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County Board of  
Supervisors

**Vice Chairman**

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City of Escondido

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Lorraine Wood  
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City of Carlsbad

Jo MacKenzie  
Vista Irrigation District

Ed Sprague  
Olivenhain Municipal  
Water District

**Alternate Members**

Greg Cox  
County Board of  
Supervisors

Chris Cate  
Councilmember  
City of San Diego

Racquel Vasquez  
Councilmember  
City of Lemon Grove

Harry Mathis  
Public Member

Judy Hanson  
Leucadia Wastewater  
District

**Executive Officer**

Michael D. Ott

**Legal Counsel**

Michael G. Colantuono

**AGENDA**  
**SPECIAL DISTRICTS ADVISORY COMMITTEE**  
**FRIDAY, September 16, 2016, 9:30 A.M.**

Note: Location at  
**County Administration Operations Center**  
**5560 Overland Road, Room 171**  
**San Diego, CA 92123**

<u>Agenda Item:</u>	<u>Recommended Action:</u>
1. Pledge of Allegiance; Welcome Advisory Committee Members and Roll Call	
2. Approval of Minutes of Meeting held May 20, 2016	Approve
3. Consultant's Recommended Agenda Revisions	Receive
4. Public Comment Opportunity for persons to speak to the Committee on any subject within the Committee's jurisdiction, but not an item on today's agenda. Each speaker's presentation may not exceed 3 minutes.	
5. Review and Discussion of the North County Cemetery Districts MSR/SOI Report*	Discussion/ Comment
6. Legislative Report Update*	Information/ Discussion
7. Committee Member Announcements and Agency Activity Updates	Information
8. Adjournment to the October 21, 2016 Meeting Date (if necessary)	Adjourn

\*See Staff Report/Attachment

DRAFT  
LOCAL AGENCY FORMATION COMMISSION  
SPECIAL DISTRICTS ADVISORY COMMITTEE  
MAY 20, 2016 MEETING

2

There being a quorum present, the meeting was convened at 9:30 a.m., by Chairwoman Kimberly Thorner (Olivenhain MWD). Attending were: **Committee Members** – Gary Arant (Valley Center MWD), Jack Bebee (Fallbrook PUD), Bill Haynor (Whispering Palms CSD), Tom Kennedy (Rainbow MWD), Erin Lump (Rincon del Diablo MWD), Margarette Morgan (Vista FPD), Julie Nygaard (Tri-City HCD), John Pastore (Rancho Santa Fe CSD), Augie Scalzitti (Padre Dam MWD), Joel Scalzitti (Helix WD), Dennis Shepard (North County CD), Robert Thomas (Pomerado CD) and Terry Thomas (South Bay ID). Absent were: **Committee Members** – Gary Croucher (Otay WD) and Tom Pocklington (Bonita-Sunnyside FPD). **LAFCO Staff** – LAFCO Consultant, Harry Ehrlich; Local Governmental Analyst, Robert Barry; Local Governmental Analyst, Joe Serrano; Administrative Assistant, Tamaron Luckett and Administrative Aide, Erica Blom.

**Item 1**

**Pledge of Allegiance; Roll Call and Welcome New Committee Members**

Bill Haynor led the Pledge of Allegiance at the meeting.

The Advisory Committee Secretary performed the roll call for the May 20, 2016, Special Districts Advisory Committee meeting. With the exception of committee members Gary Croucher and Tom Pocklington, all other committee members were present.

Chairwoman Thorner welcomed the new committee members. Ms. Thorner requested that each member introduce themselves to the Advisory Committee.

**Item 2**

**Approval of Minutes of December 18, 2015**

On motion of Terry Thomas, seconded by Joel Scalzitti, and carried unanimously by the remaining committee members present; the Advisory Committee dispensed with reading the minutes of December 18, 2015 and approved said minutes.

**Item 3**

**Consultant's Recommended Agenda Revisions**

LAFCO Consultant Harry Ehrlich indicated that there were no revisions to the agenda.

Mr. Ehrlich informed the Committee that the run-off elections for the Alternate LAFCO Special District Member deadline will be June 3, 2016.

**Item 4****Public Comment**

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

**Item 5****Selection of Chairperson and Vice Chairperson for 2016**

Kimberly Thorner explained the rotation of the Advisory Committee officer positions. Tom Kennedy placed a motion on the floor to continue Kimberly Thorner as the Chair position and it was seconded by Gary Arrant. Moved by Dennis Shepard and seconded by Terry Thomas to select Julie Nygaard for the Vice Chair position.

**Item 6****Draft Fire Protection Policy**

Harry Ehrlich indicated that Local Governmental Analyst, Joe Serrano, would provide a brief summary of the Fire Protection Contract Guidelines and Draft Policy L-110.

Mr. Serrano said that the guidelines were reviewed by the Advisory Committee and then approved by the Commission in February 2016. He said that the adopted guidelines summarized the new statutory requirements, comprehensively identified and resolved the ambiguous provisions in SB 239 and established concurrence between LAFCO and the fire community regarding implementation. Mr. Serrano said that Draft Policy L-110 would provide guidance for LAFCO's role with the state law.

Chairwoman Thorner thanked LAFCO staff for their work regarding the Fire Protection Contract Guidelines and Policy.

**Item 7****Discussion on Records Management and Policy**

Harry Ehrlich indicated that Local Governmental Analyst, Robert Barry, would provide a brief report regarding Administrative Policy A-104 (California Public Records Act Requests) and Enterprise Systems Catalog (SB 272).

Mr. Barry said that on May 2, 2016, the Commission approved the Administrative Policy A-104, which was developed to provide clarification and direction for procedural compliance with the public records requests per provisions in State Law. Mr. Barry indicated that the Public Records Request Form has been developed and is available on San Diego LAFCO's website.

Mr. Barry also said that the SB 272 California Public Records Act requires that state and local agencies develop a catalog of enterprise systems and said that the state law requires the information be available on each agency's website by July 1, 2016.

**Item 8**

**Legislative Report Update**

Harry Ehrlich provided an update to the Advisory Committee regarding the following legislation:

AB 2470 (Gonzalez): Municipal Water Districts: Water Service: Indian Tribes

This bill was sponsored by the Sycuan Indian Nation and has been amended on March 29, 2016. This bill requires a municipal water district, under certain conditions, to supply water to a contiguous Indian tribe's land that may be outside the district's jurisdictional boundary.

SB 1318 (Wolk): Local Government: Drinking Water Infrastructure or Services; Wastewater Infrastructure or Services

This bill was amended on April 12, 2016. This bill helps identify and address disadvantaged unincorporated communities (DUC's) that may be experiencing water or wastewater service issues.

AB 2910 (Committee on Local Government): Local Government: Organization; Omnibus Bill

This bill was sponsored by CALAFCO and provides clarifications to the Cortese-Knox-Hertzberg Act language.

**Item 9**

**Committee Member Announcements and Agency Activity Updates**

The Advisory Committee provided updated information on their district's activities.

Harry Ehrlich welcomed the new members to the Advisory Committee. He indicated that the June 17, 2016 meeting will be canceled.

**Item 10**

**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 July 15, 2016, if it is to be held.

**ERICA BLOM  
ADMINISTRATIVE AIDE  
SAN DIEGO LOCAL AGENCY FORMATION COMMISSION**



**Chairman**

Bill Horn  
County Board of  
Supervisors

September 16, 2016

**5**

**Vice Chairman**

Sam Abed  
Mayor  
City of Escondido

TO: Special Districts Advisory Committee

FROM: Local Governmental Consultant

**Members**

Dianne Jacob  
County Board of  
Supervisors

SUBJECT: North County Cemetery District and Valley Center Cemetery District  
Sphere of Influence and Municipal Service Review

Andrew Vanderlaan  
Public Member

**EXECUTIVE SUMMARY**

Lorie Zapf  
Councilmember  
City of San Diego

The Cemetery District Municipal Service/Sphere of Influence Review focuses on the North County Cemetery District and Valley Center Cemetery District, located in northern San Diego County. Refer to Map A. This report is being provided to the Special Districts Advisory Committee for review prior to the Commission.

Lorraine Wood  
Councilmember  
City of Carlsbad

The following provides an overview of the two special districts addressed in this service and sphere review, including land use, population and growth, infrastructure, funding, and recommended sphere of influence (SOI) determinations.

Jo MacKenzie  
Vista Irrigation District

Ed Sprague  
Olivenhain Municipal  
Water District

**Alternate Members**

*North County Cemetery District*

Greg Cox  
County Board of  
Supervisors

The North County Cemetery District (CD) is comprised of approximately 102,163 acres (160 square miles) and encompasses most of the area of the City of Escondido, all of the Cities of San Marcos and Vista, plus portions of the Cities of Oceanside, Carlsbad and San Diego. The sphere of the North County CD was originally adopted in 1986, affirmed in 2007; and then comprehensively reviewed and updated in August 2007 to include 26,752 acres outside of the boundaries of the district. After the sphere was updated in 2007, a large annexation of 68,508 acres was approved by the Commission in 2013. The annexation area consisted of previously unserved territory and was in response to a need for cemetery services based on a survey of contacts made by residents conducted by the North County CD. The 2013 annexation resulted in all sphere territory being included within the District. Currently, the North County CD sphere is smaller than the district boundary (325 acres located north of the district; 2,583 acres located east of the district; and 355 acres located south of the district). An amendment of the current smaller-than-agency sphere has been proposed by the North County CD to include additional 299,121 acres located westerly of the City of Oceanside and Camp Pendleton as well as northerly to the county boundary and west of Interstate 15.

Chris Cate  
Councilmember  
City of San Diego

Racquel Vasquez  
Councilmember  
City of Lemon Grove

Harry Mathis  
Public Member

Judy Hanson  
Leucadia Wastewater  
District

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**Legal Counsel**

Michael G. Colantuono

LAFCO staff concurs with this proposal because the areas have been developing over the past ten years and no public cemetery services are available to residents of these areas.

### *Valley Center Cemetery District*

The Valley Center Cemetery District (CD) is comprised of approximately 150,000 acres (234 square miles) and encompasses most of northern San Diego County, north of the City of Escondido and east of Interstate I-15. The sphere of the Valley Center CD was originally adopted in 1986, affirmed in 2007; and then affirmed again in 2013. The sphere is currently coterminous with district boundaries. An amendment of the current coterminous sphere has been proposed by the Valley Center CD to include an additional 109,115 acres, located northerly to the county boundary east of Interstate 15 and easterly to State Highway 79. LAFCO staff concurs with this proposal because these areas east of Interstate 15 are developing with rural residential housing and residents do not have public cemetery services available to them.

## INTRODUCTION

### *Local Agency Formation Commissions (LAFCOs)*

In the 1960's, the California Legislature identified concerns regarding the formation and responsibilities of local government. In 1963, the Knox-Nisbet Act was passed creating a Local Agency Formation Commission (LAFCO) in each of the 58 counties within California to oversee local government service boundaries. In 1972, LAFCOs were required to adopt a Sphere of Influence (SOI) for all cities and special districts depicting the probable ultimate service boundaries of local agencies.

In 1997, the State Legislature convened a special commission to study and make recommendations to address California's rapidly accelerating growth. The Commission on Local Governance for the 21<sup>st</sup> Century focused its energies on ways to expand the responsibilities of already existing LAFCOs. The Commission's final report, *Growth Within Bounds*, recommended various legislative changes to local land use laws and LAFCO statutes. Assembly Speaker Robert Hertzberg incorporated many of the recommendations of the Local Governance Commission in Assembly Bill 2838, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act). The law provided LAFCOs with additional responsibilities and authority, including periodic SOI reviews and the preparation of Municipal Service Reviews (MSRs).

### *Municipal Service Reviews*

Beginning in 2001, LAFCOs in each county in California were required to review and, as necessary, update the SOI of each city and special district. SOIs are essentially service area planning boundaries, determined by a LAFCO, which define the logical future service area for cities and special districts. MSRs must be prepared before or in conjunction with the establishment of a Sphere of Influence. In addition, no SOI can be prepared or updated, unless the LAFCO first conducts an MSR. MSRs evaluate how agencies currently provide municipal services within their agency service area and the impacts on those services from future growth and other changes. The MSR report is also required to identify potential opportunities to address the financial ability of agencies to provide services; opportunities for shared facilities; accountability for community service needs, including governmental structure.

The MSR process does not require a LAFCO to initiate changes of organization based on service review determinations. California Government Code Section 56430 does require, however, that LAFCOs, upon receipt and consideration of an MSR, adopt written determinations addressing each of the following areas:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities (DUCs) within or contiguous to the SOI.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any DUCs within or contiguous to the SOI.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

### *Spheres of Influence*

In 1972, LAFCOs were given the authority to establish Spheres of Influence (SOIs) for all local agencies under its jurisdiction. As defined by the CKH Act, a "sphere of influence" is a plan for the probable physical boundaries and service area of a local agency, as determined by the Commission (Government Code §56076). SOIs are designed to both guide and respond to the need for the extension of infrastructure and delivery of municipal services. The requirement for LAFCOs to conduct MSRs was established by the CKH Act as an acknowledgment of the importance of SOIs, and recognition that periodic reviews of SOIs should be conducted on a five-year basis (Government Code §56425(g)), with the benefit of better information and data through MSRs (Government Code §56430(a)).

San Diego LAFCO established SOIs for each city and special district within its jurisdiction. SOIs define the logical, long-term service boundary for an agency. SOIs can be the same (conterminous), larger, or smaller than the existing jurisdictional boundary of a city or special district. Agencies can also receive a "transitional" SOI that means, in the long term, the agency should be "reorganized" (e.g., dissolved, consolidated, etc.). Among the factors that LAFCO considers in determining SOIs are: population and growth projections, present and planned capacity, infrastructure, fiscal strength, shared facilities, and accountability of the agency.

LAFCOs are required to make five written determinations in accordance with Government Code §56425(e) when establishing, amending, or updating a SOI for any local agency that address the following:

1. The present and planned land uses in the area, including agricultural and open-space lands.

2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
5. For an update of an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities with the existing sphere of influence.

Additionally, LAFCOs are required to establish the nature, location, and extent of any functions or classes of services provided by existing districts (Section 56425(i)) and may require existing districts to file written statements specifying the functions or classes of services provided by those districts (Section 56425(j)).

#### *Scope of the Cemetery Districts MSR/SOI Update*

A county-wide MSR and SOI Update (1<sup>st</sup> Round) of cemetery districts was previously completed for San Diego's four cemetery districts (CDs) in 2007. At the time the 1<sup>st</sup> round MSR was prepared, LAFCO adopted MSR and SOI determinations for each of these districts. The 2007 study was both data driven and comprehensive in scope.

It is not the intent of this MSR/SOI Study to replicate the 2007 Study in either scope or level of detail. In fact, fiscal and operational conditions have changed very little for many of San Diego County's CD's, since 2007. Therefore, the 2016 MSR/SOI review is focused on three key areas:

- *Updating data on physical improvements, if any, which have been completed by the districts over the last 5-9 years;*
- *Changes in the fiscal condition, as appropriate for each district; and,*
- *Identifying potential service opportunities that may assist the districts in maintaining and/or improving their service capabilities to the north county area.*

A collaborative approach was used with the affected districts throughout the preparation of this MSR and SOI review. Multiple opportunities were provided for input from the CD's under study. Initially, each agency was to provide LAFCO staff for input on facilities to review and comment during late 2014 and 2015.

Distribution of this Public Review Draft of the MSR-SOI Study, which incorporates agency and LAFCO comments received to date, provides another opportunity for public agencies, LAFCO, and the general public to review and comment on the MSR-SOI Draft report. A Final Draft MSR-SOI report was completed in the summer of 2016 which will allow an opportunity for affected agencies to review and provide comments. In addition, a meeting of LAFCO's Special Districts Advisory Committee is planned to be scheduled prior to the LAFCO public hearing to consider the Final Draft version of the MSR-SOI report, allowing additional opportunities for comment before Commission consideration.



This report provides an overview of the functions of cemetery districts, an overview of each CD, a description of how CD's are funded, and individual descriptions of each of the CD's located in North County along with recommended MSR and SOI determinations.

**CEMETERY DISTRICTS OVERVIEW**

*Public Cemetery Districts - History*

The origin of Public Cemetery Districts began in 1909 when the Legislature passed legislation authorizing them and the first cemetery district was organized. As described earlier, when the Legislature created LAFCOs and the responsibility to establish service boundaries and SOIs, cemetery districts came under the oversight of LAFCO as to boundary and SOI approval. San Diego County is one of 16 counties in California that have cemetery districts.

*Cemetery Districts and LAFCO Oversight*

CDs have been authorized by the Health and Safety Code for over 105 years. Since 1963, the Knox-Nisbet Act, and later the Cortese-Knox-Hertzberg Act of 2000, provided legislative direction and authority for LAFCO to oversee the formation, changes of organization and reorganization of special districts, including cemetery districts.

The primary role of LAFCO in reviewing the services of cities and special districts is to determine the level of services currently provided by these agencies and their long-term capability of providing services in the future. In the case of cemetery districts, most are small in operations but provide very important service benefits for their communities. Most cemetery districts have limited operating and capital budgets.

A review of past San Diego LAFCO MSRs indicates that these studies may result in discussions, and in some cases, recommendations for the reorganization of local agencies to improve overall efficiencies in providing services and operations. The four cemetery districts in San Diego County have worked cooperatively together over the past fifty plus years to serve both the rural and developing areas of San Diego County.

**CEMETERY DISTRICTS – FUNDING LIMITATIONS**

Cemetery districts are a unique type of special district. Typically they are formed by landowners to provide cemetery services to rural areas. Cemetery districts s have several unique funding mechanisms. Most are funded by a combination of property taxes and fees for services. Some districts have been more creative in leasing unused lands and areas for community uses. The two cemetery districts addressed in this report provide basic services to their communities.

*Property Tax*

Most cemetery districts receive a small portion of their revenue from property taxes. For example, North County CD receives on average about 35 percent (\$798,269) and Valley Center CD about 22 percent (\$29,000) of its total revenue from property taxes. Taxes are collected by the County and distributed based on the percentage that agency received in 1978 plus an incremental value that is based on the change in assessed value for the previous year.

### *Endowment Funding Sources*

The use of interest revenue generated from Endowment Care Principle to supplement the other revenues has become an increasingly important portion of agency funding. Funds received through the collection of this statute mandated fee are held in separate accounts in order to meet fiduciary requirements. The North County CD collected \$120,000 in Endowment Care Fees, and the Valley Center CD collected about \$6,600 in fees in FY 2013-14.

### *Summary of Funding Opportunities*

Funding for cemetery districts is limited to property taxes, fees for services, revenues from investments, and grants for applicable uses. While fees for services are an essential source of funds, they are often cyclical and not regular in ongoing sources. Property taxes have been historically a stable source of funds to the North County CD and Valley Center CD.

## AGENCY PROFILES/MSR-SOI DETERMINATIONS

This section provides individual profiles for each of the two agencies that provide cemetery services within northern San Diego County. Each profile provides a discussion of:

- Background/history of each agency
- Funding sources for agency operations
- Cooperative/shared facilities
- *Identification of Disadvantaged Unincorporated Communities, if applicable*
- Governance and governance structure alternatives
- Improvements completed since the 2007 MSR
- Recommended MSR/SOI Determinations

## NORTH COUNTY CEMETERY DISTRICT

### *Background/Growth/Sphere of Influence*

The North County CD was formed in 1984 through the consolidation of the Escondido and San Marcos Cemetery Districts, both of which had been originally formed in 1930. North County CD, approximately 102,163 acres in size, encompasses all or parts of the cities of Escondido, San Marcos, Vista, Oceanside and a small area of the City of San Diego located in North County . Refer to Map B.

Located in developing north San Diego County, North County CD has seen moderate growth in the past ten years and expects similar growth to continue with infill and development on the northern and easterly areas of the district.

There have been no major changes in land use in the district since 2007. The bulk of the development (primarily single family homes and apartments) is located and concentrated along the corridors of the I-15 and Highway 78 freeways. The county has approved some development projects along the I-15 corridor that are expected to be completed in the next 5-15 years.

The District will eventually benefit financially from population growth from these new developments by increasing property taxes over time as homes and commercial project facilities are built and properties are re-assessed under Proposition 13. Such revenues will help the District's overall baseline budget gradually improve over time to better provide funds for operations and maintenance.

According to the District, the area proposed for expansion of the sphere of influence will be adding residential dwellings and population in need of future services from the district.

The District reports that the major challenges for the agency in the next five years include District revenue and funding; providing sufficient, qualified staff to operate the District; and strategic planning to accommodate new development of an expansion of the cemetery in San Marcos.

The North County CD is a diverse district with mixture of urban, suburban and rural uses and densities. The District's SOI was updated to add 41.8 square miles in 2007 and then reaffirmed on August 6, 2007. On May 6, 2013, all sphere territory was annexed to the district as part of a large annexation proposal. The annexation consisted of 41.8 square miles (26,752 acres) resulting in a service area of 160 square miles (102,163 acres). The annexation was proposed after the North County CD evaluated the inquiries it had received for cemetery services from county residents outside of its jurisdictional boundaries.

Table 1-1, North County Cemetery District Snapshot

<b>General Information</b>	
<i>Agency</i>	North County Cemetery District
<i>Address</i>	Office: 2640 Glen Ridge Road, Escondido, CA 92027 Mailing Address: Same
<i>Principal Act</i>	Health and Safety Code 9000 et seq.
<i>Date Formed</i>	1984
<i>Population</i>	243,526 (2009 Census)
<i>Last SOI Update</i>	2007; SOI is coterminous with District boundary.
<i>Services Provided</i>	Cemetery and internment services
<i>Contact Person</i>	Dennis L. Shepard, District Manager, northcountycemeterydistrict@yahoo.com (760)745-1781
<i>Website</i>	<a href="http://www.northcountycemeterydistrict.com">www.northcountycemeterydistrict.com</a>
<b>Governance</b>	
<i>Board of Directors</i>	Sharon E. Disney ; M. Douglas Hudson; Richard Hyde; Thomas S. Knight; Steven Lochrider
<i>Compensation</i>	\$100 per Meeting; maximum of four per month
<i>Public Meetings</i>	3 <sup>rd</sup> Monday at 6:30 PM of each month
<b>Operations</b>	
<i>Number of Employees</i>	16 including 14 Full-time & 2 Part-time
<i>Service Area</i>	102,163 acres (160 square miles)
<i>Facilities</i>	San Marcos Cemetery – 22 acres; Oak Hill Memorial Park (Escondido) – 112 acres
<i>Contract Services</i>	Audit and Engineering Services

Note: the Fund Balance as of June 30, 2015 was \$1,089,442.

*Finances: Funding Sources, Opportunities*

Over the past five years, the North County CD reports that the economic recession resulted in moderate impacts upon district revenues. The district has made some adjustments to operations to minimize increases in expenses but has been able to maintain the grounds and services to meet constituents' needs.

*Funding Sources*

The North County CD relies on property taxes as its primary locally generated source of operating revenue, currently comprising in FY 2014-15 of approximately 52 percent of its overall revenue for operations and maintenance. This percentage is higher than in prior years due to lower interest income on invested funds. Other income includes fees for services for burial vaults and internments. The District also maintains an Endowment Fund and a Pre-need Fund. The Endowment Fund has average annual revenue of about \$125,000 and a current fund balance of \$3.5 million. The Pre-need Fund (included in the Miscellaneous Revenues category) has average annual revenue of about \$400,000 and has a current fund balance of \$3.2 million.

Since FY 2007-08, the North County CD's property tax revenues declined about 25 percent due recessionary impacts on assessed values. This made it more difficult to "front" costs for project improvements to the two cemetery facilities. As indicated above, although property taxes have slowly begun to recover, the District expects the recovery to be more gradual and extended than the rapid decline of property taxes since FY 2008-09.

The major funding sources and expenditure components are outlined in *Table 1-2*, below, for Fiscal Years (FY) 2012-13, 2013-14, and 2014-15:

Table 1-2, North County Cemetery District Revenues and Expenditures

<b>Revenues</b>	<b>FY 2012-13</b>	<b>FY 2013-14</b>	<b>FY 2014-15</b>
Services & Fees Income	\$ 716,841	\$ 768,002	\$ 740,346
Property Tax	\$ 924,733	\$ 771,121	\$ 798,269
Endowment Care	\$ 123,575	\$ 127,120	\$ 125,545
Miscellaneous Revenues & Interest	\$ 424,380	\$ 436,043	\$ 453,854
<b>Total Revenues</b>	<b>\$ 2,189,529</b>	<b>\$ 2,102,286</b>	<b>\$ 2,118,014</b>
<b>Expenditures</b>			
Operations & Repairs	\$ 291,627	\$ 337,234	\$ 367,832
Management & Admin; Salaries	\$ 833,078	\$ 858,942	\$ 939,395
Professional Services (Audit, etc.)	\$ 48,886	\$ 25,579	\$ 19,820
Insurance	\$ 13,147	\$ 12,586	\$ 12,994
Other Expenses	\$ 313,946	\$ 421,942	\$ 485,400
<b>Total Expenditures</b>	<b>\$ 1,500,684</b>	<b>\$ 1,656,283</b>	<b>\$ 1,825,441</b>
Revenues - Expenditures	\$ 688,845	\$ 446,003	\$ 292,573
<b>Notes: Information from Statements of Revenues and Expenses provided by the District. Unrestricted Fund Balance on 6/30/2105 was \$1,089,442.</b>			

### *Opportunities*

The North County CD has been successful in obtaining needed property and improvements over the past ten years and not had to go into debt financing. The two cemetery facilities in Escondido and San Marcos operate independently but also share some staff and equipment as needs for services occur.

### *Facilities: Present/Planned Capacity*

The North County CD developed a master plan of facilities to provide for future services for the next 25-30 years. The District has 135 acres of area available and only 52 acres is currently in use. The recent trend for more cremation services has reduced the demand on space for internments. The District projects that it has ample space to meet the potential requests for services for current and future planned residents.

### *Cooperative Programs/Shared Facilities*

The North County CD operates two cemetery facilities and utilizes equipment and staff as service needs require. There are no active cemetery districts that have as new or qualified equipment and staff as the District.

### *Disadvantaged Unincorporated Communities*

Senate Bill 244, enacted in 2012, requires that "disadvantaged unincorporated communities" be identified within and or within and contiguous to the spheres of influence of special districts that provide sewer service, municipal and industrial water, and structural fire protection. Since cemetery districts do not provide these particular services, the disadvantaged unincorporated communities provisions in State Law are inapplicable to this cemetery service and sphere review.

### *Accountability/Government Structure Alternatives*

The North County CD has had the same District General Manager since 2007. The District has recently established a website and has information on it for district business and activities. There is also a link to the State Controller's webpage, which identifies the compensation of Board Members and staff.

The 2007 MSR identified one alternative governance option for the four cemetery districts to consider; potential for consolidation of two or more districts into one. The four cemetery districts have not deemed it beneficial to consider consolidation at this time.

### *Other Issues*

No additional issues have been identified.

*Recommended Municipal Service Review Determinations*

Based on the information, issues, and analysis presented in this report, proposed MSR determinations pursuant to Government Code Section 56430 are presented below for Commission consideration:

<b><i>Growth and population for affected area.</i></b>	NCCD current service area contains a population of 400,188 and 135,418 housing units (2014 data). The population growth is expected to be approximately 2-3 percent per year over the next twenty years. The proposed SOI area is projected to have less than a 1 percent growth in population over the next twenty years.
<b><i>Location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.</i></b>	N/A
<b><i>Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.</i></b>	The NCCD has a Master Plan of Facilities for the two cemeteries that the district owns and operates. The district reports that its cemetery areas have capability to serve district needs for the next fifty years.
<b><i>Financial ability of agencies to provide services.</i></b>	The District operates on a combination of property tax and fees for services revenues. The district has adequate revenues and reserves for operations and reports that it will have the financial resources to make capital improvements and increase operational maintenance for at least the next twenty years.
<b><i>Status of, and opportunities for, shared facilities.</i></b>	NCCD owns and maintains two cemetery facilities within its service area. These facilities have equipment for each site and do share equipment and personnel when needed. Due to the need to have equipment and personnel on-site daily, more sharing of these services with other entities is not realistic except in emergency situations.
<b><i>Accountability for community service needs, including government structure and operational facilities.</i></b>	The District is governed by a five-member board of trustees appointed by the San Diego County Board of Supervisors to four-year terms. The Board holds monthly meetings on the third Monday at the District office in Escondido. The meetings are open to the public. No alternative governance structures were identified as a result of this review.
<b><i>Any other matter related to effective or efficient service delivery, as required by Commission policy.</i></b>	No additional issues have been identified.

*Recommended Sphere of Influence Recommendations*

The North County CD sphere was last affirmed in 2013 as part of the annexation of the remaining area into the District. The District currently provides cemetery burial services to area residents and states that they have additional capability to serve the proposed larger area in the proposed sphere. All land use decisions in the proposed areas are guided by the County and cities' General Plans. The need for the burial services is stated to meet a deficiency as no public cemetery district serves the area. The population in the area is expected to increase at approximately 1-2 percent per year. The District has approximately fifty (50) undeveloped acres of land that will be improved over time in accordance with an approved master plan.

Based on the information, issues, and analysis presented above in this report, proposed SOI determinations, pursuant to Government Code Section 56425, are presented below for Commission consideration:

<b><i>Present and planned land uses in the area, including agricultural and open-space lands.</i></b>	The projected growth in the proposed SOI area is expected to be in the 1 percent per year range, primarily in residential rural development in the unincorporated areas.
<b><i>Present and probable need for public services and services in the area.</i></b>	The proposed SOI area is expected to develop with rural residential uses and moderate population growth. There are no other public cemetery services in the proposed SOI area.
<b><i>Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.</i></b>	The District owns and operates two cemetery locations in the proximity of the proposed SOI area. The District states that they have adequate area (approximately 50 acres) to develop in these sites to meet expected growth and service requests for the proposed SOI area population.
<b><i>Existence of any social or economic communities of interest in the area if the Commission determines they are relevant to the agency.</i></b>	None have been identified.
<b><i>Present and probable needs for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.</i></b>	N/A

*Recommended Sphere of Influence:*

Approve the expansion of the SOI for the North County Cemetery District to include the areas to the west in the city of Oceanside and Camp Pendleton as well as the unincorporated area to the north of the cities of Vista and San Marcos to the county line in Fallbrook west of Interstate 15 as outlined in Map C.



## VALLEY CENTER CEMETERY DISTRICT (VCCD)

### *Background/Growth/Sphere of Influence*

The Valley Center Cemetery District (CD) was formed in 1931 to provide governance for the Valley Center Cemetery which had provided services to the community since 1883. Valley Center CD, approximately 150,000 acres in size, encompasses the area north of the City of Escondido and east of Interstate 15 located in north San Diego County. Refer to Map D.

Located in rural north San Diego County, VCCD has seen slow to moderate growth in the past ten years and expects similar growth to continue with infill and development on the northern area along Interstate 15 and the westerly areas of the district within the Valley Center Community area.

There have been no major changes in land use in the district since 2007. The bulk of the development (primarily single family homes on rural lots) is located and concentrated along the corridor of the I-15 and Highway 76 highways. The county has approved some development projects along the I-15 corridor that are expected to be completed in the next 5-15 years.

The District will eventually benefit financially from population growth from these new developments by increasing property taxes over time as homes are built and properties are re-assessed. Such revenues will help the District's overall baseline budget gradually improve over time to better provide funds for operations and maintenance.

According to the Valley Center CD, there is a need to expand its Sphere of Influence because areas to the north and east are not currently planned for public cemetery service. The area proposed for a sphere expansion is 109,115 acres and will add residential dwellings and population in need of future services. It is unlikely that the Valley Center CD would receive a share of the property taxes from the County upon annexation of territory to the District because fees for services will be the primary source of future revenues.

The District reports that the major challenges for the agency in the next five years include district revenue and funding; providing sufficient area for additional service on the newly acquired one acre site; retaining qualified staff to operate the District; and planning to accommodate new development of an expansion of the cemetery area.

The Valley Center CD is a diverse district with mixture of suburban and rural uses and densities. The District's SOI was last reaffirmed by San Diego LAFCO on August 6, 2007.

Table 2-1, Valley Center Cemetery District Snapshot

<b>General Information</b>	
<i>Agency</i>	Valley Center Cemetery District
<i>Address</i>	Office: 28953 Miller Road, Valley Center, CA 92082 Mailing Address: Same
<i>Principal Act</i>	Health and Safety Code 9000 et seq.
<i>Date Formed</i>	1931
<i>Population</i>	20,910 (2009 Census)
<i>Last SOI Update</i>	2007; SOI is coterminous with District boundary.
<i>Services Provided</i>	Cemetery and internment services
<i>Contact Person</i>	Charles Purdy, Legal Counsel, cpurdy@purdybailey.com Claudia Johnson, Secretary to the Board (760)749-1186
<i>Website</i>	<a href="http://www.valleycentercemetery.org">www.valleycentercemetery.org</a>
<b>Governance</b>	
<i>Board of Directors</i>	Louise M. Kelly ; Elizabeth Van Nordt; Kate McBeath; Gunnar Hanson; Susan Harris
<i>Compensation</i>	No Compensation for Meetings
<i>Public Meetings</i>	2 <sup>nd</sup> Tuesday at 9:00 AM of each month at Valley Baptist Church, 30053 Miller Rd., Valley Center, CA 92082
<b>Operations</b>	
<i>Number of Employees</i>	Two
<i>Service Area</i>	150,400 acres ( 235 square miles)
<i>Facilities</i>	Valley Center Cemetery; two developed acres, one undeveloped
<i>Contract Services</i>	Audit

*Finances: Funding Sources, Opportunities*

*Funding Sources*

Over the past five years, the Valley Center CD reports that the economic recession resulted in moderate impacts upon district revenues. The District has made some adjustments to operations to minimize increases in expenses but has been able to maintain the grounds and services to meet constituents' needs.

The District's major funding sources and expenditure components are outlined in *Table 2-2* below, for FY 2012-13, FY 2013-14 and FY 2014-15:

Table 2-2, VCCD Revenues and Expenditures

<b>Revenues</b>	<b>FY 2012-13*</b>	<b>FY 2013-14**</b>	<b>FY 2014-15**</b>
Services & Fees	\$	\$ 63,732	\$ 84,683
Property Taxes	\$	\$ 53,000	\$ 29,000
Endowment Care	\$	\$ 6,400	\$ 6,650
Miscellaneous Revenues & Interest	\$	\$ 1,708	\$ 10,739
<b>Total Revenues</b>	<b>\$ 117,000</b>	<b>\$ 124,840</b>	<b>\$ 131,072</b>
<b>Expenditures</b>			
Operations & Maintenance	\$	\$ 40,802	\$ 42,120
Personnel & Benefits	\$	\$ 69,506	\$ 71,203
Professional Services	\$	\$ 7,265	\$ 7,922
Insurance	\$	\$ 6,600	\$ 3,378
Other Expenses	\$	\$ 4,297	\$ 11,598
<b>Total Expenditures</b>	<b>\$ 214,000</b>	<b>\$ 128,470</b>	<b>\$ 136,221</b>
<b>Revenues - Expenditures</b>	<b>(\$97,000)</b>	<b>(\$3,630)</b>	<b>(\$5,149)</b>
<b>Notes:</b> * Data from State Controllers Report for 2012-13; **Information from Profit & Loss Statements provided by the district. Fund Balance 6/30/2015 - \$45,148			

### *Opportunities*

The District reports that it provides basic cemetery services and does not expect operations to change over the next 5-10 years.

### *Facilities: Present/Planned Capacity*

Key facilities in the District include the three acre cemetery site in the Valley Center community area that includes an additional acre recently purchased in 2013. The cemetery has available area for additional internments estimated to be 500 sites, sufficient for up to fifty years.

The 2007 MSR noted that the District's facilities and financial resources were adequate for ongoing operations for the present needs. Recent years have shown a decrease in Fund Balance with minimal negative net income in the latest two years. The expanded area is expected to provide additional capabilities for the proposed SOI area needs if annexed.

### *Cooperative Programs/Shared Facilities*

The District reports that it operates its cemetery facility and utilizes equipment and staff as service needs require. There are no other active cemetery districts in the service area. No other cooperative/shared programs and facilities were identified by the District.

### *Disadvantaged Unincorporated Communities*

Senate Bill 244, enacted in 2012, requires that "disadvantaged unincorporated communities" be identified within and or within and contiguous to the spheres of influence of special districts that provide sewer service, municipal and industrial water, and structural fire protection. Since cemetery districts do not provide these particular services, the disadvantaged unincorporated communities provisions in State Law are inapplicable to this cemetery service and sphere review.

### *Accountability/Government Structure Alternatives*

The Valley Center CD is governed by a five-member board appointed by the San Diego County Board of Supervisors. The Board of Trustees meets monthly on the second Friday of the month at 9 AM. Meetings are held at the Valley Baptist Church, 30053 Miller Road, Valley Center.

The District has a website at [www.valleycentercemetery.org](http://www.valleycentercemetery.org) and agendas for the Board Meetings are posted at the District office at the cemetery.

No alternative governance options were identified as the District and other cemetery districts have not shown an interest in reorganizing agency areas or governance.

### *Other Issues*

No other issues were identified as part of the study process.

*Recommended Municipal Service Review Determinations*

Based on the information, issues, and analysis presented in this report, proposed Municipal Service Review (MSR) determinations pursuant to Government Code Section 56430 are presented below for Commission consideration:

<b><i>Growth and population for affected area.</i></b>	VCCD current service area contains a population of 22,100 and 8,103 housing units (2014 data). The population growth is expected to be approximately 2-3 percent per year over the next twenty years. The proposed expanded SOI area is projected to have less than a 1 percent growth in population over the next twenty years.
<b><i>Location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.</i></b>	N/A
<b><i>Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.</i></b>	The VCCD has a Plan of Facilities for the cemetery that the district owns and operates. The district reports that its cemetery area has capability to serve district needs for the next fifty years.
<b><i>Financial ability of agencies to provide services.</i></b>	The District operates on a combination of property tax and fees for services revenues. The district has adequate revenues and reserves for operations and reports that it will have the financial resources to make capital improvements and increase operational maintenance for at least the next twenty years.
<b><i>Status of, and opportunities for, shared facilities.</i></b>	VCCD owns and maintains its cemetery facility within its service area. The facility has equipment for ongoing services. Due to the need to have equipment and personnel on-site daily, sharing of these services with other entities is not realistic.
<b><i>Accountability for community service needs, including government structure and operational facilities.</i></b>	The District is governed by a five-member board of trustees appointed by the San Diego County Board of Supervisors to four-year terms. The Board holds monthly meetings on the 2 <sup>nd</sup> Friday at 9:00 AM at 30053 Miller Road, Valley Center, CA 92082. The meetings are open to the public. No alternative governance structures were identified as a result of this review.
<b><i>Any other matter related to effective or efficient service delivery, as required by Commission policy.</i></b>	No additional issues have been identified.

*Recommended Sphere of Influence Recommendations*

The Valley Center CD sphere was last affirmed in 2007 as part of the Municipal Service Review. The District currently provides cemetery burial services to area residents and states that they have additional capability to serve the proposed larger area in the proposed sphere. All land use decisions in the proposed areas are guided by the County General Plans. The need for the burial services is stated to meet a deficiency as no public cemetery district serves the area. The population in the area is expected to increase at approximately 1-2 percent per year. The District has acquired an additional one acre parcel adjacent to the existing cemetery and has processed grading plans through the County for making improvements. The District does not have a timeline for future annexations but will be evaluating the need for services over time.

Based on the information, issues, and analysis presented in this report, proposed SOI determinations, pursuant to Government Code Section 56425, are presented below for Commission consideration:

<b><i>Present and planned land uses in the area, including agricultural and open-space lands.</i></b>	The projected growth in the proposed SOI area is expected to be in the 1 percent per year range, primarily in residential rural development in the unincorporated areas.
<b><i>Present and probable need for public services and services in the area.</i></b>	The proposed SOI area is expected to develop with rural residential uses and moderate population growth. There are no other public cemetery services in the proposed SOI area.
<b><i>Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.</i></b>	The District owns and operates a cemetery facility in the proximity of the proposed SOI area. The District states that they have adequate area (approximately 2 acres) to develop at this site to meet expected growth and service requests for the proposed SOI area population.
<b><i>Existence of any social or economic communities of interest in the area if the Commission determines they are relevant to the agency.</i></b>	None have been identified.
<b><i>Present and probable needs for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.</i></b>	N/A

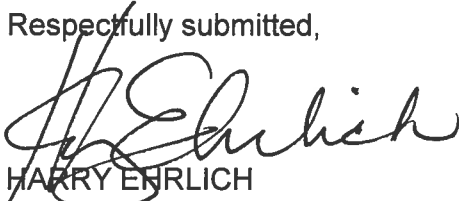
*Recommended Sphere of Influence:*

Approve the expansion of the SOI for the Valley Center Cemetery District to include the unincorporated area to the north of the City of Escondido to the county line in Rainbow and east of Interstate 15 as outlined in Map E.

**RECOMMENDED:**

That the Special Districts Advisory Committee receive this North County and Valley Center Cemetery Districts Sphere of Influence and Municipal Service Review and provide comments or direction to staff as appropriate.

Respectfully submitted,



HARRY ENRLICH  
Local Governmental Consultant

HE:eb

Attachments: Map A – San Diego County Cemetery Districts (CD)  
Map B – North County Cemetery District  
Map C – Proposed North County Cemetery District Sphere of Influence  
Map D – Valley Center Cemetery District  
Map E – Proposed Valley Center Cemetery District Sphere of Influence

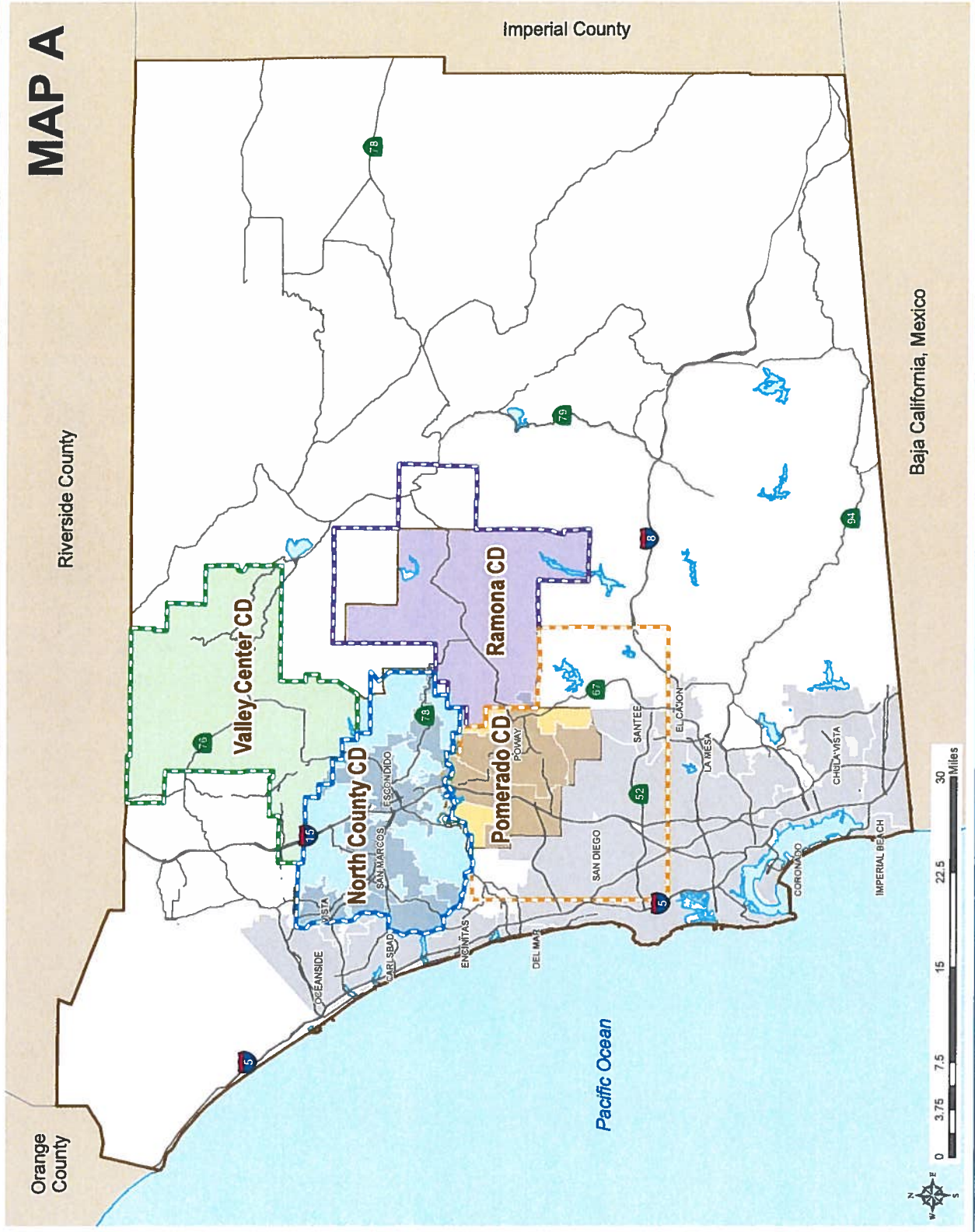
# MAP A

Riverside County

Orange County

Imperial County

Baja California, Mexico



## San Diego County Cemetery Districts (CD)

	North County CD
	North County CD SOI
	Pomerado CD
	Pomerado CD SOI
	Ramona CD
	Ramona CD SOI
	Valley Center CD
	Valley Center CD SOI
	Cities

SOI = Sphere of Influence

SAN DIEGO LAFCO



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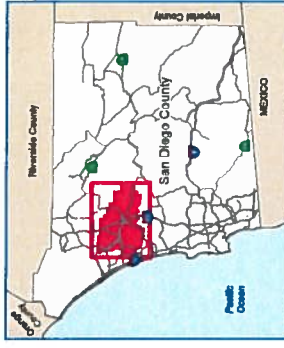
# MAP B

## North County Cemetery District

### LEGEND

-  North County CD
-  Sphere of Influence (SOI)

SOI Adopted: 10 / 6 / 86  
 SOI Updated: 4 / 2 / 07  
 SOI Affirmed: 8 / 6 / 07

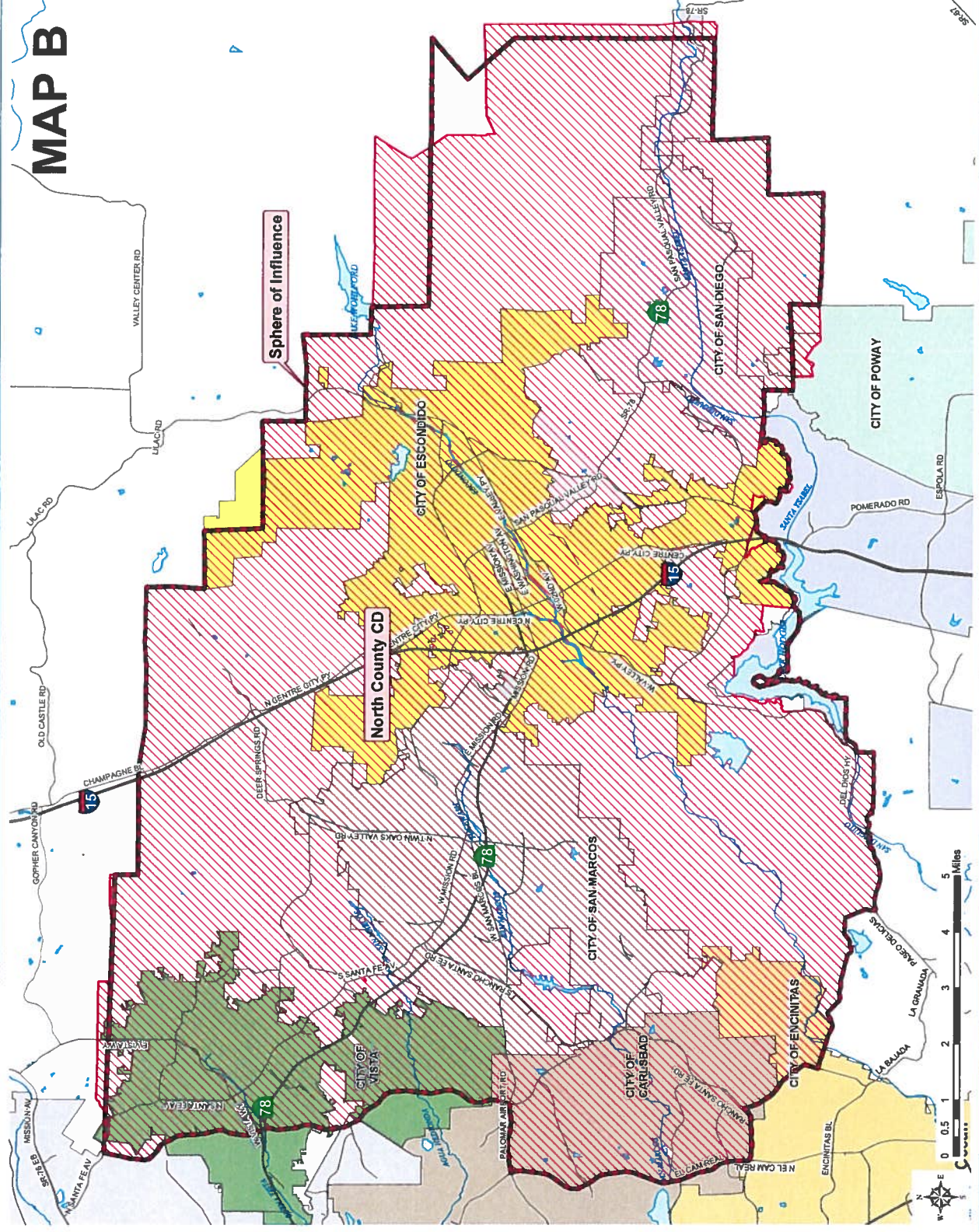


SAN DIEGO  
**LAFCO**



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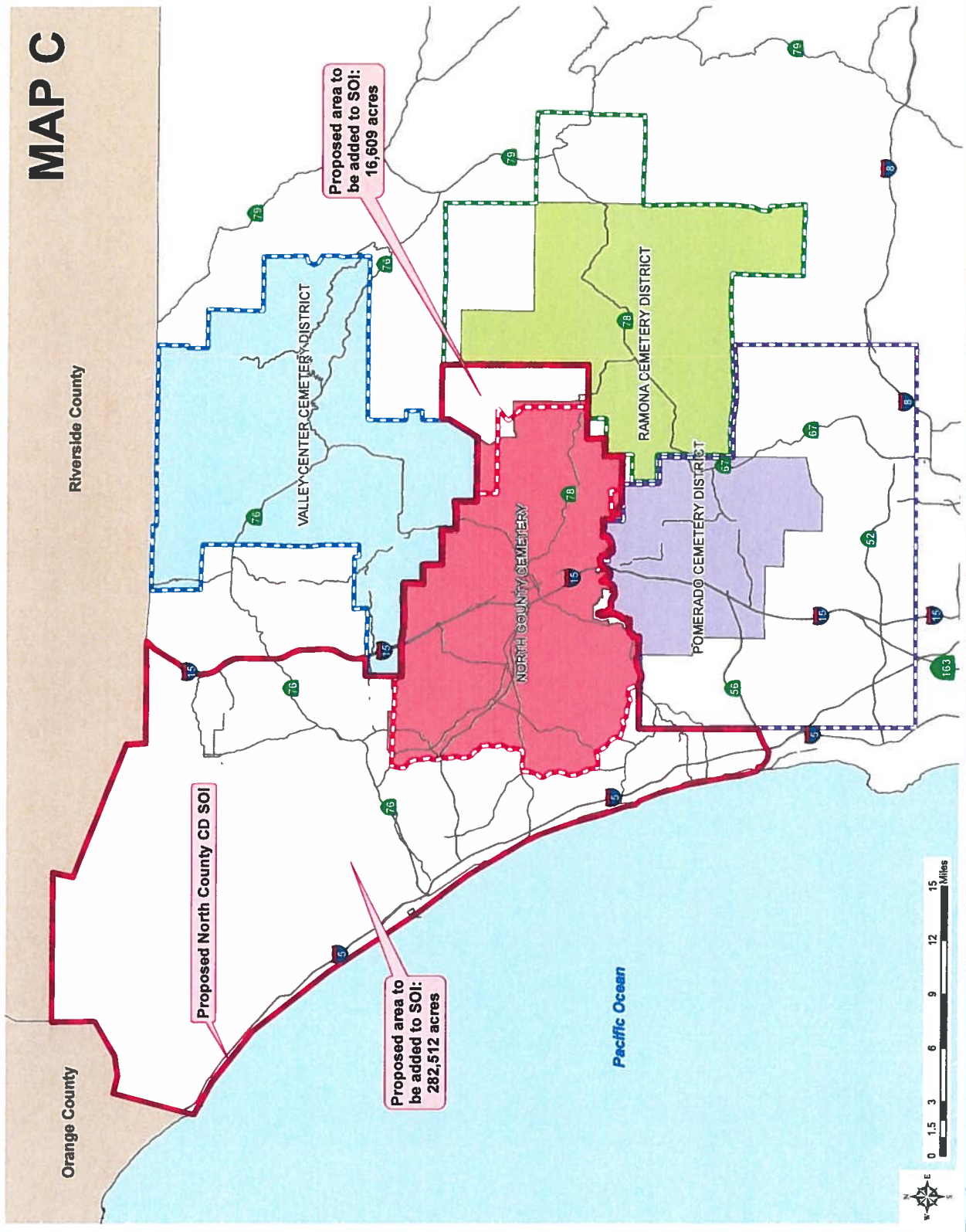
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 Printed August 2018.



Scale

# MAP C

## Proposed North County Cemetery District Sphere of Influence by North County CD



### LEGEND

- Proposed North County CD SOI
- Existing North County CD SOI
- Pomeroado CD SOI
- Ramona CD SOI
- Valley Center CD SOI

SOI = Sphere of Influence

SAN DIEGO LAFCO



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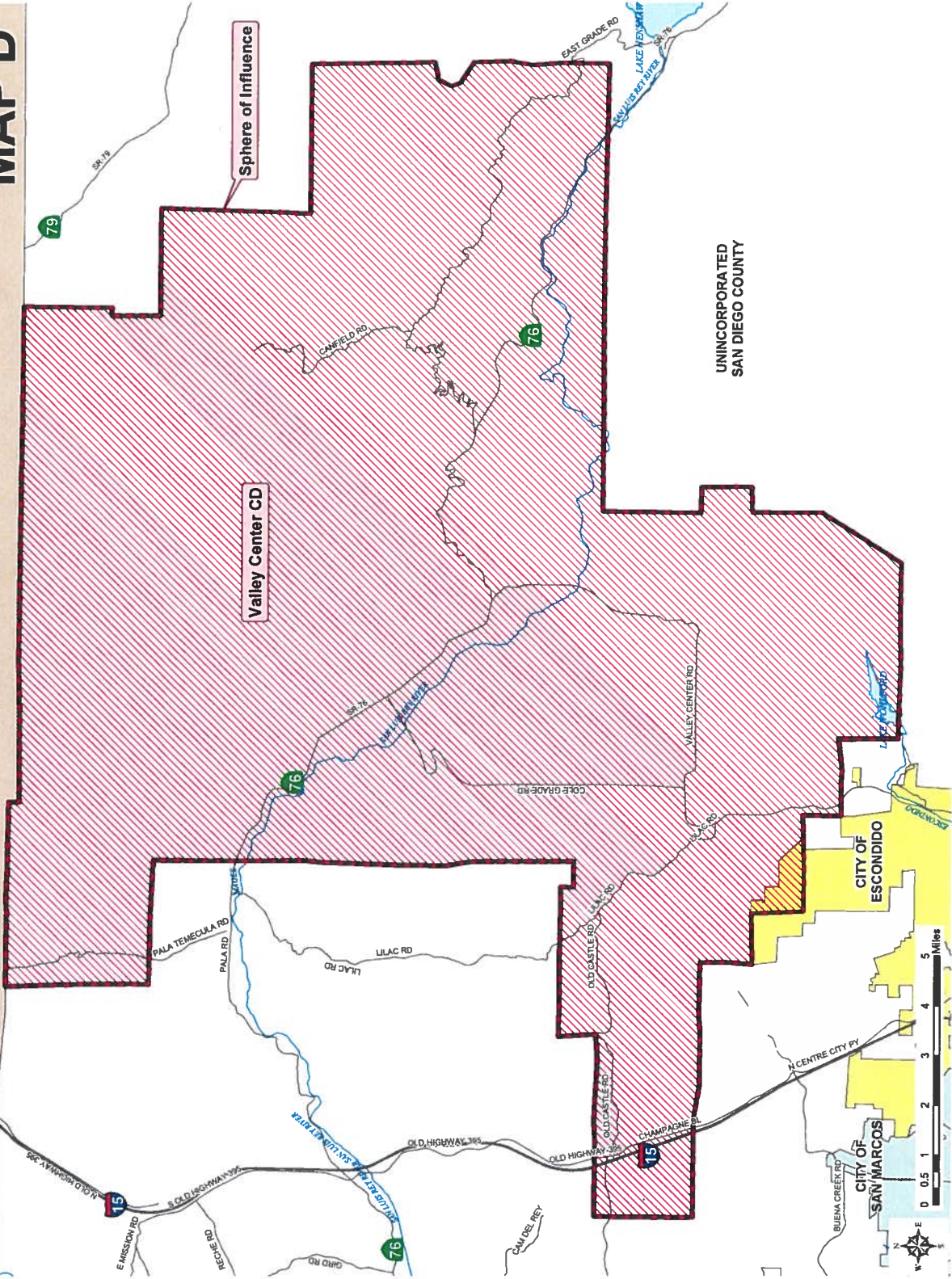
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Printed: January 2016



# MAP D

Riverside County

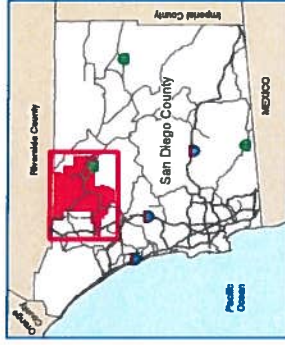


## Valley Center Cemetery District

### LEGEND

-  Valley Center CD
-  Sphere of Influence (SOI)

SOI Adopted: 10 / 6 / 86  
 SOI Affirmed: 4 / 2 / 07  
 SOI Affirmed: 8 / 6 / 07



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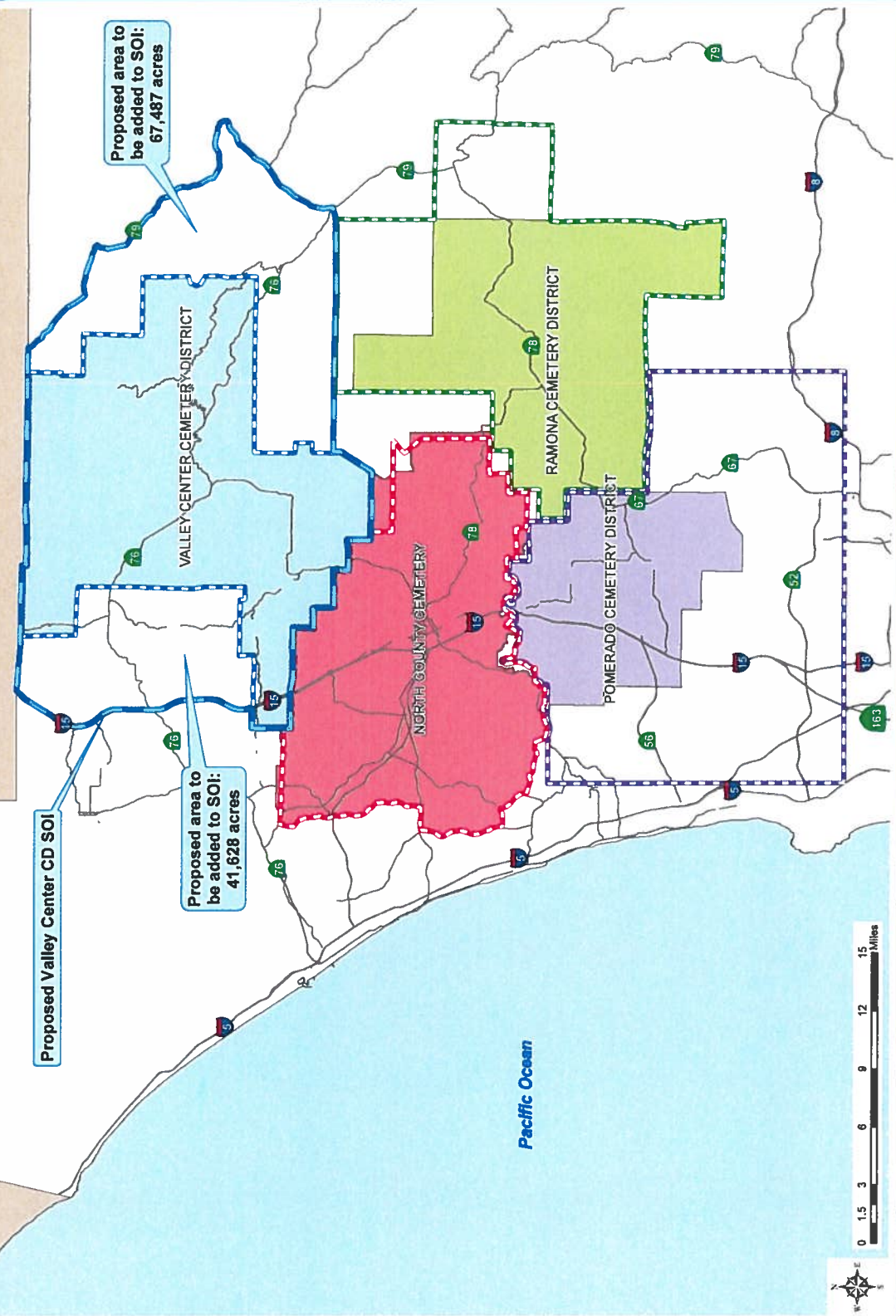
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 Printed August 2018.

# MAP E






## Proposed Valley Center Cemetery District Sphere of Influence by Valley Center CD

Riverside County

Orange County



### LEGEND

-  Proposed Valley Center CD SOI
-  Existing Valley Center CD SOI
-  North County CD SOI
-  Pomeroado CD SOI
-  Ramona CD SOI

SOI = Sphere of Influence

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Printed January 2016.



## Chairman

Bill Horn  
County Board of  
Supervisors

September 16, 2016

## Vice Chairman

Sam Abed  
Mayor  
City of Escondido

TO: Special Districts Advisory Committee

FROM: Local Government Consultant

## Members

Dianne Jacob  
County Board of  
Supervisors

SUBJECT: Legislative Report Update

Andrew Vanderlaan  
Public Member

This is a status report on LAFCO related legislation for 2016. Attachment A is a legislative summary of selected bills that staff has identified for tracking. This summary is current through August 27, 2016. Legislative activity increased in the summer with the end of the Legislative Session being August 31, 2016. The following are status notes on the three main bills of interest from actions this year.

Lorie Zapf  
Councilmember  
City of San Diego

Lorraine Wood  
Councilmember  
City of Carlsbad

### **AB 2470 (Gonzalez) – Municipal Water Districts: Provision of Water Service to Indian Tribal Lands**

Jo MacKenzie  
Vista Irrigation District

Ed Sprague  
Olivenhain Municipal  
Water District

AB 2470 was discussed in detail at your last meeting, and the Commission took the following action: Adopted a *Watch* position that instructed LAFCO staff to monitor the bill to see if all issues of concern to Padre Dam, CWA and Metropolitan are addressed in future amendments. The bill has passed the Senate Appropriations Committee and has been sent to the Assembly for concurrence. It is expected to be sent to the Governor for consideration for signature in early September.

Vacant  
Special District

## Alternate Members

Greg Cox  
County Board of  
Supervisors

### **SB 1318 (Wolk) – Local government: drinking water infrastructure or services; wastewater infrastructure or services**

Chris Cate  
Councilmember  
City of San Diego

This bill would have extended the prohibition of annexation of areas greater than 10 acres where there exists areas designated as disadvantaged unincorporated communities (DUC) to a "qualified special district", defined as serving 500 or more service connections by amending Government Code Section 56375 and make other changes as outlined. The Commission took the following action: Adopted an *Oppose and Send Letter* position; the letter was sent and a copy is attached as information. This bill was heavily opposed and the author decided to not move the bill this year.

Racquel Vasquez  
Councilmember  
City of Lemon Grove

Vacant  
Special District

Harry Mathis  
Public Member

## Executive Officer

Michael D. Ott

## Legal Counsel

Michael G. Colantuono

**AB 2910 (Committee on Local Government) – Local Government: organization; Omnibus Bill**

This is the annual ALGC Omnibus Bill sponsored by CALAFCO that proposes non-controversial updates and changes to the Cortese-Knox-Hertzberg Act. The Commission took the following action: position – Adopted a *Support and Send Letter* position; the letter was sent and a copy is attached as information. This bill was signed by the Governor on August 22nd.

**SB 1266 (McGuire) Joint Exercise of Powers Act; Filings**

This bill as signed by the Governor on August 22, 2016, requires after January 1, 2017, that any JPA or agency of a JPA provide notification to LAFCO of change of membership or services provided by the JPA within thirty days. LAFCO will have no oversight authority on a JPA except over the local agencies that may be members.

**Little Hoover Commission Hearing on Special Districts on August 25<sup>th</sup>**

The Little Hoover Commission held an informational hearing on Special Districts in Sacramento. Several associations and invited agency representatives provided testimony at the hearing. Staff was not able to attend and will share more information once it is distributed. Another hearing is expected to be held later this year.

There are a number of other bills that staff continues to monitor for possible action by the legislature and Governor before September 30th. A summary is provided in Attachment A which is the CALAFCO Tracking Report.

San Diego LAFCO staff will provide the SDAC with a verbal update at the meeting on any actions on these bills. Therefore, it is:

**RECOMMENDED:** That your Committee,

Receive this Legislative Update Report and provide feedback to staff on the identified legislative bills as appropriate.

Respectfully submitted,



HARRY EHRLICH  
Local Government Consultant

HE:ra

**Attachment**

Attachment A: CALAFCO Tracking Report

**CALAFCO Daily Legislative Report  
as of Monday, August 29, 2016**

**AB 2032 (Linder R) Change of organization: cities: disincorporation.**

**Current Text:** Chaptered: 8/22/2016 [pdf](#) [html](#)

**Introduced:** 2/16/2016

**Last Amended:** 6/6/2016

**Status:** 8/22/2016-Chaptered by Secretary of State - Chapter No. 163, Statutes of 2016

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

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, requires the executive officer of a local agency formation commission to prepare a comprehensive fiscal analysis for any proposal that includes a disincorporation, as specified. This bill would additionally require the comprehensive fiscal analysis to include a review and documentation of all current and long-term liabilities of the city proposed for disincorporation and the potential financing mechanism or mechanisms to address any identified shortfalls and obligations, as specified.

**Attachments:**

[CALAFCO Request Governor Signature Letter August 2016](#)

[CALAFCO Support Letter May 2016](#)

[CALAFCO Removal of Opposition Letter April 2016](#)

[CALAFCO Oppose Letter March 2016](#)

**Position:** Support

**Subject:** CKH General Procedures, Disincorporation/dissolution

**CALAFCO Comments:** This bill is sponsored by the County Auditor's Association. After working closely with the author's office and the sponsor's representative, the bill has been substantially amended. The amendments in the April 5, 2016 version of the bill eliminate all of CALAFCO's concerns, and as a result we have removed our opposition. The amendments reflected in the April 11, 2016 version reflect the addition of one item inadvertently omitted by the author and a requested change in the ordering sequence by CALAFCO. The amendments in the June 6 version make a minor change to align with AB 2910. All amendments are minor and have been agreed to by CALAFCO and the other stakeholders with whom we worked last year on AB 851 (Mayes).

**AB 2277 (Melendez R) Local government finance: property tax revenue allocation: vehicle license fee adjustments.**

**Current Text:** Introduced: 2/18/2016 [pdf](#) [html](#)

**Introduced:** 2/18/2016

**Status:** 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 4/20/2016)

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

**Summary:**

Beginning with the 2004-05 fiscal year and for each fiscal year thereafter, current law requires that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a Vehicle License Fee Property Tax Compensation Fund that exists in each county treasury. Current law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. This bill would modify these reduction and transfer provisions for a city incorporating after January 1, 2004, and on or before January 1, 2012, for the 2016-17 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation.

**Attachments:**

[CALAFCO Support Letter March 2016](#)

**Position:** Support

**Subject:** Financial Viability of Agencies, Tax Allocation

**CALAFCO Comments:** UPDATE: This bill failed to make it out of the Assembly Appropriation Suspense File and has died.

As introduced, this bill is identical to SB 817 (Roth, 2016) except that it does not incorporate changes to the R&T Code Section 97.70 related to AB 448 (Brown, 2015). The bill calls for reinstatement of the VLF through ERAF for cities that incorporated between January 1, 2004 and January 1, 2012. There are no provisions for back payments for lost revenue, but the bill does reinstate future payments beginning in the 2016/17 year for cities that incorporated between 1-1-2004 and 1-1-2012.

**AB 2470** ([Gonzalez D](#)) Municipal water districts: water service: Indian tribes.

**Current Text:** Enrollment: 8/25/2016 [pdf](#) [html](#)

**Introduced:** 2/19/2016

**Last Amended:** 4/26/2016

**Status:** 8/25/2016-In Assembly. Ordered to Engrossing and Enrolling.

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

**Summary:**

Current law authorizes a district to sell water under its control, without preference, to cities, other public corporations and agencies, and persons, within the district for use within the district. Current law authorizes a district to sell or otherwise dispose of water above that required by consumers within the district to any persons, public corporations or agencies, or other consumers. This bill, upon the request of an Indian tribe and the satisfaction of certain conditions, would require a district to provide service of water at substantially the same terms applicable to the customers of the district to an Indian tribe's lands that are not within a district, as prescribed, if the Indian tribe's lands meet certain requirements and the Indian tribe satisfies prescribed conditions.

**Position:** Watch With Concerns

**Subject:** Water



**CALAFCO Comments:** As amended, this bill requires a water agency to provide water service upon request of an Indian tribe and under certain conditions, to the tribe at substantially the same terms as existing customers of the water district even though no annexation of the land to be serviced is required. The proposed process bypasses entirely the LAFCo process and requires the water agency to provide the service without discretion. The author contends the criteria for qualification as outlined in the bill applies only to the Sycuan Indian tribe in San Diego. CALAFCO solicited feedback from members and based on the responses there are no other Indian tribes (at least for which LAFCo is aware) to which that criteria applies.

**AB 2910 (Committee on Local Government) Local government: organization: omnibus bill.**

**Current Text:** Chaptered: 8/22/2016 [pdf](#) [html](#)

**Introduced:** 3/15/2016

**Last Amended:** 6/1/2016

**Status:** 8/22/2016-Chaptered by Secretary of State - Chapter No. 165, Statutes of 2016

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

**Summary:**

Under current law, with certain exceptions, a public agency is authorized to exercise new or extended services outside the public agency's jurisdictional boundaries pursuant to a fire protection contract only if the public agency receives written approval from the local agency formation commission in the affected county. Current law defines the term "jurisdictional boundaries" for these purposes. Current law, for these purposes, references a public agency's current service area. This bill would revise these provisions to remove references to a public agency's current service area and instead include references to the public agency's jurisdictional boundaries.

**Attachments:**

[CALAFCO Request Governor Signature Letter August 2016](#)

[CALAFCO Support Letter April 2016](#)

**Position:** Sponsor

**Subject:** CKH General Procedures

**CALAFCO Comments:** This is the annual Omnibus bill that makes minor, non controversial changes to CKH. This year, the bill makes several minor technical changes, corrects obsolete and incorrect code references, and corrects typographical errors. Affected sections include: 56301, 56331, 56700.4, 56816, 56881, 57130 and 56134.

**SB 817 (Roth D) Local government finance: property tax revenue allocations: vehicle license fee adjustments.**

**Current Text:** Amended: 8/18/2016 [pdf](#) [html](#)

**Introduced:** 1/5/2016

**Last Amended:** 8/18/2016

**Status:** 8/22/2016-Read third time. Passed. Ordered to the Senate.

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

**Summary:**

Beginning with the 2004-05 fiscal year and for each fiscal year thereafter, current law requires that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a Vehicle License Fee Property Tax Compensation Fund that exists in each county treasury. Current law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. This bill would modify these reduction and transfer provisions for a city incorporating after January 1, 2004, and on or before January 1, 2012, for the 2016-17 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation.

**Attachments:**

[CALAFCO Support Letter February 29, 2016](#)

**Position:** Support

**Subject:** Financial Viability of Agencies

**CALAFCO Comments:** As amended, this bill is identical to SB 25 (Roth, 2015) and SB 69 (Roth, 2014). The bill calls for reinstatement of the VLF through ERAF for cities that incorporated between January 1, 2004 and January 1, 2012. There are no provisions for back payments for lost revenue, but the bill does reinstate future payments beginning in the 2016/17 year for cities that incorporated between 1-1-2004 and 1-1-2012.

**SB 1262 (Pavley D) Water supply planning.**

**Current Text:** Enrolled: 8/26/2016 [pdf](#) [html](#)

**Introduced:** 2/18/2016

**Last Amended:** 6/15/2016

**Status:** 8/24/2016-Assembly amendments concurred in. (Ayes 39. Noes 0.) Ordered to engrossing and enrolling.

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

**Summary:**

The Sustainable Groundwater Management Act authorizes the State Water Resources Control Board to designate a basin as a probationary basin if the state board makes a certain determination and to develop an interim plan for the probationary basin. This bill would require a city or county that determines a project is subject to the California Environmental Quality Act to identify any water system whose service area includes the project site and any water system adjacent to the project site. This bill would provide that hauled water is not a source of water for the purposes of a water supply assessment, as specified.

**Attachments:**

[CALAFCO Letter of Concern March 2016](#)

**Position:** Watch

**Subject:** Water

**CALAFCO Comments:** As introduced, this complicated bill makes a number of changes to GC Section 66473.7 and Section 10910 of the Water Code. In 66473.7, in the definitions section, the bill adds definitions pertaining to the use of groundwater by a proposed subdivision

as the source of water. It adds an adopted groundwater sustainability plan as optional substantial evidence that the water system has sufficient water supply to meet the demands of the subdivision project. The bill adds that a groundwater basin identified by the State Water Resources Control Board (SWRCB) as a probationary basin is not considered a viable water supply.

Recent amendments removed CALAFCO's primary concern of the timing requirements of the water supply assessment, and returns the statute to its original state. Other concerns remain unaddressed in the bill including the ongoing discussion of the appropriate size of a project (is 500 units the appropriate threshold) and how this bill will deal with phased development. Based on stakeholder discussions with the author, these issues will not be addressed in this bill.

**SB 1266** **(McGuire D)** Joint Exercise of Powers Act: agreements: filings.

**Current Text:** Chaptered: 8/22/2016 [pdf](#) [html](#)

**Introduced:** 2/18/2016

**Last Amended:** 4/12/2016

**Status:** 8/22/2016-Chaptered by Secretary of State - Chapter No. 173, Statutes of 2016

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

**Summary:**

Current law requires an agency or entity that files a notice of agreement or amendment with the Secretary of State to also file a copy of the original joint powers agreement, and any amendments to the agreement, with the Controller. This bill would require an agency or entity required to file documents with the Controller, as described above, that meets the definition of a joint powers authority or joint powers agency, as specified, that was formed for the purpose of providing municipal services, and that includes a local agency member, as specified, to also file a copy of the agreement or amendment to the agreement with the local agency formation commission in each county within which all or any part of a local agency member's territory is located within 30 days after the effective date of the agreement or amendment to the agreement.

**Attachments:**

[CALAFCO Request Governor Signature Letter August 2016](#)

[CALAFCO Support Letter February 2016](#)

[CALAFCO Support as amended letter March 2016](#)

**Position:** Sponsor

**Subject:** Joint Power Authorities, LAFCo Administration

**CALAFCO Comments:** This is a CALAFCO sponsored bill. As amended, the bill requires all stand-alone JPAs, as defined in GC Section 56047.7, which includes a member that is a public agency as defined in GC Section 56054, and are formed for the purposes of delivering municipal services, to file a copy of their agreement (and a copy of any amendments to that agreement) with the LAFCo in each county within which all or any part a local agency member's territory is located. Further it requires the JPA to file with the LAFCo within 30 days of the formation of the JPA or change in the agreement, and should they not file adds punitive action that the JPA shall not issue bonds nor incur indebtedness. Both of the latter changes are consistent with existing JPA statute.

**SB 1318 (Wolk D) Local government: drinking water infrastructure or services: wastewater infrastructure or services.**

**Current Text:** Amended: 6/1/2016 [pdf](#) [html](#)

**Introduced:** 2/19/2016

**Last Amended:** 6/1/2016

**Status:** 7/1/2016-Failed Deadline pursuant to Joint Rule 61(b)(13). (Last location was L. GOV. on 6/9/2016)

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

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation and change of organization of cities and special districts. This bill would additionally authorize a local agency formation commission to initiate a proposal by resolution of application for the annexation of a disadvantaged unincorporated community, as specified. This bill contains other related provisions and other current laws.

**Attachments:**

[CALAFCO Oppose As Amended Letter April 2016](#)

[CALAFCO Oppose Letter March 2016](#)

**Position:** Oppose

**Subject:** Disadvantaged Communities, LAFCo Administration, Municipal Services, Service Reviews/Spheres, Water

**CALAFCO Comments:** MOST RECENT UPDATE: As of June 15, CALAFCO was notified by the author's office they were dropping the bill. At the request of the author, CALAFCO provided a second set of proposed amendments that were focused solely on bringing all LAFCos into compliance with SB 244. The sponsor of the bill ultimately could not agree to the proposed amendments, and as a result the author decided to drop the bill. CALAFCO's Oppose position will remain on record and we will continue to monitor the bill for any further activity.

**PRIOR UPDATES:** CALAFCO has been working closely with the author and sponsor on potential amendments to improve the April 12 version of the bill. Substantial amendments were provided, and the bill as amended on June 1 reflect only a portion of those amendments.

As amended, the bill still provides no funding for LAFCo to conduct the required studies and for agencies to complete any service extensions or annexations, which is one of the biggest obstacles for these areas to receive the service. (CALAFCO's amendments included the Water Board and Regional Water Quality Boards as funding mechanisms.) The bill changes the definition of a DUC (different from what CALAFCO proposed), retains protest provisions for the DUC only, and requires LAFCo to hold public hearings as close in proximity to the DUC. Several important amendments that were included are the proposed change to 56653, the removal of the prohibition to LAFCo for annexing or extending services to an area if all DUCs in the area have not been served, it moves the DUC mapping requirements from the SOI/MSR section to the LAFCo Powers section.

**AB 1362 (Gordon D) San Mateo County Mosquito and Vector Control District: board of trustees: appointment of members.**

**Current Text:** Enrolled: 8/25/2016 [pdf](#) [html](#)

**Introduced:** 2/27/2015

**Last Amended:** 8/2/2016

**Status:** 8/24/2016-Senate amendments concurred in. To Engrossing and Enrolling.

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

**Summary:**

Would authorize a change in the appointment of the board of trustees of the San Mateo County Mosquito and Vector Control District. If a majority of the legislative bodies that include the city councils in, and the Board of Supervisors of, the County of San Mateo adopt resolutions approving the change in board composition and forward a copy of the resolution to the local agency formation commission, the bill would require the commission to adopt procedures for the reorganization of the board of trustees of the San Mateo County Mosquito and Vector Control District.

**Position:** Watch

**CALAFCO Comments:** As amended on June 22, this bill amends the Health and Safety Code by creating an alternative option to the appointment process to the board of trustees of the San Mateo County Mosquito and Vector Control District (previous versions were statewide - this version is district specific). The additional process calls for the City Selection Committee to make appointments rather than the cities themselves in a case where a majority of the city councils located within the district and are authorized to appoint a person to the board of trustees adopt resolutions approving of this alternate appointment process. No change is being made to how the County Board of Supervisors makes their appoint to the district board.

**AB 2414 (Garcia, Eduardo D) Desert Healthcare District.**

**Current Text:** Amended: 8/19/2016 [pdf](#) [html](#)

**Introduced:** 2/19/2016

**Last Amended:** 8/19/2016

**Status:** 8/22/2016-Read second time. Ordered to third reading.

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

**Calendar:**

8/29/2016 #72 SENATE SEN THIRD READING FILE - ASM BILLS

**Summary:**

Would authorize the expansion of the Desert Healthcare District to include the eastern Coachella Valley region by requiring the district to submit a resolution of application to the Riverside County Local Agency Formation Commission to initiate proceedings to expand the district. The bill would require the commission to order the expansion of the district subject to a vote of the registered voters residing within the territory to be annexed at an election following the completion of those proceedings.

**Attachments:**

[CALAFCO Oppose as Amended Letter August 2016](#)

[CALAFCO Oppose Letter April 2016](#)

**Position:** Oppose

**Subject:** Disincorporation/dissolution, LAFCo Administration

**CALAFCO Comments:** As amended, this bill requires Riverside LAFCo to approve the expansion of the district, providing a determination is made that the expansion is financially feasible. The bill requires the County of Riverside to file the application with the LAFCo by 1/1/17, and as the applicant, to pay all necessary fees. The bill gives Riverside LAFCo 150 days to conduct all proceedings and direct the election necessary to expand the district. While the amendments removed the unrealistic timelines prescribed in the original version, and removed the requirement for the LAFCo (and other agencies) to find a viable funding source for the expansion, the bill still divests Riverside LAFCo of its authority and discretion.

**AB 2471** **(Quirk D) Health care districts: dissolution.**

**Current Text:** Amended: 8/1/2016 [pdf](#) [html](#)

**Introduced:** 2/19/2016

**Last Amended:** 8/1/2016

**Status:** 8/2/2016-Read second time. Ordered to third reading.

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

**Calendar:**

8/29/2016 #45 SENATE SEN THIRD READING FILE - ASM BILLS

**Summary:**

Would require the Alameda County local agency formation commission to order the dissolution of the Eden Township Healthcare District if that health care district meets certain criteria, as specified. The bill would subject a dissolution under these provisions to specified provisions of the act that require dissolution by voter approval only if a majority protest exists, as specified. By requiring a higher level of service from the Alameda County local agency formation commission to analyze the criteria described above, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Attachments:**

[CALAFCO Oppose Unless Amended Letter April 2016](#)

**Position:** Oppose unless amended

**Subject:** CKH General Procedures, Disincorporation/dissolution, Special District

Consolidations

**CALAFCO Comments:** As amended, the bill makes the language specific to Eden Township Healthcare District, rather than the more generic statewide original approach. However, the bills still divests Alameda LAFCo of their authority and discretion. The bill requires the Alameda LAFCo to review Eden Township Healthcare District's compliance with certain criteria set forth in the bill. If all of the prescribed criteria is met, the bill requires the LAFCo to order the dissolution of the district.

**SB 1263** ([Wieckowski](#) D) Public water system: permits.

**Current Text:** Amended: 8/19/2016 [pdf](#) [html](#)

**Introduced:** 2/18/2016

**Last Amended:** 8/19/2016

**Status:** 8/25/2016-In Senate. Concurrence in Assembly amendments pending.

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

**Calendar:**

8/29/2016 #27 SENATE SEN UNFINISHED BUSINESS

**Summary:**

Would require a person submitting an application for a permit for a proposed new public water system to first submit a preliminary technical report to the State Water Resources Control Board at least 6 months before initiating construction of any water-related improvement, as defined. Because a misstatement in the report could be a crime under the provision described above, this bill would impose a state-mandated local program by expanding the scope of a crime.

**Position:** Watch

**Subject:** Water

**CALAFCO Comments:** As amended, this bill would require an application for a permit for a proposed new public water system to first submit a preliminary technical report to the board at least 6 months before initiating construction of any water-related improvement, as defined.

The bill would allow the state board to direct the applicant to undertake additional discussion and negotiation with certain existing public water systems to provide an adequate and reliable supply of domestic water to the service area of the proposed new public water system and would require an applicant to comply before submitting an application for a permit to operate a system and would prohibit the application from being deemed complete unless the applicant has complied. The bill would authorize the board to deny the permit if the state board determines that the service area of the public water system can be served by one or more currently permitted public water systems. The bill also prohibits a local primacy agency from issuing a permit to operate a public water system without the concurrence of the state board. The bill prohibits water hauling as a viable source of water supply.

Amendments done on June 8, 2016 raised a concern for CALAFCO in that Section 116527(e) addresses what the board may do upon review of a prelim tech report. Subsection (1) states they may direct the applicant to undertake additional discussions if they have not already gone to LAFCo. It further states the board will not do that if, among other things, the LAFCo has already denied the project. However, there is no indication that the board's direction for the applicant to undertake additional discussions is NOT a replacement for going to LAFCo. CALAFCO has requested an amendment to add clarifying language on this point.

**AB 1658 (Bigelow R) Happy Homestead Cemetery District: nonresident burial.**

**Current Text:** Enrollment: 8/22/2016 [pdf](#) [html](#)

**Introduced:** 1/13/2016

**Status:** 8/22/2016-Enrolled and presented to the Governor at 4 p.m.

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

**Summary:**

Would authorize the Happy Homestead Cemetery District in the City of South Lake Tahoe in the County of El Dorado to use its cemeteries to inter residents of specified Nevada communities if specified conditions are met. This bill contains other related provisions.

**Position:** Watch

**Subject:** Special District Principle Acts

**AB 1707 (Linder R) Public records: response to request.**

**Current Text:** Amended: 3/28/2016 [pdf](#) [html](#)

**Introduced:** 1/25/2016

**Last Amended:** 3/28/2016

**Status:** 4/22/2016-Failed Deadline pursuant to Joint Rule 61(b)(5). (Last location was A. L. GOV. on 3/29/2016)

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

**Summary:**

The California Public Records Act requires state and local agencies to make public records available for inspection, unless an exemption from disclosure applies. The act requires a response to a written request for public records that includes a denial of the request, in whole or in part, to be in writing. This bill instead would require the written response demonstrating that the record in question is exempt under an express provision of the act also to identify the type or types of record withheld and the specific exemption that justifies withholding that type of record.

**Attachments:**

[CALAFCO Oppose Letter March 2016](#)

**Position:** Oppose

**Subject:** Public Records Act

**CALAFCO Comments:** As amended, this bill would require public agencies, including LAFCOs, when responding to a Public Records Request for which a determination has been made to deny the request, to identify the types of records being withheld and the specific exemption that applies to that record. The amendments did little to mitigate concerns, as the change is minor. (Removed the requirement of having to list every document and now requires them to be categorized.)

CALAFCO understands this bill has been pulled by the author. We will continue to monitor.



**AB 2142** **(Steinorth R)** Local government finance.

**Current Text:** Introduced: 2/17/2016 [pdf](#) [html](#)

**Introduced:** 2/17/2016

**Status:** 5/6/2016-Failed Deadline pursuant to Joint Rule 61(b)(6). (Last location was PRINT on 2/17/2016)

<b>Dead</b>	<b>Policy</b>	<b>Fiscal</b>	<b>Floor</b>	<b>Desk</b>	<b>Policy</b>	<b>Fiscal</b>	<b>Floor</b>	<b>Conf. Conc.</b>	<b>Enrolled</b>	<b>Vetoed</b>	<b>Chaptered</b>
1st House				2nd House							

**Summary:**

Current law requires the county auditor, in the case in which a qualifying city becomes the successor agency to a special district as a result of a merger with that district as described in a specified statute, to additionally allocate to that successor qualifying city that amount of property tax revenue that otherwise would have been allocated to that special district pursuant to general allocation requirements. This bill would make nonsubstantive changes to the provision pertaining to property tax revenue allocations to a qualifying city that merges with a special district.

**Position:** Watch

**CALAFCO Comments:** As introduced, this appears to be a spot bill. The bill targets Section 96.15 of the Rev & Tax code pertaining to property tax revenue allocations to a qualifying city that merges with a special district.

**AB 2257** **(Maienschein R)** Local agency meetings: agenda: online posting.

**Current Text:** Enrollment: 8/26/2016 [pdf](#) [html](#)

**Introduced:** 2/18/2016

**Last Amended:** 6/22/2016

**Status:** 8/26/2016-Enrolled and presented to the Governor at 4:30 p.m.

<b>Desk</b>	<b>Policy</b>	<b>Fiscal</b>	<b>Floor</b>	<b>Desk</b>	<b>Policy</b>	<b>Fiscal</b>	<b>Floor</b>	<b>Conf. Conc.</b>	<b>Enrolled</b>	<b>Vetoed</b>	<b>Chaptered</b>
1st House				2nd House							

**Summary:**

The Ralph M. Brown Act requires the legislative body of a local agency to post, at least 72 hours before the meeting, an agenda containing a brief general description of each item of business to be transacted or discussed at a regular meeting, in a location that is freely accessible to members of the public and to provide a notice containing similar information with respect to a special meeting at least 24 hours prior to the special meeting. This bill would require an online posting of an agenda for a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site to be posted on the local agency's primary Internet Web site homepage accessible through a prominent, direct link, as specified.

**Position:** Watch

**Subject:** LAFCo Administration

**CALAFCO Comments:** As amended, this bill amends GC Section 54954.2 pertaining to the online posting of a local agency's meeting agenda. The bill requires that online posting to have a prominent and direct link to the current agenda itself from the local agency's homepage. This means that LAFCos will have to post a prominent link on their website's homepage, directly

taking the user to the meeting agenda. Other requirements added in the April 11, 2016 version of the bill include: (1) The direct link to the agenda required shall not be in a contextual menu; (2) The agenda shall be posted in an open format that is retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications; is platform independent and machine readable; is available to the public free of charge and without any restriction that would impede the reuse or redistribution of the public record.

**AB 2389** (**Ridley-Thomas** D) **Special districts: district-based elections: reapportionment.**

**Current Text:** Enrollment: 8/22/2016 [pdf](#) [html](#)

**Introduced:** 2/18/2016

**Last Amended:** 5/9/2016

**Status:** 8/22/2016-Enrolled and presented to the Governor at 4 p.m.

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

**Summary:**

Would authorize a governing body of a special district, as defined, to require, by resolution, that the members of its governing body be elected using district-based elections without being required to submit the resolution to the voters for approval. This bill would require the resolution to include a declaration that the change in the method of election is being made in furtherance of the purposes of the California Voting Rights Act of 2001.

**Position:** Watch

**CALAFCO Comments:** As amended, this bill allows special districts, if approved by resolution of the governing board, to conduct elections of their governing board using district-based elections, without being required to submit the resolution to the voters for approval.

**AB 2435** (**Mayer** R) **Local government organization: disincorporated cities.**

**Current Text:** Introduced: 2/19/2016 [pdf](#) [html](#)

**Introduced:** 2/19/2016

**Status:** 5/6/2016-Failed Deadline pursuant to Joint Rule 61(b)(6). (Last location was PRINT on 2/19/2016)

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

**Summary:**

Under that Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, upon disincorporation of a city, on and after the effective date of that disincorporation, the territory of the disincorporated city, all inhabitants within the territory, and all persons formerly entitled to vote by reason of residing within that territory, are no longer subject to the jurisdiction of the disincorporated city. This bill would make a technical, nonsubstantive change to this provision.

**Position:** Placeholder - monitor

**Subject:** Disincorporation/dissolution

**CALAFCO Comments:** This is a spot bill. According to the author's office, they have no intention of using it to amend CKH but rather as a vehicle to amend another unrelated section of the Government Code.

**AB 2737** (**Bonta D**) Nonprovider health care districts.

**Current Text:** Amended: 6/20/2016 [pdf](#) [html](#)

**Introduced:** 2/19/2016

**Last Amended:** 6/20/2016

**Status:** 8/24/2016-In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 26 pursuant to Assembly Rule 77.

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

**Calendar:**

8/29/2016 #25 ASSEMBLY CONCURRENCE IN SENATE AMENDMENTS

**Summary:**

Would require a nonprovider health care district, as defined, to spend at least 80% of its annual budget on community grants awarded to organizations that provide direct health services and not more than 20% of its annual budget on administrative expenses, as defined. The bill would require a nonprovider health care district to pay any amount required to be paid in the district's annual budget year by a final judgment, court order, or arbitration award before payment of those grants or administrative expenses, as specified.

**Position:** Watch

**CALAFCO Comments:** This bill appears to be a companion bill to AB 2471 (Quirk) addressing the Eden Township Healthcare District, although it is written in generic form. As amended, the bill requires a non-provider health care district, as defined, to spend at least 80% of its annual budget on community grants awarded to organizations that provide direct health services and not more than 20% of its annual budget on administrative expenses (as defined).

**AB 2853** (**Gatto D**) Public records.

**Current Text:** Enrolled: 8/23/2016 [pdf](#) [html](#)

**Introduced:** 2/19/2016

**Last Amended:** 6/16/2016

**Status:** 8/22/2016-Senate amendments concurred in. To Engrossing and Enrolling.

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

**Summary:**

Would authorize a public agency that posts a public record on its Internet Web site to refer a member of the public that requests to inspect the public record to the public agency's Internet Web site where the public record is posted. This bill would require, if a member of the public requests a copy of the public record due to an inability to access or reproduce the public record from the Internet Web site where the public record is posted, the public agency to promptly provide a copy of the public record to the member of the public, as specified. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** Public Records Act

**CALAFCO Comments:** As amended the bill simply allows a public agency that has received a public records request act request to refer the the person making the request to the agency's website for the documents, should they be posted on the site.

**SB 552 (Wolk D) Public water systems: disadvantaged communities: consolidation or extension of service: administrative and managerial services.**

**Current Text:** Amended: 8/19/2016 [pdf](#) [html](#)

**Introduced:** 2/26/2015

**Last Amended:** 8/19/2016

**Status:** 8/26/2016-From committee: That the Assembly amendments be concurred in. (Ayes 5. Noes 2.)

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

**Calendar:**

8/29/2016 #33 SENATE SEN UNFINISHED BUSINESS

**Summary:**

Would authorize the State Water Resources Control Board to order consolidation where a public water system or a state small water system is serving, rather than within, a disadvantaged community, and would limit the authority of the state board to order consolidation or extension of service to provide that authority only with regard to a disadvantaged community. This bill would make a community disadvantaged for these purposes if the community is in a mobilehome park even if it is not in an unincorporated area or served by a mutual water company. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** Disadvantaged Communities, Water

**CALAFCO Comments:** As amended, the bill makes the CALAFCO requested change to the Health & Safety Code by amending 116682 (g) which gives LAFCo the approval to do what is necessary to complete a consolidation of two systems, should they be required to do so by the State Water Board. (Previous language technically divested LAFCo of that authority.)

Further, the bill adds provisions that give the SWRCB the authority to appoint an Administrator to a water system (as opposed to mandating consolidation), which is a kind of receivership.

**SB 971 (Committee on Governance and Finance) Validations.**

**Current Text:** Chaptered: 5/27/2016 [pdf](#) [html](#)

**Introduced:** 2/8/2016

**Status:** 5/27/2016-Chaptered by Secretary of State - Chapter 15, Statutes of 2016.

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

**Summary:**

This bill would enact the First Validating Act of 2016, 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 Letter February 29, 2016](#)

**Position:** Support

**CALAFCO Comments:** One of three annual acts which validate the boundaries of all local agencies.

**SB 972** (Committee on Governance and Finance) Validations.

**Current Text:** Chaptered: 5/27/2016 [pdf](#) [html](#)

**Introduced:** 2/8/2016

**Status:** 5/27/2016-Chaptered by Secretary of State - Chapter 16, Statutes of 2016.

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

**Summary:**

This bill would enact the Second Validating Act of 2016, 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 Letter February 29, 2016](#)

**Position:** Support

**CALAFCO Comments:** One of three annual acts which validate the boundaries of all local agencies.

**SB 973** (Committee on Governance and Finance) Validations.

**Current Text:** Chaptered: 5/27/2016 [pdf](#) [html](#)

**Introduced:** 2/8/2016

**Status:** 5/27/2016-Chaptered by Secretary of State - Chapter 17, Statutes of 2016.

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

**Summary:**

This bill would enact the Third Validating Act of 2016, 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 Letter February 29, 2016](#)

**Position:** Support

**CALAFCO Comments:** One of three annual acts which validate the boundaries of all local agencies.

**SB 974** (Committee on Governance and Finance) Local government: omnibus.

**Current Text:** Enrolled: 8/26/2016 [pdf](#) [html](#)

**Introduced:** 2/8/2016

**Last Amended:** 8/4/2016

**Status:** 8/25/2016-Assembly amendments concurred in. (Ayes 39. Noes 0.) Ordered to engrossing and enrolling.

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

**Summary:**

The Professional Land Surveyors' Act, among other things, requires a county recorder to store and index records of survey, and to maintain both original maps and a printed set for public reference. That act specifically requires the county recorder to securely fasten a filed record of survey into a suitable book. This bill would also authorize a county recorder to store records of survey in any other manner that will ensure the maps are kept together. This bill contains other related provisions and other current laws.

**Position:** Watch

**CALAFCO Comments:** As amended, this bill is the Senate Governance & Finance Committee's annual Omnibus bill.

**SB 1009** (Nielsen R) Public cemeteries: nonresidents.

**Current Text:** Introduced: 2/11/2016 [pdf](#) [html](#)

**Introduced:** 2/11/2016

**Status:** 5/6/2016-Failed Deadline pursuant to Joint Rule 61(b)(6). (Last location was GOV. & F. on 2/25/2016)

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

**Summary:**

Would authorize a district that serves at least one county with a population of fewer than 10,000 residents or that has a population not exceeding 20,000 and is contained in a nonmetropolitan area, to inter a person who is not a resident of the district in a cemetery owned by the district if specified criteria are met, including that the district requires the payment of a nonresident fee and the board of trustee determines that the cemetery has adequate space for the foreseeable future.

**Position:** Watch

**Subject:** Special District Powers

**CALAFCO Comments:** This bill would authorize a district that serves at least one county with a population of fewer than 10,000 residents or that has a population not exceeding 20,000 and is contained in a non-metropolitan area, to inter a person who is not a resident of the district in a cemetery owned by the district if specified criteria are met, including that the district requires the payment of a nonresident fee and the board of trustee determines that the cemetery has adequate space for the foreseeable future.

**SB 1276** ([Moorlach R](#)) Local agencies.

**Current Text:** Introduced: 2/19/2016 [pdf](#) [html](#)

**Introduced:** 2/19/2016

**Status:** 5/6/2016-Failed Deadline pursuant to Joint Rule 61(b)(6). (Last location was RLS. on 3/3/2016)

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

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, establishes the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. This bill would make nonsubstantive changes to the above-described law.

**Position:** Placeholder - monitor

**Subject:** CKH General Procedures

**CALAFCO Comments:** This is a spot bill to amend CKH.

**SB 1292** ([Stone R](#)) Grand juries: reports.

**Current Text:** Amended: 3/28/2016 [pdf](#) [html](#)

**Introduced:** 2/19/2016

**Last Amended:** 3/28/2016

**Status:** 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 4/25/2016)

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

**Summary:**

Current law authorizes a grand jury to request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release. This bill would delete the authority of a grand jury to request a subject person or entity to come before it for purposes of reading and discussing the findings of a grand jury report.

**Attachments:**

[CALAFCO Letter of Support May 2016](#)

**Position:** Support

**Subject:** Other

**CALAFCO Comments:** UPDATE: This bill did not make it out of the Assembly Appropriations Suspense File and therefore died.

Sponsored by CSDA. As amended, the bill requires the Grand Jury to conduct an exit interview with report subjects to discuss and share findings. They may also provide a copy of the subject's report. The subject will have no less than 5 working days to provide written comments back to the Grand Jury for their consideration before the report is public. One the Grand Jury report is approved by a judge, the Grand Jury is required to provide a copy of the section pertaining to the subject to that entity no later than 6 working days prior to the reports public release. The subject entity can submit a preliminary response to the report to the Grand Jury,

who is then required to make those prelim comments public at the time the report is made public.

This will allow LAFcos, when they are the subject of a Grand Jury report, to meet with the Grand Jury and hear their findings, and for the LAFco to respond to those findings and offer additional information or corrections. Further, it allows the LAFco to provide preliminary comments that are required to be posted with the report when it is made public.

**SB 1374** (**Lara D**) **The Lower Los Angeles River Recreation and Park District.**

**Current Text:** Amended: 8/19/2016 [pdf](#) [html](#)

**Introduced:** 2/19/2016

**Last Amended:** 8/19/2016

**Status:** 8/26/2016-Re-referred to Com. on RLS. pursuant to Senate Rule 29.10(d). From committee: Be re-referred to Com. on GOV. & F. pursuant to Senate Rule 29.10(d). (Ayes 5. Noes 0.) Re-referred to Com. on GOV. & F.

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

**Calendar:**

8/29/2016 12:30 p.m. - 3191 SENATE GOVERNANCE AND FINANCE, HERTZBERG, Chair

**Summary:**

Would specifically authorize the establishment of the Lower Los Angeles River Recreation and Park District, by petition or resolution submitted to the Los Angeles County Local Agency Formation Commission before January 1, 2019, subject to specified current laws governing recreation and park districts, including their formation, except as provided. The bill would authorize specified city councils and the Los Angeles County Board of Supervisors to appoint the initial board of directors of the district.

**Attachments:**

[CALAFCO Removal of Opposition August 2016](#)

[CALAFCO Letter of Oppose June 2016](#)

**Position:** Watch

**CALAFCO Comments:** Gut and amended on June 16, this bill creates a new district within the LA County area and does not involve LAFco in the formation process. Amended on August 3, the bill now addresses only the special governance structure and powers of the new district. All local processes, including the LAFco process and all LAFco powers have been reinstated with the new amendments. As a result CALAFCO is removing our opposition.

**SB 1436** (**Bates R**) **Local agency meetings: local agency executive compensation: oral report of final action recommendation.**

**Current Text:** Chaptered: 8/22/2016 [pdf](#) [html](#)

**Introduced:** 2/19/2016

**Last Amended:** 4/6/2016

**Status:** 8/22/2016-Chaptered by Secretary of State - Chapter No. 175, Statutes of 2016

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



**Summary:**

Current law prohibits the legislative body from calling a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of a local agency executive, as defined. This bill, prior to taking final action, would require the legislative body to orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive during the open meeting in which the final action is to be taken. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** LAFCo Administration, Other

**CALAFCO Comments:** As amended, this bill requires public agencies, including LAFCOs, when taking final action on salary for the agency's executive, to be made as a separate discussion agenda item rather than a content calendar item on the agenda.

Total Measures: 30

Total Tracking Forms: 30

8/29/2016 10 48 00 AM