

Calaveras Local Agency Formation Commission

Regular Meeting Agenda

MONDAY – May 19, 2014 – 6:00 p.m.
at the

**Calaveras County Board of Supervisors Chambers
County Administrative Center
San Andreas**

6:00 PM Regular LAFCo Meeting Items:

1. Call to Order/Pledge of Allegiance/Roll Call

Commissioners

Bert Sobon, City Member
Jack Lynch, Chair City Member
Merita Callaway, Vice-Chair County Member
Darren Spellman, County Member
Tony Tyrrell, Special District Member
John Lavaroni, Special District Member
Anita Paque, Public Member

Paul Stein, Public Member Alt.
Debbie Ponte, County Member Alt.
Stuart Raggio, City Member Alt.
Don Young, Special Dist. Member Alt.
Staff:
John Benoit, Executive Officer
Karon Knuist, LAFCO Clerk
Michael Colantuono, LAFCO Counsel

2. Approval of Agenda (Deletions/Additions)

3. Approval of Minutes for April, 2014

4. Public Comment

This is the time set aside for citizens to address the Commission on any item of interest to the public that is within the subject matter jurisdiction of the Commission. For items that are on the agenda, public comment will be heard when the item is discussed. If your comments concern an item that is noted as a public hearing, please address the Commission after the public hearing is opened for public testimony.

The Chair reserves the right to limit each speaker to three (3) minutes. Please understand that by law, the Commission cannot make decisions on matters not on the agenda.

5. Consent Agenda:

- a. *Review and Authorize Claims for April 21, 2014*

PUBLIC HEARING:

7. LAFCo Final Budget for FY 2014-2015.

- a. *Discuss and Conduct a Public Hearing regarding LAFCo's Final Budget for FY 2014-2015 and consider LAFCo Resolution 2014-0003 adopting a final budget for FY 2014-2015.*

8. Election of Chair and Vice-Chair in accordance with LAFCO's Bylaws.

- a) *The Chair and the Vice Chair shall be elected each year at the May meeting or the next regular meeting thereafter and shall take office immediately. If a vacancy occurs in any Commission office during the year, it shall be filled by election at the next regular meeting following occurrence of the vacancy.*
- b) *The offices of Chair and Vice Chair shall be rotated in the following order: County, Public, District and City.*
- c) *Elect 2014-2015 Chair from the County Member Category and Elect Vice-Chair from the Public Member Category*

9. Executive Officer's report

- a) *Calafco Staff Workshop*

10. Commissioners Reports

This item is placed on the agenda for Commissioners to discuss items and issues of concern to their constituency, LAFCO, and legislative matters

11. Adjourn to next regular meeting of June 16, 2014

The Commission may take action upon any item listed on the agenda. Unless otherwise noted, items may be taken up at any time during the meeting.

Any member appointed on behalf of local government shall represent the interests of the public as a whole and not solely the interest of the appointing authority Government Code Section 56325.1

Public Comment

Members of the public may address the Commission on items not appearing on the agenda, as well as any item that does appear on the agenda, subject to the following restrictions:

- Items not appearing on the agenda must be of interest to the public and within the Commission's subject matter jurisdiction.

- No action shall be taken on items not appearing on the agenda unless otherwise authorized by Government Code Section 54954.2 (known as the Brown Act, or California Open Meeting Law).

Public Hearings

Members of the public may address the Commission on any item appearing on the agenda as a Public Hearing. The Commission may limit any person's input to a specified time. Written statements may be submitted in lieu of or to supplement oral statements made during a public hearing.

Agenda Materials

Materials related to an item on this agenda will be available on the Calaveras LAFCO website as noted below to the extent practicable and subject to staff's ability to post the documents prior to the meeting.

Accessibility

The location of this meeting is wheelchair-accessible.

Disclosure & Disqualification Requirements

Any person or group of persons acting in concert who directly or indirectly contribute \$1,000 or more in support of or in opposition to a change of organization or reorganization that has been submitted to Calaveras LAFCO must comply with the disclosure requirements of the Political Reform Act of 1974 applicable to local initiative measures to be submitted to the electorate. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals; they may be reviewed at Government Code §§56700.1 and 81000 *et seq.* Additional information about the requirements pertaining to local initiative measures to be presented to the electorate can be obtained by calling the Fair Political Practices Commission at (916) 322-5660. A LAFCO Commissioner must disqualify herself or himself from voting on an application involving an "entitlement for use" (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application, or an agency (such as an attorney, engineer, or planning consultant) representing the applicant or an interested party. The law (Government Code Section 84308) also requires any applicant or other participant in a LAFCO proceeding to disclose the contribution amount and name of the recipient Commissioner on the official record of the proceeding.

Contact LAFCO Staff at (209) 754-6511

LAFCO Webpage: www.calaveraslafco.org

Email LAFCO at: johnbenoit@surewest.net

LOCAL AGENCY FORMATION COMMISSION
OF CALAVERAS COUNTY
MINUTES OF MEETING
April 21, 2014

COMMISSIONERS PRESENT:	ALSO PRESENT:
Jack Lynch, Chair City Member	Scott Kelly, City Member Alt.
Merita Callaway, Vice-Chair County Member	
Bert Sobon, City Member	
Tony Tyrell, Special District Member	John Benoit, Executive Officer
Don Young for John Lavaroni, Special District Member	Karon Knuist, LAFCo Clerk
Anita Paque, Public Member	
Darren Spellman, County Member	
ABSENT:	
John Lavaroni, Special District Member	

1. Call to Order/Roll Call/Pledge of Allegiance

The regular meeting for LAFCo was called to order by Chairman Lynch at 6:02 p.m. in the Calaveras County Board of Supervisors Chambers. There was a quorum present.

2. Approval of Agenda

MOTION by Commissioner Tyrell second by Commissioner Sobon to approve the April 21, 2014 Agenda as presented. Motion passed 7 yes - 0 no.

3. Approval of Minutes for February 24, 2014

MOTION by Commissioner Tyrell second by Vice-Chair Callaway to approve the Minutes of the February 24, 2014 meeting as presented. Motion passed 5 yes - 0 no - 2 abstentions.

4. Public Comment – No public comments.

5. Consent Agenda:

Review and authorize Claims for February and March 2014.

MOTION by Vice-Chair Callaway second by Commissioner Tyrell to approve the Claims for February and March 2014 as presented. Motion passed 7 yes – 0 no.

PUBLIC HEARINGS:

6. Sphere of Influence Update for the Altaville-Melones, Central Calaveras, Copperopolis, Ebbetts Pass, Mokelumne Hill, Murphys, San Andreas and West Point Fire Protection Districts.

- a. Review Sphere of Influence Update Report, Conduct Public Hearing and Consider Resolution 2014-0001 Making Determinations and Approving a Sphere of Influence Update for the Altaville-Melones, Central Calaveras, Copperopolis, Ebbetts Pass, Mokelumne Hill, Murphys, San Andreas and West Point Fire Protection Districts*

Public Comment – No public comments.

MOTION by Commissioner Tyrell second by Commissioner Spellman to adopt *Resolution 2014-0001 Making Determinations and Approving a Sphere of Influence Update for the Altaville-Melones, Central Calaveras, Copperopolis, Ebbetts Pass, Mokelumne Hill, Murphys, San Andreas and West Point Fire Protection Districts*. Motion passed 7 yes – 0 no.

7. LAFCo Proposed Budget for FY 2014-2015.

- a. Discuss and conduct a Public Hearing regarding LAFCo's Proposed Budget for FY 2014-2015 and consider LAFCo Resolution 2014-0002 Adopting a Proposed Budget for FY 2014-2015.*

Public Comment – No public comments.

MOTION by Commissioner Tyrell second by Commissioner Sobon to pass LAFCo *Resolution 2014-0002 Adopting a Proposed Budget for FY 2014-2015* as presented. Motion passed 7 yes – 0 no.

- 8. Executive Officer's report** - Executive Officer Benoit stated that he will be attending the CAL LAFCo Staff Workshop and will report on the workshop at the May meeting.
- 9. Commissioner's Reports** – Commissioner Sobon reported that Scott Kelly has taken over for Stuart Raggio on the Angels Camp City Council. Scott will also take over Stuart Raggio's LAFCo position as City Member Alternate.

Commissioner Spellman reported that he had talked with Congressman McClintock's staff about water removal in the Paloma mine. The water is being tested and options are being considered for the water disposal.

There were no other Commissioner reports.

- 10. Adjourn to LAFCo's next regular meeting:** Next regular meeting will be held on May 19, 2014 at 6:00p.m. in the Calaveras County Board of Supervisors Chambers.

The meeting was adjourned at 6:57 p.m.

CALAVERAS LAFCO
LAFCO CLAIM AUTHORIZATION FORM

for

April 2014

Authorize payment of the following claims:

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
FY 2013-2014 Expenses:		
May 1, 2014	Staff Svcs & Expenses – April 2014	\$ 3,937.20
May 2, 2014	Final 14-15 Budget Hearing Notice	\$ 35.40
March 14, 2014	Proposed 14-15 Budget and Fire SOI notice	\$ 87.80
TOTAL:		\$ 4,060.40

DATED: May 19, 2014

APPROVED: May 19, 2014

Jack Lynch, Chair or Merita Callaway, Vice-Chair
Calaveras Local Agency Formation

Attest:

John Benoit
Executive Officer

2013-2014 Expenditures

Calaveras LAFCO

City Fund 405 Dept 9001

Item	Account Number	Comm Stipends	Insurance	Communications	Memberships	GenOfficeExp	Postage	copies	Fire&EMS	W & WWSOI	Ex. OFF. Svcs	City Fin Chrg
		62001	62050	62051	62052	62053	62054	62055	62057	62058	62059	62060
Calafco dues 13-14		\$ 6,600.00	\$ 1,716.04	\$ 800.00	\$ 758.00	\$ 500.00	\$ 500.00	\$ 2,000.00	\$ 18,000.00	\$ 25,000.00	\$ 42,500.00	\$ 3,600.00
SDRMA Insurance 13-14			\$ (1,691.04)		\$ (758.00)							
Calafco Conference registrations												
Colantuono #25622												
Comm Stipends July 15, 2013		\$ (350.00)		\$ (70.93)			\$ (10.92)	\$ (56.50)	\$ (1,956.25)		\$ (3,500.00)	
Staff Svcs Aug 2013				\$ (47.78)			\$ (21.96)	\$ (46.11)		\$ (1,462.50)	\$ (3,562.50)	
Colantuono Billing # #25795												
Paque Calafco Conf Reimbursement												
Tyrrell Calafco Conf Reimbursement												
Stein Calafco Conf Reimbursement												
Lynch Calafco Conf Reimbursement												
Comm Stipend Sept 16, 2013		\$ (300.00)		\$ (42.27)			\$ (45.84)	\$ (94.97)		\$ (1,237.50)	\$ (2,587.50)	
JB Staff Svcs Sept 2013												
Calav Ent CalavRiverEst #26627												
Darren Spellman Calafco Conf. Reimb												
Merita Callaway Conf. Reimb												
Staff Svcs Oct 2013				\$ (43.44)			\$ (6.60)	\$ (10.75)	\$ (2,062.50)		\$ (1,575.00)	
CPUD and Fire SOI's oct 2013												
Calaveras Enterprise Rancho Calav Est		\$ (350.00)										
Comm Stipend Nov 2013				\$ (55.25)			\$ (24.96)	\$ (84.27)	\$ (1,537.50)		\$ (3,450.00)	
Calav Ent #27704 PSP and CPUD SOI												
Redeposit Ck #65327 Paquefor6.17.13		\$ 50.00										
Comm Stipend Dec 16, 2013		\$ (250.00)					\$ (19.34)	\$ (63.26)	\$ (2,000.00)		\$ (2,337.50)	\$ (900.00)
Staff Svcs December 2013				\$ (51.99)								
Angels Camp Inv 0000122 12.16.13												
Calav Enterprise CCFPD and Mokehill												
JB Staff Svcs Jan 2014				\$ (50.47)			\$ (25.28)	\$ (84.60)	\$ (2,500.00)		\$ (2,120.00)	
Comm Stipend 1.27.14		\$ (450.00)										
Calav Ent #28287 MHFPD MSR &CCSOI												
Meeting Stipend 2.24.2014		\$ (200.00)										
Staff Svcs February 2014												
Staff Svcs March 2014			\$ (52.10)			\$ (15.00)	\$ (14.28)	\$ (25.96)	\$ (2,137.50)		\$ (2,482.50)	
Staff Svcs April 2014			\$ (50.41)				\$ (0.98)		\$ (2,000.00)		\$ (2,012.50)	
Comm Stipend April 21, 2014			\$ (48.80)				\$ (39.60)	\$ (203.45)	\$ (2,000.00)		\$ (1,457.50)	
Calav Enterprise Fire SOI 14-15 Budget		\$ (350.00)										
Calav Ent Final 14-15 Budget												
TOTAL BUDGETED		\$ 4,400.00	\$ 25.00	\$ 286.56	\$ -	\$ 485.00	\$ 290.24	\$ 1,330.13	\$ 1,806.25	\$ 22,300.00	\$ 17,415.00	\$ 2,700.00
TOTAL REMAINING		\$ 2,200.00	\$ (1,691.04)	\$ (43.44)	\$ (758.00)	\$ (248.00)	\$ (209.76)	\$ (83.87)	\$ (1,337.25)	\$ (2,000.00)	\$ (4,082.00)	\$ (900.00)

5/12/2014

CALAVERAS LAFCO

EXECUTIVE OFFICER'S REPORT

May 19, 2014

TO: Local Agency Formation Commission

FROM: John Benoit, Executive Officer

RE: Final Budget for FY 2014-2015

A "recommended" budget was presented at the April 21, 2014 meeting along with a justification report, which was adopted. Please refer to the Budget Justification Report from the April LAFCO meeting and the proposed budget report for the April 2014 meeting for detail on each of the items below.

SUMMARY OF EXPENSES:

Commission Clerk This item is budgeted in the Professional Services Category again this year.

Insurance The Commission recommended \$1,691.04 for liability Insurance less than this year. This will cover the cost of this item for the year.

Commission Stipend The Commission recommended a stipend of \$6,600.00. This is adequate to cover Commissioner Stipends for the year.

Memberships The Commission recommended in its proposed budget \$769 for Calafco dues. This item has gone up 1.5 percent this year.

Communications Communications is budgeted at \$800.00 this year.

Office Supplies This is a combined budget (copies (\$2,000.00), general (\$350.00), postage (\$500.00). The general category has been lowered since last year.

Professional Services Professional Services are divided into two categories: Executive Officer and Staff (\$42,500) Notwithstanding a very complex reorganization or incorporation project for Calaveras LAFCO, this amount should cover LAFCO administration and project processing.

Service Reviews and Sphere of Influence updates This item is budgeted at \$25,000 to initiate Service Reviews for CSD and CSA districts and \$20,000 is to be budgeted to initiate and continue work on Spheres of Influence. This is a statutory mandatory activity in this case and LAFCO must update and maintain its Service Reviews.

City of Angels Finance Charges \$3,600 is to be budgeted for this activity in accordance with LAFCO's agreement with the City of Angels.

Legal Notices/Publications The Commission recommended in its proposed budget \$500.00 for legal notices.

Training The Commission recommended in its proposed budget \$4,000 for this item. This includes conference registrations for items such as CALAFCO Annual Conference (In Ontario) and Annual Staff Workshop (Location to be announced in Northern California).

Personal Mileage Reimbursement This category is for reimbursement for mileage incurred in the course of business (\$1,500.00).

Travel Expense Travel Expense includes meals and lodging and other travel expenses in the amount of \$2,000.00 reduced from two years ago.

Legal Counsel LAFCO has been relatively successful in not extensive legal advice in the past several years. LAFCO had a lawsuit in the late 1990's, which has resulted in a substantial costs for LAFCO for legal services. LAFCO has a proposed budget of \$2,500 for this item. It is anticipated additional legal costs will be paid by project proponents, as necessary. If it is a LAFCo initiated action, the districts, the City and the County will ultimately be required to pay the costs.

Special District Training This year the Commission will allocate \$5,000 for agency training. This item includes determining the content of the training, making arrangements and logistics, and conducting the training. It has been 5 years since LAFCo sponsored this type of training.

Contingency/Reserve The contingency/reserve funds are proposed to total \$81,271 this year and will be reimbursed in future years depending upon activity and need.

The amount to be apportioned between the City, Districts and the County is \$6.34 less than last year at \$70,672.04.

Recommendation:

- a. Review, discusses, amend, and consider the 2014-2015 Final Budget. A budget justification report for FY 2014-2015 was prepared by staff for the adopted proposed budget on April 21, 2014.
- b. Adopt LAFCO Resolution 2014-0003 approving the 2014-2015 final LAFCo budget.

Resolution 2014-0003

of the

Calaveras Local Agency Formation Commission

Resolution of the Calaveras Local Agency Formation Commission Adopting a Final Budget for 2014-2015

WHEREAS, Calaveras LAFCO is required by Government Code Section 56381(a) to adopt annually, following a noticed public hearing, a proposed budget by May 1st and a final budget by June 15th; and,

WHEREAS, the Commission has prepared a proposed budget for public review which was adopted on April 21, 2014; and,

WHEREAS, the Executive Officer has prepared a final budget including estimated budgeted carryovers; and

WHEREAS, the Executive Officer has given notice of hearing in the form and manner specified by law for adoption of the final budget and upon the date, time and place specified in said notice of hearing, the Commission heard, discussed and considered all oral and written testimony submitted including, but not limited to, the approved budget priorities for Fiscal Year 2014-2015 and the Executive Officer's report and recommendations; and

WHEREAS, the Commission has considered the attached Budget in light of the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000;

NOW THEREFORE, the Calaveras Local Agency Formation Commission does hereby determine, resolve, and order the following:

1. Notwithstanding item 3 below, that Calaveras LAFCO hereby adopts the attached final 2014-2015 budget appropriation of \$ 112,710.04.
2. That Calaveras LAFCO hereby establishes a contingency fund of \$11,271.00 from its general reserve as well as budget other items from its general reserve.
3. LAFCO hereby allocates \$70,000 for its general reserve fund.
4. The Commission hereby re-budgets \$120,909.00 of its carryover funds to fund the reserve, the contingency and supplement the operations budget from carryover funds into the FY 2014-2015 operational budget.
5. Directs the Executive Officer to transmit the final budget to the County Auditor and all parties specified in Government Code Section 56381 (a) as promptly as possible.

6. The Commission desires to retain any and all carryover funds to fund future Municipal Service Reviews, special projects, legal expenses and Spheres of Influence projects as provide for in G.C. Code Section 56381.
7. Request the Auditor collect the funds as required in Section 56381 of the government code and apportion \$70,672.04 between the City, the Special Districts and the County for the operational costs of LAFCO. In the event of non payment of LAFCO funds by any entity subject to the LAFCO's apportionment, the Commission hereby requests and authorizes the Auditor to collect the funds from property tax revenues or any other revenue source and deposit the funds into the LAFCO account.

PASSED AND ADOPTED by the Calaveras Local Agency Formation Commission at a regular meeting of said Commission held on May 19th , 2014 by the following roll call vote:

AYES: -

NOES: -

ABSTAINS: -

ABSENT: -

Signed and approved by me after its passage this 19th day of May 2014.

Jack P. Lynch, Chair, Calaveras LAFCO

Attest:

John Benoit, Executive Officer
Calaveras LAFCO

FY 2014-2015
FINAL Budget
Calaveras LAFCO

A	B	C	D	E	F	G	H
1		2010-2011 Budget Adopted Final	2011-2012 Budget Adopted Final	2012-2013 Budget Adopted Final	2013-2014 Final Budget	2014-2015 Proposed Budget	2014-2015 Final Budget
2							
3							
4							
5							
6	EXPENDITURES						
7	SERVICES AND SUPPLIES						
8							
9	62001 Extra Hire - Commissioners Stipend	\$ 6,600.00	\$ 6,600.00	\$ 6,600.00	\$ 6,600.00	\$ 6,600.00	\$ 6,600.00
10	62050 Insurance	\$ 2,500.00	\$ 2,500.00	\$ 1,700.00	\$ 1,716.04	\$ 1,691.04	\$ 1,691.04
11	62051 Communications	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 800.00	\$ 800.00	\$ 800.00
12	62052 Memberships - Calafco	\$ 1,500.00	\$ 725.00	\$ 741.00	\$ 758.00	\$ 769.00	\$ 769.00
13	62053 Office Expense - General	\$ 750.00	\$ 750.00	\$ 750.00	\$ 500.00	\$ 350.00	\$ 350.00
14	62054 Office Expense - Postage	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 500.00	\$ 500.00	\$ 500.00
15	62055 Office Expense - Copies	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
16	62056 Fire and EMS MSR (SOI fy13-14)& CSD - CSA MSR	\$ 49,900.00	\$ 40,000.00	\$ 33,000.00	\$ 18,000.00	\$ 25,000.00	\$ 25,000.00
17	62057 Prof Services-(CSD-CSA SOI)	\$ 2,136.00	\$ -	\$ 25,000.00	\$ 25,000.00	\$ 20,000.00	\$ 20,000.00
18	62058 Prof Serv-City of Angels SOI	\$ 42,500.00	\$ 42,500.00	\$ 42,500.00	\$ 42,500.00	\$ 42,500.00	\$ 42,500.00
19	62059 Professional Services-Exec. Officer/Clerk	\$ 3,600.00	\$ 3,600.00	\$ 3,600.00	\$ 3,600.00	\$ 3,600.00	\$ 3,600.00
20	62060 City Finance Charges (formerly A-87)	\$ 700.00	\$ 700.00	\$ 700.00	\$ 500.00	\$ 500.00	\$ 500.00
21	62061 Legal Notices	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00
22	62062 Training	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
23	62063 Personal Mileage Reimb	\$ 5,000.00	\$ 5,000.00	\$ 3,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
24	62064 Travel Expense	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
25	62065 Legal Counsel Services and misc Legal Expenses	\$ -	\$ -	\$ -	\$ -	\$ 5,000.00	\$ 5,000.00
26	62067 Special Dist. Training	\$ 121,286.00	\$ 108,475.00	\$ 123,691.00	\$ 105,874.04	\$ 112,710.04	\$ 112,710.04
27	TOTAL SERVICES AND SUPPLIES	\$ 9,635.00	\$ 9,635.00	\$ 12,369.10	\$ 10,587.40	\$ 11,271.00	\$ 11,271.00
28	62066 Contingency Fund	\$ 90,365.00	\$ 100,000.00	\$ 100,000.00	\$ 70,000.00	\$ 70,000.00	\$ 70,000.00
29	General Reserve Fund						
30							
31							
32	Services, Contingency and Reserve Total	\$ 221,286.00	\$ 218,110.00	\$ 236,060.10	\$ 186,461.44	\$ 193,981.04	\$ 193,981.04
33							
34	Carryover from prior year	\$ 206,277.00	\$ 188,388.61	\$ 162,943.32	\$ 113,383.06	\$ 120,909.00	\$ 120,909.00
35	Anticipated Project Revenue			\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
36	Anticipated Interest			400	400	400	400
37	Contributions from Governments	\$ 70,776.00	\$ 70,776.00	\$ 70,716.78	\$ 70,678.38	\$ 70,672.04	\$ 70,672.04
38							
39	AMOUNT TO BE APPORTIONED	\$ 70,776.00	\$ 70,776.00	\$ 70,716.78	\$ 70,678.38	\$ 70,672.04	\$ 70,672.04



California

LEGISLATIVE INFORMATION

AB-2156 Local agency formation commissions: studies. (2013-2014)

AMENDED IN ASSEMBLY MARCH 24, 2014

CALIFORNIA LEGISLATURE— 2013-2014 REGULAR SESSION

ASSEMBLY BILL

No. 2156

Introduced by Assembly Member Achadjian

February 20, 2014

An act to amend Section 56378 of, and to add Section 56047.7 to, the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 2156, as amended, Achadjian. Local agency formation commissions: studies.

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, sets forth the powers and duties of a local agency formation commission, including, among others, the requirement to conduct studies of existing governmental agencies that include, but are not limited to, inventorying those agencies and determining their maximum service area and service capacities. The commission is authorized to request land use information, studies, and plans of cities, counties, districts, including school districts, community college districts, and regional agencies and state agencies and departments, in connection with conducting the required studies, and the governmental agencies are required to comply with the commission's request.

This bill would include joint powers agencies and joint powers authorities among the entities from which the commission is authorized to request land use information, studies, and plans, for purposes of conducting the studies described above, *and also would include joint powers agreements in the list of items the commission may request in conducting those studies.* The bill would specifically define "joint powers agency" and "joint powers authority" for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 56047.7 is added to the Government Code, to read:

56047.7. "Joint powers agency" or "joint powers authority" means an agency or entity formed pursuant to the Joint Exercise of Powers Act (Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1) that is formed for the local performance of governmental functions that includes the provision of municipal services.

SEC. 2. Section 56378 of the Government Code is amended to read:

56378. (a) In addition to its other powers, the commission shall initiate and make studies of existing governmental agencies. Those studies shall include, but shall not be limited to, inventorying those agencies and determining their maximum service area and service capacities. In conducting those studies, the commission may request land use information, studies, *joint powers agreements*, and plans of cities, counties, districts, including school districts, community college districts, joint powers agencies and joint powers authorities, regional agencies and state agencies and departments. Cities, counties, districts, including school districts, community college districts, joint powers agencies and joint powers authorities, regional agencies, and state agencies and departments, shall comply with the request of the commission for that information and the commission shall make its studies available to public agencies and any interested person. In making these studies, the commission may cooperate with the county planning commissions.

(b) The commission, or the board of supervisors on behalf of the commission, may apply for or accept, or both, any financial assistance and grants-in-aid from public or private agencies or from the state or federal government or from a local government.