portion of 17-acre unincorporated parcel to accommodate a new single-family home. An amendment to the OMWD wastewater service-specific sewer sphere to include the proposal area is also required. The proposal was approved by the Commission at the June 4, 2018 meeting. Recordation of the approved proposal is contingent on satisfying standard terms.
23	SS17-10 LP17-10 RO17-10	"Rincon del Diablo MWD LP Sewer Activation/Harmony Grove Village Reorganization" Rincon Del Diablo (Service-Specific Sphere Establishment; Latent Power Activation) San Diego County SD (Detachment)	Robert Barry	This reorganization proposal was submitted by resolution of the Rincon del Diablo Municipal Water District (MWD) and involves activation of the MWD's latent power for sewer service within the approximate 450 acre Harmony Grove Village (HGV) service area of the San Diego County Sanitation District (SD). The HGV is presently located within the MWD's service area and sphere of influence for water service. The proposed reorganization would detach the HGV area from the San Diego County SD, establish a service-specific sphere of influence for the detachment area, and activate the MWD's latent sewer power to assume responsibility for the provision of sewer service within the HGV. The proposal was approved by the Commission at the June 4, 2018 meeting. Recordation of the approved proposal is contingent on protest proceedings and satisfying standard terms.
			PENDIN	G PROPOSAL SUBMITTALS
24	Pending	"Safari Highlands Reorganization" City of Escondido	Robert Barry	This anticipated reorganization proposal is currently undergoing development and environmental review by the City of Escondido with an expected submittal to LAFCO later in 2018. The anticipated proposal involves annexation of approximately 1,098 acres to the City for the primary purpose of developing a 550-lot residential subdivision. All of the affected territory lies outside the current City sphere. Due to the scope of the proposal area a comprehensive update of the City's sphere is warranted along with preparing the supporting municipal service review document. These and issues have been communicated to the City and are currently under joint-review with other stakeholders.

	Proposal Number	Proposal Name / Affected Agencies	Project Lead	Proposal Summary
25	Pending	"Rancho Lomas Verde Reorganization" City of Vista	Robert Barry	This anticipated reorganization involves annexation of approximately 300 acres to the City of Vista and concurrent detachments from CSA 135 and the Vista FPD to facilitate a 153-lot residential development. Close to three-fourths of the project area lies outside the current City sphere. Due to the scope of the proposal area a comprehensive update of the City's sphere is warranted along with preparing the supporting municipal service review document. These and issues have been communicated to the City and are currently under joint-review with other stakeholders.
26	Pending	"Sager Ranch Reorganization" City of Escondido	Robert Barry	This anticipated reorganization involves annexation of approximate 1,800 acres to the City of Escondido and concurrent detachments from CSA 135 and the Valley Center FPD. The reorganization would facilitate the development of approximately 200 acres to include 203 residential units and a 225-room resort. Portions of the project area lies outside the current City sphere. Due to the scope of the proposal area a comprehensive update of the City's sphere is warranted along with preparing the supporting municipal service review document. These and issues have been communicated to the City and are currently under joint-review with other stakeholders.
27	Pending	Valiano Specific Plan (TM-5575)	Robert Barry	This anticipated reorganization involves the Eden Hills project and specific to accommodating sewer services (among a variety of options) for the planned development of approximately 239 acres to include 326 residential units.
28	Pending	Harmony Grove Village South (TM-626)	Robert Barry	This anticipated reorganization involves the Harmony Grove Village South project and specific to accommodating sewer services (among a variety of options) for the planned development of approximately 111 acres to include 453 residential units.