

August, 2013

**ANNUAL
CONFERENCE
EDITION**

2013 Report to the
Membership

Thoughts on LAFCo
Golden Anniversary from
the Founding Fathers of
LAFCo

The Future of
Annexations and
Incorporations

Message from the Chair:
CALAFCO
remains strong

Remembering a Friend:
Bill Davis



LAFCo Report Card – Are We Meeting the Legislative Intent?

BY BEVERLY BURR, BURR CONSULTING (LOU ANN TEXEIRA, CONTRA COSTA LAFCO, CONTRIBUTOR)

The 2001 CKH Act brought a new requirement to LAFCos of conducting municipal service reviews (MSRs). Twelve years have passed as LAFCos have busily worked on MSRs. Excellent timing for asking the big questions: how well have we LAFCos done in meeting the legislative intent behind the MSR requirement? What barriers and constraints are we facing in the implementation?

The Commission on Local Governance for the 21st Century and the Little Hoover Commission laid the groundwork for the MSR requirement in the late 1990s. Three over-arching objectives they envisioned were:

Knowledge – enhancing LAFCo legitimacy, power and wisdom by gathering and analyzing information on the local agencies whose boundaries LAFCos oversee;

Accountability – promoting accountability, particularly among special districts, by day-lighting service and financial information, and enhancing LAFCo oversight of agencies rarely in the spotlight;

Efficiency – improving and modernizing service delivery by reorganizing agencies with outdated boundaries or structures.

Looking strictly by the numbers, LAFCos have certainly succeeded on the knowledge front. A review of the LAFCo websites shows that half of the LAFCos have completed at least one cycle of MSRs and SOI updates for all cities and special districts under their jurisdiction. Another 19 percent of LAFCos have nearly completed their first cycle, typically with a few MSRs or SOI updates yet to complete. A quarter of the LAFCos are partly done with their first cycle; mostly LAFCos with relatively small budgets, these have prioritized review of cities and districts providing “backbone” services like fire protection and water. The status at the remainder could not be readily discerned from their respective websites. Best practices we noted were those LAFCos with annual progress reports indicating those MSRs completed, pending and planned. Impressive efforts at some LAFCos showed published charts with their plans for MSRs and updates over the next 5-7 years.

Have LAFCos succeeded substantively on the knowledge objective? Mostly yes, but there is more to learn.

Continued on page 12

The Sphere

CALAFCO Journal

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The contents of this newsletter do not necessarily represent the views of CALAFCO, its members, or their professional or official affiliations.

1215 K Street, Suite 1650
Sacramento, CA 95814
916-442-6536

www.calafco.org

FROM THE CHAIR OF CALAFCO

This has been an exciting year for the CALAFCO organization, and it's an honor to serve as your Chair. This year we celebrate the 50th anniversary of the creation of LAFCo. The founding fathers of LAFCo, Assemblymember John T. Knox and Senator Eugene T. Nisbet, had the courage and vision necessary to ensure orderly growth and the preservation of precious agricultural and open space land through the creation of the Knox-Nisbet Act. While the original Act has evolved since 1963, its fundamental principles remain intact. This year during our annual conference, we are pleased to commemorate the golden anniversary of LAFCo.

This year was also a time of transition and change for CALAFCO, with our new Executive Director Pamela Miller taking the lead supported by our new Executive Assistant and Registrar Jeni Tickler. Pamela has done an excellent job leading CALAFCO and has faced the challenges of learning the legislative process and all of the CALAFCO systems, policies and procedures head-on and with professionalism. She had some big shoes to fill and has done a good job for the organization. As incoming Chair at the same time she joined CALAFCO, I have had the pleasure of working together with her, leading the organization during this very special time.

In February of this year the CALAFCO Board held its biennial strategic planning retreat at which we acknowledged the many accomplishments of CALAFCO during the past two years. We focused on the many positive outcomes of the regional structure and reaffirmed our commitment to the organization as Board members. Our new two-year strategic plan reflects the high ideals and principles on which CALAFCO



Ted Novelli
Chair, CALAFCO
Board of Directors

was founded. We remain focused on serving our membership by creating value for our member LAFCos and all Associate members. CALAFCO remains strong financially, and we had an outstanding fiscal year in 2012/2013. We continue to be recognized as a premier state association dedicated to providing information regarding cities and special districts, not only for the Legislature but also for cities, special districts and the public.

Agencies throughout the state are still struggling with a difficult economy, and looking to the future, one of the biggest challenges I see LAFCos facing is dealing with agencies that are struggling to provide quality public services. Performing strong Municipal Service Reviews and identifying alternative service delivery options for these agencies will be critical to the role of LAFCo.

Looking to the next 50 years, the role of LAFCo in regional planning will become even more important. It is estimated that each year 30,000 acres of farmland are lost in California. With an estimated population growth in the state of 19 percent by 2030, the delicate balance of managing growth and maintaining the preservation of valuable ag and open space land will be challenging. I believe LAFCos throughout the state are up to that challenge.

Again, thank you for the opportunity to serve as your Chair this year. CALAFCO remains a strong and viable organization and I am proud to be a part of it.

Ted Novelli

FROM THE EXECUTIVE DIRECTOR

First Year Reflections



Pamela Miller
Executive Director



It's been said that people learn best by doing. I would say that it is not so much in the doing that we learn; rather it is through the reflection of the experience where insights and learning are generated. As I complete my first year as your Executive Director, I find myself reflecting on the year's experiences – and what a year it's been!

As CALAFCO Chair Ted Novelli writes, this has been an exciting year for the Association. Change and transition are interesting things – they can be both exhilarating and challenging, cause excitement and apprehension, and always create the opportunity for growth. Who would have thought 50 years ago that today we would be celebrating the 50th anniversary of the creation of LAFCo, and that the original legislation that did so would go through several reiterations to be improved and strengthened? This significant milestone is possible because of vision, strength in purpose, and a deep-rooted desire for continuous improvement.

Reflection is the window of opportunity for continuous improvement. Just ask John Knox, Eugene Nisbet, Dominic Cortese, and Robert Hertzberg – they'll tell you.

When the CALAFCO leadership baton was passed to me, the organization was in

strong shape – and it remains so today. The change in leadership brought excitement and apprehension – what will the transition be like? How will things work out? What will be different? What does all of this change mean?

Like any other change event, the acknowledgment of the organizational loss was important to being able to move forward. Knowing there were big shoes to fill, I wore my track shoes and hit the ground running. There's been both much to learn as well as much to offer, and each day is a new opportunity for both.

This organization has a deep pool of strong resources – as diverse in their strength as California is as a state. It is amazing to see those resources in action. From the Board of Directors to the Legislative Committee, to the Executive Officers, legal counsel and LAFCo staff to the Commissioners – everyone brings his or her own set of diverse strengths, capacities and perspectives to the table. And we are fundamentally connected with the passion of public service and the desire to not just simply fulfill the LAFCo mission – but to continually improve the way in which we do that...not at all unlike the evolution of the original Knox-Nisbet Act.

So what did this organizational change mean? If one has to “assign” a meaning, I suppose it could be that change is a natural part of the life cycle of any organization. Change is inevitable and from it none of us is immune (I am reminded of that each day when I look in the mirror). The real question is – how will we continue to grow from change?

Not losing sight of the vision, maintaining strength in purpose, and persevering in the quest of continuous improvement is a good place to start. Knowing that, adapting to and growing with change can create far better outcomes than resisting and fighting change. While none of us has a crystal ball to predict the future, using visionary capabilities, adaptive leadership skills, and being willing to take some risks – just like the founding fathers of LAFCo did – will help us lead our organizations and agencies into the opportunities of tomorrow.

I would like to thank the membership for your support during this my first year as your Executive Director. It is with a deep sense of gratitude and appreciation that I reflect on the past year's challenges, and look forward to the opportunities of tomorrow.

Pamela Miller

Thoughts From the Founding Fathers of LAFCo

We are honored to share thoughts on the 50th anniversary of LAFCo from the founding fathers of the legislation that created LAFCo and those who have helped improve it through the years. CALAFCO deeply appreciates their contributions. Articles appear herein as written without edits. Unfortunately we were unsuccessful in our attempts to reach a member of the Nisbet family for their thoughts.

Reflecting on LAFCo

By John T. Knox

It would have seemed highly unlikely – some fifty years ago – that a second term



Assemblyman from Richmond would play a significant role in creating and in nurturing California's Local Agency Formation Commissions. It would have seemed especially unlikely in view of the fact that the assemblyman in question had never served on a city council, a board of supervisors, or had been otherwise active in local government.

I was that Assemblyman. And, although I didn't realize it at the time, fate seemed to have selected me to play a role in LAFCo's creation and subsequent development.

The first step in this unlikely story was undoubtedly the election of Jess Unruh as Speaker of the

California Assembly beginning with the 1963 legislative session.

Unruh assumed leadership of a very traditional state legislative body. It met in general session for a six month period every other year. Its members were virtually all "part time" (i.e., they had to support themselves and their families with gainful employment in their home districts). The idea that it might initiate major state policies wasn't part of its institutional culture. And, in fact, it lacked the time and the staff resources to do so. Major policy initiatives invariably came from the Governor – and the legislature dutifully added a few "tweaks."

Unruh, however, had a vision of a different, proactive institution – one with the resources and ability to initiate and enact its own policy initiatives.

To this end, he chose as his committee chairs individuals who, he felt, were capable of initiating and following through with new policy initiatives.

So it was that I found myself, a local government neophyte, designated as the new chair of the "Municipal and County Government Committee" – an individual with no previous in-the-trenches local government experience – but also with no preconceived biases.

Concurrent with this new organization and focus in the Assembly, there was important activity in the Governor's office.

In the 1962 election Governor Pat Brown had decisively defeated Richard Nixon to win his second term, and he too had a vision. He and his advisors were very mindful of California's rapid growth – the rate of which was projected to increase even more rapidly in the coming decades. (During his first term, for example, the California Water Project had been authorized and

work had begun on the "Master Plan for Higher Education".)

In the local government area, academics and other thoughtful analysts were warning about the consequences of haphazard growth.

Brown had even appointed a special "Blue Ribbon Commission" to review the issue. Among the recommendations in the Commission's final report was to create a state level commission that would have "quasi-judicial" power to approve formations of, and annexations to, cities and districts.

Brown decided to proceed with this recommendation. His staff drafted two bills and sought out authors – one Assembly author and one Senate author.

One bill would have established a state-level Local Agency Formation Commission to review proposals for new cities and districts. A second bill would have established a Local Agency Annexation Commission in each county to review city and district annexations. The reasons for the state commission-local commission dichotomy were never really explained but did have significant consequences.

Moreover, in seeking authors for this legislation, Brown preferred to avoid long serving legislators who might be too closely tied to the status quo.

As the new chair of the Assembly committee, I seemed to meet his criteria and he asked me to author the Local Agency Formation bill.

(And, so the project began. It wasn't a "made in the Assembly" product that fully realized Unruh's vision of a proactive Assembly, but it was a good first step in generating wholehearted cooperation between the Governor and the Legislature.)

The initial reaction to my bill was a bit unexpected. CSAC (at that time known as the County Supervisors Association of California) was almost apoplectic. They were outraged that a state commission would make decisions about issues that they felt were a matter of county "Home Rule." Their opposition was so effective that, as I counted the votes within my committee, I discovered that I didn't have enough votes to move the bill out!

Serious meetings with the Governor's staff ensued. In the end it was Senator Nisbet's bill that provided a solution. CSAC had no real objection to the bill for local commissions – because county supervisors (and city council members) would be members of the local commissions – a sufficient acknowledgment of "Home Rule." I suggested that my bill be recast to mirror the Senate bill.

The result: my bill was rewritten to create local *formation commissions* with the same membership as Senator Nisbet's annexation commissions. The two bills were linked together to provide that, if both bills passed, only one commission would do both jobs.

With those revisions both CSAC and the League of Cities became supporters of the bills. Even in those days, however, these two organizations were scarcely monoliths – and individual cities and counties reserved the right to lobby their local legislators about their reservations. And, many did.

In the 1960s, there were few caucus positions on these types of issues – especially local government issues. Member-by-member contact was necessary to persuade, cajole, etc. to secure the necessary votes. To be sure, the Governor's staff weighed in, but the Governor also had other

issues that were important to him. So – there was a limited amount of political capital that he could spend.

Both CSAC and the League, however, honored their commitments of support and worked diligently to line up votes. Without their support – in committee and on the floor of each house – the outcome might well have been different.

The improbable story only began with the passage of the original 1963 legislation. LAFCo was a new institution and the initial members and staffs had to develop the procedures and regulations that would allow this new institution.

These individuals had to discover what would work well – and what wouldn't.

I joined in. The new agency was my "baby," and I wanted it to succeed. I met with LAFCo representatives to draft follow-up legislation that fine-tuned the original bills. These began with a bill that replaced the awkward two statutes to a single statute – and followed on in 1965 with the District Reorganization Act.

With this overall result, I discovered the often overlooked legislative area of local government legislation was indeed interesting – and I enjoyed it more with each passing year.

Largely through the hard work of members and staff, LAFCos became accepted and respected local institutions. It has been my privilege to work with those individuals.

As for the next fifty years -- Godspeed!!

John T. Knox



Taking the Act to the Next Level

By Dominic L. Cortese

LAFCo's 50th Anniversary traces California's bold and creative response

to an onslaught of questions raised regarding our ability to avoid a land use



and public service calamity during the unprecedented population growth in the late 1950s and early 1960s, lasting all the way through the 1980s. Legislation authored by Jack Knox and approved by the legislature in 1963 planted the seeds from which potential chaos that would result from unstructured formation of new cities and districts and annexations to existing agencies was averted. The gradual understanding of LAFCo's powers was surfacing, carefully being adapted to the highly diverse geographical and economic nature of the state. Areas of community identity throughout the state were being recognized. Home rule was being respected.

There were those whose early view of LAFCo's authority was thought to be a simple set of lines on a map, "demarcations" with certain restrictions and definitions beyond which LAFCo had no authority. At a point during my service on the Santa Clara County LAFCo, I recall asking our newly formed Transit District Director to appear at each LAFCo meeting to discuss transportation impacts on our decision making. A monumental decision regarding the formation

of the Midpeninsula Regional Open Space District versus a potentially competitive County Parks ballot measure had to be made. Both were finally approved. Prophetic I would say. The very large number of agenda items and the broad parameters of subject matter now undertaken by LAFCo make LAFCo an indispensable segment of our local government process. Congratulations!

Early in the 1970s, I was fortunate enough to be part of a small group that began to meet to discuss the formation of a statewide association of LAFCos, which came to be called CALAFCO. It would provide an atmosphere allowing LAFCo Commissioners and staff to share knowledge, explore coordinated land use planning, and turn diversity into a positive force for the benefit of the entire state. I am proud to say that I chaired CALAFCO for two terms during its early years. It is a pleasure to know that CALAFCO has become a fully functional statewide organization, incorporated and functioning under a full set of by-laws.

From those early legislative seeds the dedicated and creative members of LAFCos throughout the state averted what might have been a saga of pieces of the land use puzzle thrown from the air with no means of objectivity. Pieces of that puzzle have been cooperatively placed, to whatever extent humanly possible, in what is now recognized as the best organization of cities and districts in the country. The door opened to trust and constructive regionalism. We can thank you CALAFCO for that!

After more than two years of effort, with the help of dedicated staff at the state and local level, I was fortunate to have carried the Cortese-Knox Local Government

Reorganization Act. AB115 was introduced in 1984 and after extensive hearings and analysis by appropriate legislative committees, was signed by the Governor. The earlier and separate laws – the Knox Nisbet Act, the District Reorganization Act and the Municipal Organization Act – were made compatible and now became one. Speaker Robert Hertzberg led the task of clarifying and reorganizing the Act, making it even more functional. Thanks to Speaker Hertzberg, we now have the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

It is gratifying to know that the Act is instrumental in the daily work of LAFCo. It has its place on the desks of planners and local government attorneys throughout the state. Not long ago, the State Printing Office informed me that it is still a “best seller!”

I am grateful to those whose efforts made the Act possible and those who continue today to make timely improvements. The introductory letter of the Act recognizes some of those people. I am mindful of all those who from time to time were there, in their own way, to help take our work to its next stages.

Please accept my gratitude. Your local communities and the people of California appreciate your efforts and owe you their continued support.

Dominic L. Cortese



LAFCo: 1963 – 2013

By Robert M. Hertzberg



California is nothing less than magnificent. All of us born here, who have relocated here, moved our families here, or visited here – know that.

But while our weather dividend, the Pacific, and our extraordinary diversity of geography- much within close proximity, has been a large part of the magnetic attraction, the challenge to and success in managing the sheer volume of humanity is something little understood by the public – most of whom have come to expect to flip a light switch and find the necessary electricity, turn a faucet and have an abundant flow of clean water, and expect cities and towns and counties to deliver with consistency and without interruption.

While there is a large group of engineers, architects and workers from many professions that keep us operating and moving forward, all which most often appears to be effortless, I have come to learn the genius and value of the folks that make up the large LAFCo community of California and the important role each of these important people quietly play in creating and maintaining our quality of life.

When Jack Knox, then the new legislator from Richmond, agreed to work with the Pat Brown administration on municipal and county government issues, it was the end of a decade when **California's population grew by a whopping 53%**. The smart

folks in government at the time knew that California needed to devise a system that would intelligently deal with the explosion of new government entities and their competing land use and other demands. Jack tells fun stories about his legislation in 1963. It is always interesting to understand the “human” side of how laws get negotiated and passed, particularly from Jack Knox.

By the time Dom Cortese authored the 1984 update, our population grew by an additional 10 million folks, more than the population of all states at the time but for New York. Today, there are more than 4800 subdivisions of government in California, and under the guidance of the LAFCo community, in many respects, California is one of the best managed land use states in the nation.

Regarding my own story with LAFCo, it started in the San Fernando Valley – when I began service in the legislature in 1996, we had just finished a yearlong battle led by then Assemblywoman Paula Boland together with then Pro Tem Lockyer fighting to overturn the special 1970s adopted rule making an exception for any Los Angeles based “special reorganization” which gave the Los Angeles City Council veto power. It was not successful.

Together with Tom McClintock and Tony Cardenas, my San Fernando Valley colleagues in Sacramento, we drafted two laws to correct certain intentional “exceptions” which were enacted as a result of past political alliances. But something else happened, something that I am most proud of. In an era of term limits when the common criticism was that our legislative branch no longer dealt with large issues- the opposite happened. With the

help of Pete Wilson, a governor of a party that I was not a member, and others, we passed and he signed and funded in his budget a serious effort to create a process to review the 179 pages of statutes that the LAFCo legislation had become. I read and re-read the LAFCo law, and over the years it had become a “morass” that was difficult to understand. So in 1997 we passed AB 1484 to create the Commission on Local Governance for the 21st Century to review the Cortese-Knox Local Government Reorganization Act of 1985. There were no big press stories on the commission, no big contributors who were clamoring for the changes in the law- just a group of folks that cared about government, knew that fixes were needed, and got on with the work they were hired by the people to do. I was and remain deeply proud to have been a part of this important effort.

The Commission was led by then San Diego Mayor Susan Golding, who did an incredible job- this was not a Commission that took its job lightly. They met over 16 months, held 25 days of public hearings throughout the state, heard testimony from more than 160 individuals and groups, received over 100 recommendations and, at a time when websites were new, had nearly 90,000 hits on its site- an unheard of number for those days. Their efforts resulted in a report “Growth Within Bounds,” which served as the basis for AB 2838, passed and signed into law in September 2000 by Governor Brown. In general terms, the measure, creating the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (I did not know that Christopher Carlisle, my lead staff on this, added my name until the measure passed- it was not my idea), focused on 5 areas:

- ♦ It streamlined and clarified LAFCo policies and procedures;
- ♦ It made LAFCOs neutral, independent, and balanced in representation for most counties, cities and special districts;
- ♦ It strengthened LAFCo powers to prevent sprawl and ensure orderly extension of government services;
- ♦ It enhanced communication, coordination and procedures of LAFCOs and local governments; and
- ♦ It enhanced opportunities for public involvement, active participation and information regarding government decision-making.

Of course, it did not go far enough, and the dynamic growth of government, the fundamental challenges we are facing because of globalization and the explosion of technology are causing us to re-examine and improve the work we did in the 60s, 80s and in 2000. It is up to the next generation of thinkers to invent our LAFCo future.

Robert M. Hertzberg





Dear CALAFCO Members:

We are proud to report to you that the Association continues as a strong, vibrant educational resource to members and as an advocate for LAFCo and LAFCo principles to statewide decision makers. In 2013 the Association maintained a high level of educational services as well as a healthy agenda of legislative issues. During the year we saw active involvement of LAFCos from around the state and had the pleasure of welcoming a new Executive Director, Pamela Miller, and new Executive Assistant/Registrar, Jeni Tickler. We remain excited with both the program quality and participation in the Staff Workshop and the CALAFCO U courses this year. Placer, Nevada and El Dorado LAFCos and the Annual Conference planning committee have done an outstanding job with the 2013 Conference. Finally, the Association remains on solid financial ground. The recently adopted budget maintains member service levels and retains a healthy reserve.

Our achievements continue to be the result of the dedicated efforts of the many volunteer LAFCo staff who contribute their time and expertise. The Board is grateful to the Commissions that support their staff as they serve in the CALAFCO educational and legislative roles on behalf of all LAFCos. We are also grateful to the Associate Members and event sponsors that help underwrite the educational mission of the Association and allow us to keep registration fees as low as possible to encourage more participation.

EDUCATIONAL SERVICES AND COMMUNICATION

CALAFCO educational and information sharing-services are the Board's top priority for member services. The Association focuses its resources in four areas: the Staff Workshop, Annual Conference, CALAFCO University courses, and electronic resources including the web site and the member list-serves.

Staff Workshop and Annual Conference We continued the tradition of quality education programming with the Staff Workshop held in Davis in April and the Annual Conference in Squaw Valley in August. The Workshop, hosted by Yolo LAFCo, brought together 104 LAFCo staff from around the state for a three-day workshop at the Hallmark Inn and Odd Fellows Hall in downtown Davis. With 39 LAFCos and 9 associate member organizations represented, it was one of the highest workshop attendances in some time. An exceptional program centered on the theme "*Retooling*

for the Next 50 Years: Fewer Resources, Higher Expectations" with sessions including how today's fiscal climate is shaping the future and LAFCo's role in regional planning, ethics and ethics law, CEQA, LAFCo legal practices and JPAs, adaptive leadership practices in local agencies, GIS mapping and more. A special series of sessions was specifically designed by and for clerks and included developing and maintaining a clerk's manual, use of technology and best practices among the topics. The unique mobile workshop focused on innovations in food science and agriculture. We would like to thank Steve Lucas (Butte LAFCo) who chaired the Program Committee, Christine Crawford and Terri Tuck (Yolo LAFCo), and all who worked to make this an outstanding staff workshop.

Well over 200 LAFCo commissioners and staff are expected at the 2013 Conference in Squaw Valley, North Lake Tahoe. Hosted by Placer, Nevada and El Dorado LAFCos, the program centers on the theme "*Clarity of Vision: The Golden Age of LAFCo*" and includes a range of sessions focused on highlighting the history of LAFCo, visioning for the future, and focusing on current issues such as water as a valuable resource, CEQA reform and the state's General Plan update, land use patterns, health care districts without hospitals, and

LAFCo initiated actions such as dissolutions, mergers and consolidations. The Conference attracted an impressive list of speakers, including Ken Alex, Director of the Governor's Office of Planning and Research, Dr. Gerald Meral, Deputy Secretary, CA Natural Resources Agency, Richard Atwater,

Executive Director, So. CA Water Committee; Tim Quinn, Executive Director, Association of CA Water Agencies; Peter Detwiler, former Chief Consultant to the Senate Governance and Finance Committee; and Tom Willoughby, former Chief Consultant to Senator John Knox. The unique mobile workshop highlights the beauty of Squaw Valley and the unique opportunities and challenges associated with community development in an area of beauty and environmental sensitivity. We acknowledge and thank Placer, Nevada and El Dorado LAFCos for hosting the Conference, their Executive Officers for all of their hard work: Kris Berry (Placer), SR Jones (Nevada) and José Henríquez (El Dorado), the Conference Committee Chair Josh Susman (Nevada), and all who are working on the Program and Host Committees to make this an outstanding Conference.

CALAFCO University So far this year, the Association has offered one course and two more are scheduled. The courses allow staff, commissioners and other interested parties to explore, in depth, LAFCo





processes, policies and actions. *Performance Measures and MSR Strategies* was held in June in San Luis Obispo. Due to the high number of requests to repeat the session, another is scheduled for October 10 in Sacramento. Additionally, a session designed by and for LAFCo Clerks on *Creating a Clerk's Manual, the Roadmap to Success* is scheduled on November 14 in Sacramento. These courses are possible only with the volunteer efforts of LAFCo staff and Associate members. Thank you in particular to San Luis Obispo, Los Angeles, San Bernardino, and Stanislaus LAFCos and all the others who contributed to the classes. A special thanks to Marjorie Blom (Stanislaus LAFCo) who has been the lead in coordinating CALAFCO U since October 2012.

Accreditations CALAFCO's educational activities have all been accredited by the American Planning Association to provide AICP credits for certified planners. This benefit is provided at no cost to LAFCo staff and helps them maintain their certifications. In addition, both the Conference and Workshop have sessions for LAFCo counsel that have been accredited for MCLE credits by the California Bar.

Web Site The CALAFCO web site is a vital resource for both LAFCos and the community with questions about local government in California. The site consistently attracts between 5,500 and 6,500 visits per week. The vast majority of the visits are for the reference and resource materials found on the site and referral information to member LAFCos. This was the first year of the new website, which was launched just before last year's Annual Conference. Improvements and enhancements continue to be made as site security remains a high priority. During the year we made a change to the Members' section access in order to maintain security. After a complete system back-up and restore, the site was once again fully accessible to all members.

List-Serves The list-serves maintained by the Association continue to be an important communication and information sharing tool among LAFCo staff. In total, we maintain eight list serves to help members share information, materials, and expertise.

Publication CALAFCO was approached by the Senate Local Governance & Finance Committee to update an obsolete state publication on LAFCos. The last published edition of *It's Time to Draw the Line: A Citizen's Guide to LAFCos: Local Agency Formation Commissions* was 2003. A subgroup of the CALAFCO Legislative Committee worked with the Senate Committee staff to update the publication, which should be made available soon. Thanks to Bob Braitman, Carole Cooper, Carolyn Emery, Paul Novak, Neelima Palacherla, Mona

Palacios, Keene Simonds and Pamela Miller for their contributions to the revised publication.

LEGISLATIVE PROGRAM

This is the first year of the Legislature's two-year session and with an unprecedented number of new legislators, state Democrats held a supermajority in the Legislature. The CALAFCO Legislative Committee began work in November and met regularly throughout the year. This year, with the transition of a new Executive Director, the Legislative Committee was led with two Co-Chairs, Harry Ehrlich (San Diego LAFCo) and Kris Berry (Placer LAFCo) with Executive Director Pamela Miller acting as Vice Chair. CALAFCO maintained a full legislative agenda this year, with CALAFCO staff tracking as many as 38 different bills that could affect LAFCo. CALAFCO sponsored two bills this year, and sought an author-sponsored third bill. The top priority of the Legislative Committee was **AB 1427**, the Assembly Local Government Committee Omnibus bill. This year the bill contained eight different changes to Cortese-Knox-Hertzberg, such as clarifying several definitions, making changes to obsolete and incorrect code references, and making minor updates to several outdated sections. The bill was signed by the Governor on August 12. We are grateful for the efforts of Legislative Committee Co-Chair Harry Ehrlich (San Diego LAFCo) and Assembly Local Government Committee associate consultant Misa Yokoi-Shelton for their efforts on shepherding this bill.



The other CALAFCO sponsored bill this year is **AB 453 (Mullin)**. The CALAFCO Legislative Committee originally decided not to pursue this legislation again this year. However we were approached by Assemblymember Mullin who offered to author the bill, which would make LAFCo eligible to apply for planning grants from the Strategic Growth Council. Although this is the final year of the grant cycle, there is benefit to having LAFCo named as an eligible entity for future sustainable communities grant opportunities. It passed the Assembly and met with an unexpected amendment in Senate Natural Resources Committee. After much discussion at both the Legislative Committee and Board level, the Board took the position to move forward with the bill with further amendments. As of this writing, the bill is in the Senate Appropriations Suspense File.

In addition to the two CALAFCO sponsored bills, we sought an author for **AB 743 (Logue)**. The bill was

originally introduced to remove the sunset date provision to waive protest proceedings for certain island annexations and increase the size of the islands from 150 to 300 acres. After considering the feedback from several member LAFCoS and external stakeholders, the bill was amended to remove the increase in acreage (keeping it at 150 acres), and to reset the effective island creation date from January 1, 2000 to January 1, 2014, thus allowing smaller islands of less than 150 acres created after 2000 to be annexed under these provisions. The bill has unanimously passed both the Assembly and Senate, and as of this writing is awaiting the Governor's signature.

Highlights of other legislation on which we worked include:

- ♦ **AB 678** (*Gordon & Dickinson*) – This bill requires health care districts that do not operate their own hospital facilities to create, every 5 years, an assessment of the community health needs with public input. The bill requires LAFCoS to include in a Municipal Service Review the Health Care District's 5-year assessment. There are currently 15 healthcare districts that will be impacted. (CALAFCO supported; passed Assembly; now in Senate Appropriations Suspense File.)
- ♦ **SB 56** (*Roth & Emmerson*) – This bill corrects the VLF funding hole created by the 2011-12 state budget for inhabited annexations and incorporations since 2004. This has created major fiscal crises for a number of cities. The bill has been slow to move forward given the high cost to the General Fund. (CALAFCO supported; still in Senate.)

For a complete list of CALAFCO bills, please visit the CALAFCO website. Information is updated daily.

The Legislative Committee continues to consider and work on several substantial legislative proposals including:

- ♦ *Protest Provisions* The second phase of the project will be to enact more substantive changes to the protest provisions, to make them more consistent and easier to apply.
- ♦ *Extension of Services Outside Boundaries* After an intensive two-year effort to gain consensus on language that would increase LAFCo flexibility in certain situations to extend services outside of boundaries and spheres, the CALAFCO Legislative Committee and Board again took positions on potential legislation. The Legislative Committee revisited the proposed language at the end of 2012 and referred it again to the Board for another review and a recommendation to move the legislation forward. During its February meeting, the Board approved the appointment of an ad-hoc

subcommittee appointed by Chair Novelli to revisit the proposed changes to once again try to obtain greater consensus. After several months of work, the subcommittee presented amended language to the Board and in July the Board approved the proposed legislation. The Legislative Committee has made this a two-year bill effort, and a subcommittee of the Legislative Committee will work over the course of the next year to create a strong fact sheet and begin membership and external stakeholder outreach. We would like to thank those who volunteered to worked on amending the language: John Benoit (various LAFCoS), Rich Bottarini (Sonoma LAFCo), Roseanne Chamberlain (Amador LAFCo), Steve Lucas (Butte LAFCo), Kathy Rollings-McDonald (San Bernardino LAFCo), Keene Simonds (Napa LAFCo), George Spiliotis (Riverside LAFCo), and Kim Uhlich (Ventura LAFCo).

The positive results of the Committee's efforts would not be possible without the leadership of Committee Co-Chairs Harry Ehrlich (San Diego LAFCo) and Kris Berry (Placer LAFCo) and Vice Chair Pamela Miller, along with the volunteer efforts of the 20 LAFCo staff, counsel and Board members who serve on the Committee. The work of this group is critical in crafting legislation, providing recommendations to the Board on legislative issues and supporting the legislative process.

ASSOCIATION MANAGEMENT

A Change in Leadership In September of last year, our new Executive Director Pamela Miller was hired. There was a short overlap in time when both Bill Chiat and Pamela worked together. We are pleased to report the transition was very smooth and Pamela has done an outstanding job representing CALAFCO in this, her first year. In addition, the role of Executive Assistant was filled in January of this year by Jeni Tickler. She has done a wonderful job of supporting Pamela and the organization in this role.

2013-2015 Strategic Plan On February 7, the Board held its biennial strategic planning retreat. During the day-long retreat, the Board reviewed the Association's accomplishments over the past two years including the many positive outcomes from the regional structure, affirmed expectations of the role and responsibilities of representing CALAFCO as a Board Member, discussed the challenges and opportunities facing LAFCoS and the Association, and reviewed and amended the organization's 2-year strategic plan and strategies. The full 2013-2015 CALAFCO Strategic Plan and 2013





Legislative Policies adopted by the Board are located on the CALAFCO website.

Financial Policies and Reporting The Association continues to stand on a strong financial base. The Board maintains policies and current filings which are in compliance with all federal and state requirements for 501(c)(3) organizations. The CALAFCO Policy Manual, IRS Form 990 and other key Association documents are available on the CALAFCO web site. The Association also maintains its records with the national non-profit reporting organization, GuideStar (www.guidestar.com). In 2013 CALAFCO once again earned the *GuideStar Exchange Seal* in recognition of its transparency and completeness in documentation.

All financial records are reviewed quarterly by an outside CPA with reports to the Treasurer and the Board. The Board also reviews the annual IRS Form 990 tax filing prepared by the CPA and staff.

2013-14 Budget The Board has managed the financial resources of the Association closely. This year LAFCo dues were increased by the CPI as authorized in the Association Bylaws. While only a 2.3% increase, the Board felt it was necessary to keep up with the increasing costs of operating the Association.

The adopted budget for 2013-14 provides only minor changes from the 2012-13 budget. The close of the fiscal year showed a greater year-end balance than anticipated in the adopted budget, allowing the Association to avoid the use of reserve. The approved budget is \$379,195, which includes a \$13,219 contingency.

There are small increases in rent, office expenses, Conference and Workshop expenses in the budget which are offset by increases in returns from the conference and workshop as well as a

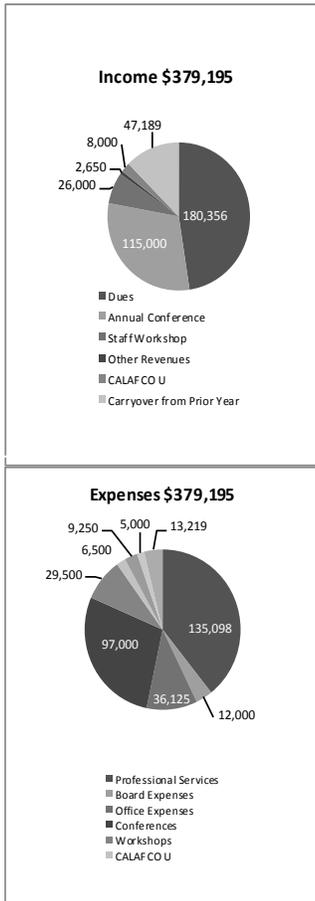
reduction in professional services. The budget is balanced and does not tap any reserve funds.

Restricted Fund Reserve Since 2005 an important goal established by the Board has been to grow and maintain a fund reserve to support member services in uncertain economic times and to avoid the need to tap members for additional funds, as had been done in the past. With an initial goal of 35% of non-conference operating expenses, the reserve is currently at \$160,222, about 79% of the annual operations budget outside of the Conference and Workshop. The reserve is not part of the annual budget and requires a vote of the Board to use its funds. The Association has not used the fund reserve since the early 2000s. CALAFCO maintains its funds with the Local Agency Investment Fund (LAIF). While the interest rate has remained low again this year, we have not lost any of the principle in our savings or investments.

Finally we want to recognize the leadership of our executive director Pamela Miller and executive officer Lou Ann Texeira (Contra Costa LAFCo). Added to that is our appreciation for all the contributions of executive assistant Jeni Tickler in the CALAFCO office, deputy executive officers Marjorie Blom (Stanislaus LAFCo), Steve Lucas (Butte LAFCo), and Sam Martinez (San Bernardino LAFCo), Legal Counsel Clark Alsop (BB&K), and CPA Jim Gladfelter (Alta Mesa Group). These people, along with many other volunteers, associate members, and members of the Board have all worked together this year to bring many achievements and a strong Association to you, our member LAFCos.

Sincerely Yours,

The CALAFCO Board of Directors



CALAFCO congratulates Stanislaus LAFCo on the 50th anniversary of their first LAFCo meeting, September 24, 1963.

LAFCo Report Card

Continued from Page 1

Regardless of funding, LAFCos in both urban and rural areas have learned what services agencies are providing and which agencies face challenges in retaining governing body members and complying with financial requirements and principal acts. Conducting the inaugural cycle of MSR's involved enormous efforts for many LAFCos simply to inventory the local agencies under their jurisdiction, organize and review often-incomplete LAFCo archives, map the agency boundaries, and introduce the agencies to LAFCo. And that was just a prelude to surveying, analyzing and publishing service, financial, and infrastructure capacity information. The level of depth of the inaugural MSR's varied. Some were simply a page or two per agency; others were nearly encyclopedic. Funding levels clearly played a major role in the page counts and the number of trees felled by MSR's.

On the knowledge front, best practices among LAFCos are publishing the MSR's online and distilling the MSR's into constituent-friendly directories of local agencies, boundary maps and key information. Constraints to fulfilling the knowledge objective included poor records and lack of information at many of the reviewed agencies, lack of planning activity at many local agencies, and resistance by some agencies to LAFCo's new oversight role. There were cities and districts that ignored LAFCo letters and requests. There were water authorities and flood control districts that asserted they were exempt from LAFCo even though no exempting resolutions were identified.

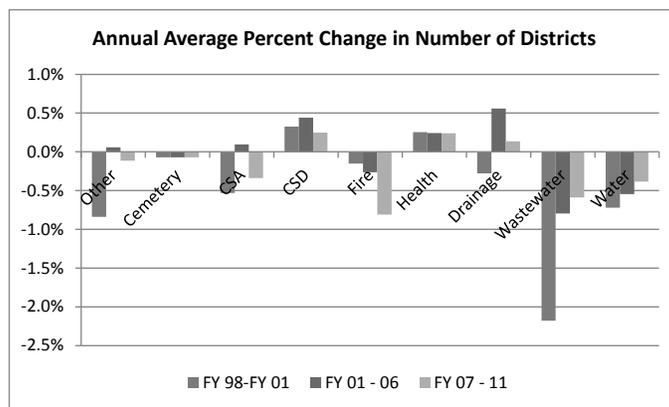
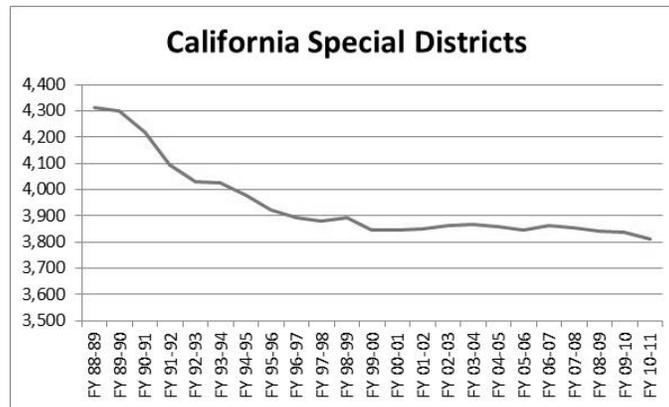
On the accountability front, have LAFCos succeeded in day-lighting financial information and enhancing oversight? Most definitely. In our experience, the MSR process has uncovered at least one local agency that might be characterized as a rogue in just about every county. The rogues tended to be smaller special districts. There were some cemetery districts that literally did not know where the bodies were buried or what capacity was remaining. There were sewer

providers illegally disposing. There were governing body meetings held in private homes. There were agencies not providing services or not disclosing finances to their constituents or to the State. Perhaps most heartening are the cases where the MSR process rehabilitated rogues. While it may seem heavy-handed to some to play the Zero Sphere card (meaning an agency is recommended for dissolution or reorganization), that has brought about a sea change in more than one rogue, including a cemetery district in San Bernardino, a sanitary district in Calaveras, and a health care district in Santa Clara. Grand juries have also picked up where MSR's have left off. Grand jury members are more attuned to LAFCos now, as they follow MSR's as one source as they consider when they set their investigative agendas for the upcoming year.

Finally, what about the end-game? Have MSR's helped to bring about efficiency and reorganization of outdated agencies? The jury is still out.

Looking strictly by the numbers, the answer in 2013 appears to be not yet. The number of districts declined more rapidly statewide before the CKH Act than after.

Looked at from a different perspective, we compared the change in the number of districts by type in the last 15 years. The rate of reduction in districts between FY 95-96 and FY 00-01 was faster for every type except fire districts than it has been since FY 00-01. Between FY 05-06 and FY 10-11, the pace of reduction in fire districts through reorganization has sped up. But the pace of consolidation of water, wastewater, park and cemetery districts has clearly slowed.



Best practices are exemplified in several reorganizations that have followed LAFCo implementation of MSR's. San Diego LAFCo certainly gets major credit for fire consolidation progress. There have been other fire district consolidations since FY 05-06 in Calaveras, Lake, Plumas and San Mateo counties as well. And just because the pace of reorganization has slowed does not mean there has been no progress. Inyo, Lake, Sutter and Yuba LAFCos have each processed at least one dissolution since they began conducting MSR's. There are presently dissolution candidates at several other

LAFCo; and there are LAFCos trying to engage the affected agencies in discussion of consolidation. For example, Siskiyou LAFCo is thinking hard about cemetery consolidation. Constraints to consolidation include resistance by elected officials and managers at affected agencies, concerns among constituents about ceding local control to a consolidated entity, and alternative courses of action such as JPAs.

The Little Hoover Commission pointed to the sheer number of special districts as cause for concern and questioned why LAFCos were failing to dissolve and consolidate districts. The Commission on Local Governance for the 21st Century echoed this concern to a degree but cautioned that we not define reduction in the number of districts as necessarily being progress. Indeed, there have been reorganizations that functionally consolidated services in recent years without achieving reduction in the number of special districts. For example, the recent recession motivated the City of San Carlos to contract with its respective county for law enforcement and fire protection services, while also operating under contract the City of Half Moon Bay's Recreation programs; and motivated the City of Sausalito to annex to an adjacent fire protection district. There have been other consolidations and reorganizations which have resulted in efficiencies. For example, the recent reorganization of the Mt. Diablo Health Care District by Contra Costa LAFCo resulted in reducing the size of the district and establishing the district as a subsidiary to a city. And in the 1990s, Los Angeles County transferred fire service responsibility from 10 or more cities to the Los Angeles County Fire Protection District, a dependent district of the County. While the number of agencies did not fall (i.e., the cities did not disincorporate), the number of fire service providers did.

Why has the pace of reorganization slowed? Perhaps agencies have been more easily rehabilitated in the internet age than reorganized. Perhaps LAFCo staff has been too busy with MSR. Perhaps Prop. 218 has complicated reorganization. Perhaps we as LAFCos simply have not had enough time to implement the end-game yet. Also worth noting, LAFCos do not have unilateral authority to implement reorganizations, which sometimes face obstacles beyond LAFCo's control, such as community resistance to change, absence of a willing successor agency, and political will of affected agencies.

The conundrum motivated us to wonder whether MSR should perhaps be done less frequently. Indeed, a proposal has been floated to extend the update timeline from five to perhaps eight years. We turned to Michael Colantuono for his thoughts on the matter. Colantuono is counsel to a number of California cities and LAFCos and was a member of the Commission on Local Governance for the 21st Century. He indicated that the original five-year timeline was established to ensure each LAFCo had reasonably up-to-date information on

the local agencies under its jurisdiction. His perception was that the timeline needed to be frequent enough that the information in the MSR remains useful and beneficial, and perhaps eight years might also meet those criteria. Such a change undoubtedly merits debate and discussion among LAFCos as to whether MSR have 8-year shelf lives and whether less frequent updates would free LAFCos to pursue reorganizations and fundamental improvements in service delivery.

Neglecting Annexation and Incorporation Will Not Serve the State's Growth Goals

By Kirstin Kolpitke and Dan Carrigg, League of CA Cities

California's Legislature emerges from a decade of severe budget deficits, many are celebrating the achievement of a balanced budget. Closing the state's massive deficit required severe spending cuts, a major boost from the taxpayers and a slowly recovering economy. But the desperate budget decisions made in recent years have policy impacts, whether it is the cost of attending public universities, potential increases in crime from realignment or the state's capacity to compete for jobs. Amid the budget wreckage, major questions also remain about the ability of cities to continue to grow and prosper.

Throughout history, cities have served as centers of commerce and culture. This is certainly the case in California — the names of our major cities are known throughout the world. The Golden State's cities serve more than 83 percent of its residents and provide a range of municipal services, including police, fire, libraries, parks and recreation, water, sewers and waste disposal. Cities also maintain a network of streets and roads.

State policies for achieving sustainability, greenhouse gas reduction, smart growth, infill and transit-oriented development and preserving farmland and open space have staked much on the role and success of cities. Yet the state's recent actions have signaled a lack of appreciation for the vital function cities serve as centers of commerce and providers of essential quality-of-life services for the vast majority of California's population.

The de facto state approach to cities appears to be one of neglect. When it comes to economic development, infrastructure and absorbing growth, cities are now on their own. The state discarded redevelopment — the most powerful municipal tool for upgrading urban cores, decontaminating brownfields, building affordable housing and transit-oriented development and countering urban sprawl. Revenues that supported new cities and cities that annexed inhabited areas were taken with no public process, leaving some cities on the verge of disincorporation. The message being sent is that

while growth will occur, the state no longer will expend the effort to support how and where it happens.

SB 89 Leaves Incorporation and Annexation Policies Upended

As part of a push to close the budget gap in 2011, the Legislature passed SB 89 (Chapter 35, Statutes of 2011) without a public hearing. The measure swept allocations of the Vehicle License Fee (VLF) from cities and Orange County as part of a scheme to fund realignment programs, which included grants for local law enforcement previously paid from the state General Fund. These local VLF revenues included special allocations dedicated by all other cities to assist newly incorporated and annexed territories. The allocations were established by League-supported legislation to compensate new cities and annexations for provisions of the 2004 VLF-property tax swap, which failed to include the in-lieu property tax adjustments that other cities receive. In addition, these VLF allocations supported state Local Agency Formation Commission (LAFCo) policies that encourage service consolidation, including the annexation of islands of inhabited unincorporated territory. Incorporations also uphold state objectives to control sprawl, because LAFCo policies guide city growth but have less effect on unincorporated county growth.



The timing of SB 89 could not have been worse for Jurupa Valley, the state's newest city, incorporated on July 1, 2011. Before Jurupa Valley incorporated, the Riverside County LAFCo determined that county agencies could not provide services to the Jurupa Valley community "... in a more efficient and accountable manner. Incorporation will allow for increased local accountability."¹

As a result of SB 89, the city lost more than one-third of its General Fund. According to an Oct. 25, 2012, article in the *Press Enterprise*, "Over the past two fiscal years, Jurupa Valley has lost more than \$13 million in state revenue. The city expects to run out of money by June 30, [2013], the end of the current fiscal year."² Without some sort of reinstatement of the lost revenue or having the county contribute funding, Jurupa Valley faces possible disincorporation.

Three other newly incorporated cities have also lost funding because of SB 89. Fontana, San Jose and many other cities that made the state-supported policy decisions to annex and serve inhabited unincorporated areas were undercut and lost the revenue they relied upon when making those decisions. The policy signals and future impact of SB 89 are obvious: Cities no longer have any incentive to annex and serve inhabited

unincorporated areas. Furthermore, without the prospect of future incorporations, the state will be faced with more unincorporated county growth patterns, which historically have been less dense than city-centered development.

SB 244's Leverage Will Reduce Other Annexations

Another recent law with good intentions but unintended consequences is SB 244 (Chapter 513, Statutes of 2011). Inspired by advocates concerned about the poor services and infrastructure conditions for low-income people in county unincorporated areas, this bill was designed to promote annexation by adjacent cities. The advocates sponsoring the bill observed that the quality of infrastructure and services in cities were superior and sought leverage to increase the likelihood of future annexation. The law requires that any area of proposed annexation contiguous to a disadvantaged unincorporated community must include an application to annex the disadvantaged unincorporated community as well. The bill essentially asks those who seek a financially viable annexation to annex an area that's less than financially viable in hopes that the monetary incentives of the first annexation are so beneficial that they can sustain the financial losses of annexing the disadvantaged unincorporated community.

However, while the intent is understandable, the additional financial burden of annexing a disadvantaged unincorporated community will stall other viable annexations. While the law is still relatively new and interest in annexation has slowed with the economy, one example illustrates its impact.

On Jan. 6, 2012, the Riverside County LAFCo denied a proposal to annex two unincorporated areas that included about 625 acres adjacent to the City of Desert Hot Springs. The LAFCo report states, "Most importantly, recently enacted legislation prohibits the approval of this annexation since it excludes an adjacent disadvantaged unincorporated community. As a result, staff recommends denial of Annexation 29 to the City of Desert Hot Springs."³ The annexation will not be pursued any further.

Revenue Neutrality Compounds Incorporation Challenges

Prior to the passage of SB 89, city incorporations were already significantly limited by the revenue neutrality law adopted in the early 1990s during yet another state budget crisis. As a result, jurisdictions fortunate enough to make incorporations pay their way, or "pencil out," were typically the exception rather than the rule.

"Revenue neutrality" essentially means that the incorporating city gets to keep only the amount of

revenue that the county was spending in the area prior to incorporation, not the amount of revenue generated within the area. For example, the incorporation proponents for the City of Elk Grove agreed to give the county a percentage of property tax that would decline over 25 years while keeping other taxes, such as the sales tax and transient occupancy (hotel) tax. Under the revenue neutrality law, counties are in a position to drive hard bargains that limit the ability of new cities to pencil out. That is why in recent years the VLF allocations became so critical to helping cities like Jurupa Valley incorporate.

Some at the state level may view the incorporation question as making no real difference. That view has serious flaws.

California anticipates annual population growth of approximately 300,000 to 400,000 people in the coming years. These people will need essential community services and a place to live. What is the most appropriate land-use solution to meet the challenge of this growing population?

From a growth perspective, an area proposed for incorporation already has a level of development previously approved by the county; in many cases such growth was not subject to LAFCo review. Incorporation will ensure that future expansion complies with LAFCo policies, which reflect state priorities. City incorporation efforts are also one of the most fundamental expressions of democracy. Affected residents may be dissatisfied with growth patterns approved by the county, the remoteness of government offices, the quality of public services, emergency response times and the lack of parks or other desired amenities. Once a city is incorporated, public engagement often increases as more attention can be paid to local needs and desires. The thriving communities of Elk Grove, Rancho Cordova and Citrus Heights in Sacramento County provide examples of the community empowerment that incorporation can bring. Residents of East Los Angeles and Carmel Valley have long desired self-governance for the same reasons.

Going Forward

It serves little purpose to rehash the past, but the future offers opportunities for change and rectifying the problems described here. As California's economy recovers, the challenges of growth will return. Where should this growth be directed? How will infrastructure and services to support growth be provided? If strong cities are truly important to the state's economic future and growth goals, then the broken policies affecting California's cities must be repaired.

Footnotes:

1 Local Agency Formation Commission of Riverside County, "Approving the Reorganization to Include Incorporation of Jurupa Valley," Resolution 12-10).

2 Sandra Stokley, "Jurupa Valley: County goal is city's survival" (*Press Enterprise*, Oct. 25, 2012).

3 Riverside County Local Agency Formation Commission Report (LAFCo 2011-08-5-Reorganization to Include Annexation 29 to the City of Desert Hot Springs (New World Lifestyle Communities) and Concurrent Detachments from the Riverside County Waste Resources Management District, Jan. 26, 2012).

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Prop 218 Does Not Apply to Annexations

By Michael Colantuono

On October 5th, 2012, the Orange County Court of Appeal decided *Citizens Association of Sunset Beach v. Orange County Local Agency Formation Commission*. The case answers the question whether Proposition 218 applies to annexations, which the local government community had been struggling with at least since a 1999 Attorney General's opinion on the subject. The decision affirms the City of Huntington Beach's trial court victory and confirms that Proposition 218 did not require an election before the City could collect its taxes in Sunset Beach after annexation of that area to the City.

The essence of the Court's holding is that the voters who approved Proposition 218 cannot have intended it to require an election before a city can collect taxes in annexed territory because the measure provides no details about how such an election would be conducted. In particular, Proposition 218 requires two-thirds voter approval for new or increased special taxes but requires only a simple majority for general taxes. Nothing in Proposition 218 describes how voters would express their views on the separate questions of (i) annexation, (ii) approval of general taxes, and (iii) approval of special taxes. Nor does the measure provide a means to determine if an annexation will make taxpayers pay more, as comparing city and county tax and fee regimes sometimes requires such apples-to-oranges comparisons as higher utility tax rates and lower trash service fees. Silence on all these issues, like the dog which did not bark in the Sherlock Holmes short story **Silver Blaze** (which the Court cites), suggests the voters did not intend to impose Proposition 218's election requirements on annexations. The Court explained: "There is much in the very structure of Proposition 218 that, if it had been intended to apply to annexations, should have been there, but isn't."

The court noted that the contrary interpretation would have impliedly repealed two provisions of the Cortese-Knox-Hertzberg Act (the LAFCo statute) — the island annexation rule which allowed annexation of small areas like Sunset Beach without an opportunity for protests and a provision stating that, upon an annexation, the annexing city's taxes take effect in the annexed territory. Implied repeal of statutes is disfavored, even in the context of initiative amendments

to our Constitution. The Court relied on a comparable 1979 decision, *Dorff v. Metropolitan Water District of Southern California*, which found no intent in Proposition 13 to require voter approval of special property taxes made applicable to new territory by an annexation. The Court also noted the absence of any language in Proposition 218 or its ballot materials indicating voters' desire to repeal the Cortese-Knox-Hertzberg provisions noted above or to depart from the result in *Dorff*. "Had Proposition 218 been intended to satisfy or avoid the effects of *Dorff*, we would have expected *some* attempt somewhere in Proposition 218 to address the issue. We have found none."

Interestingly, the Court provided its own, partial definitions of the terms "impose," "extend" and "increase," which Proposition 218 uses to describe the local agency actions which trigger tax elections. It did not cite the Proposition 218 Omnibus Implementation Act as we urged in our brief for the City and as the California Supreme Court did in *Greene v. Marin County Flood Control & Water Conservation District*, a case Michael Colantuono argued in 2010. *Citizens Association* is a deliberately narrow decision by a conservative court. The Court agreed with our arguments for the City that a tax is "imposed" when it is first enacted, "extended" when a sunset date is repealed or delayed, and "increased" most often when a tax rate is increased; but it reached those conclusions by narrow analyses we did not offer in our brief.

The Court refused to apply an earlier decision of the Los Angeles Court of Appeal involving Los Angeles' telephone tax which Sandi Levin argued, *AB Cellular LA, LLC v. City of Los Angeles*. That case found a tax "extension" requiring voter approval when Los Angeles ordered cellular telephone providers to tax not only minimum monthly account charges, but also the call-detail portion of bills. This court found no analogy between that expansion of Los Angeles' "tax base" and the annexation of Sunset Beach to Huntington Beach because doing so would raise questions about how to administer tax elections in the annexation context without answers to be had from Proposition 218's text: "given the problems of structure and implied repeal discussed above, we decline to extend the rule of *AB Cellular* to annexations."

The court also found no reason for a different decision in Proposition 218's uncodified language requiring it to be "liberally construed to effectuate its purposes of limiting local government revenues and enhancing taxpayer consent." The court stated: "a rule of liberal construction cannot trump the rule against implied repeal, much less require us to blind ourselves to the history and language of the proposition." Local governments will, no doubt, find this language helpful in future cases.

Finally, the Court found it unnecessary to decide whether LAFCo had the power to condition the

annexation on a tax election, as the Plaintiffs urged. This question remains to be decided another day, but it is clear that Proposition 218 does not require such elections: "there was no constitutional *compulsion* to hold an election. Whether OC LAFCo *could have* conditioned annexation on approval of the voters is not properly before us."

The court's reasoning is comparable to that of *Richmond v. Shasta Community Services District*, a case Michael Colantuono argued in 2004, which concluded that water connection charges on new development are not property related fees subject to Proposition 218 because local governments could not comply with the measure's requirements to give property owners notice of a hearing because it could not be known in advance which property owners would choose to develop their properties. If a proposed interpretation of Proposition 218 opens many questions for which it provides no answers and a contrary interpretation that does not do violence to the text of the measure is available that avoids those questions, then the second interpretation is preferred.

The case is a nice win for Huntington Beach and provides helpful guidance to every LAFCo in the state and to cities, districts with taxing power, and others involved in annexations. In addition, it is an important reminder that interpreting Proposition 218 and other finance amendments to our Constitution, like Propositions 13 and 26, we can look not only to the text of the measures, but to their silences; not only to their words, but to the practical consequences of their requirements.

The next major Proposition 218 decision will likely come in *Concerned Citizens for Responsible Government v. West Point Fire Protection District*, a California Supreme Court case involving fire suppression benefit assessments. That decision is likely sometime in 2013.

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For more information on this subject, contact Michael at 530/432-7357 or MColantuono@CLLAW.US.

Building Transparency and Rebuilding Trust

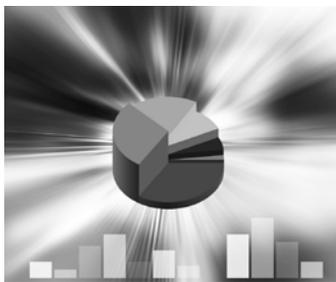
By Mike McCann, Delphi Solutions

Transparency is the new normal in government. In the wake of the scandal in the City of Bell, California cities now report their salaries to the State Controller's Office for web publication. New York proudly announced this year that it spent more than two million dollars building a web site to place checkbooks online for all to see. Non-profit watchdogs like the Public Interest Research Group issue whitepapers rating the financial transparency of states and cities, advocating for ever more detail.

When a government announces that it must increase taxes or eliminate programs, how can citizens evaluate and understand this news? When press reports say that costs are out of control, how do journalists get the necessary context? The answers often lie in thousands of pages of Adopted Budgets, Comprehensive Annual Financial Reports, checkbooks and salary lists.

The purpose of transparency is to build a foundation of trust between governments and their communities. Most officials strive to do good work, often at some level of personal sacrifice, and it can hurt when citizens come to the microphone or pen an editorial calling into question their decisions and their motivations. Unfortunately, most efforts to offer transparency do not produce the desired level of trust. Data is not intelligence, and unorganized data will inevitably lead to confusion and misinterpretation. Accordingly, more data alone does not equal more wisdom or more trust.

Financial data presents an important subset of this problem. Expense accounts for pencils and sewer construction contracts may each constitute one line among thousands in a government's books. To accurately describe that government's financial situation, should those two data points be added up? Averaged? Presented separately? Clichés abound: "Can't see the forest for the trees" or "a picture is worth a thousand words." Yet cities and their key constituents need to both see the strategic frame and drill down to the details.



To solve this problem, the concept of "managed data" has emerged in the transparency world. Managing data involves consolidating, refining, summarizing, and presenting data in ways that provide context and

limit confusion. Packaging data in this way not only assists analysis and aids decision-making, but also builds bridges to the community by giving citizens an accessible entry point to the government finance world.

But managed data solves more than just the transparency problem. CALAFCO and individual LAFcos have to tackle the difficult mission of providing unbiased information regarding cities and special districts to the legislature, executive branch, and citizens. The ability to perform Municipal Service Reviews is enhanced when financial data is readily available in useful and comprehensible forms. Timely decision making on issues coming before LAFcos depends on timely information. Evaluating consolidations, shared services arrangements, and efforts to do more with increasingly limited resources demand the sort of accurate, concise information provided through managed data.

After a career in accounting and government service, I discovered a Silicon Valley startup that had formed specifically to take on the problem of government financial transparency. Delphi (www.delphi.us), an early-stage company showed me how the power of the latest software in the hands of brilliant engineers and designers could bring clarity dense financial information. The team at Delphi develops dramatic and dynamic data visualization that governments embed into their own websites, giving citizens and staff powerful new insights into their data.

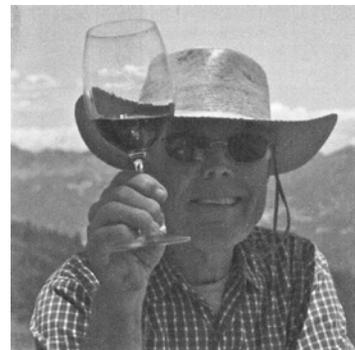
Visualizations using colorful, clear, and accurate graphics display five years of financial data for any snapshot of the government the user wishes to see. Trends and patterns are brought into focus, allowing the relative importance of individual elements to be evaluated, as well as their cumulative impacts. Cutting-edge design and modern software combine to provide an elegant interface that is simple to learn and easy to use. Converting raw data to usable information is the epitome of "managed" transparency.

Trust comes from being able to both believe and understand the data. Delphi's approach uses audited financial records and current legally adopted budgets so the data is real and meaningful. And the visualizations are designed to help the user understand the data at any level or area of interest. Trust comes from knowing the data is there whenever it is needed, from being able to reference it in the office or at home. Citizens (and government officials) can extract, share, or save whatever they like, whenever they like. Trust comes from knowing that the government wants you to have – and understand – the data.

Remembering a Good Friend - In Memoriam of Bill Davis

By Peter Banning, Pat McCormick, Mike Ott, Martha Poyatos

Some of us who have toiled at LAFco's work for years before 1995 are deeply feeling the loss of our friend and colleague, Bill Davis. Bill served as Executive Officer for three different LAFcos: first at Santa Cruz from 1979 to 1980, then San Diego until 1984 and San Mateo until 1994.



His influence is also still to be felt in the legislation we work with every day. As recounted by Mike Ott from Bill's time in San Diego and San Mateo,

“When Bill hired me at the San Diego LAFCo in the mid- 1980s, I was curious why Bill would ritualistically pack up an oversized briefcase with stacks of yellow notepads for trips at the end of each week. I did not know at the time what he was doing or where he was going with this briefcase. I used to think that he was either writing the world’s longest novel or having secret meetings with someone. Being on the reserved and quiet side, Bill offered little explanation for the briefcase and weekly trips. It was not until 1984 that all of this made sense. This was the year that the Knox-Nisbet Act, District Reorganization Act, and Municipal Organization Act were combined in a CALAFCO legislative proposal eventually resulting in the Cortese-Knox Local Government Reorganization Act of 1985. It turned out that Bill Davis and a small but talented group of LAFCo staff (Marv Panter, Ruth Benell, and Janet Robinson) were doing the impossible. Without the assistance of computers, they were re-writing (on yellow notepads) three nonsensical and conflicting predecessor LAFCo statutes into what would later become one new consolidated law.”

Several LAFCo executive officers who followed Bill as understudies and successors proudly consider themselves as Bill’s philosophical progeny. Bill performed this unusual alchemy of mentorship in which the value of gladly suffering fools was elevated and explained as an intrinsic necessity of public service, perhaps even a meditative practice disguised as good manners. At the same time, we learned to persevere and push through the frustration that is part of what we do. Some of us owe Bill massively.

Bill continued on as the moving force on CALAFCO’s Legislative Committee well into the 1990s before “retiring” to more fully pursue his personal interests. This largely allowed him to attend more fully to his love of food, travel and music, his family and friends.

Bill was well educated, well read and well-traveled. He was always happy to share his love of good food and wine by suggesting where and what one might eat at almost any possible destination. If the conversation continued, he would color in the entire region with an extraordinary background in history, geography and culture.

Bill was a gentleman and a scholar, as we would say of the revered and reserved and respected. His memorial service in San Francisco on March 17th included performances by remarkable and renowned musicians whose efforts overwhelmed the impropriety of applause at such an occasion. Their music, which was nothing short of astonishing, was the perfect expression of gratitude for his life among us. He would have said, “Well, at least nobody whistled.”

The Fundamentals

By Pat McCormick

As I write this article, I reflect on the professional football season which was in its final month and all the teams headed toward the Super Bowl are executing the fundamentals well: making blocks, running patterns, tackling with the proper technique. Santa Cruz LAFCo has successfully completed litigation over one of its 2008 decisions. While LAFCo’s goal was to make the best public policy decision, the success in the litigation is largely due to LAFCo’s executing the fundamentals.

Bonny Doon is a rural community of 2700 people in 50 square miles of redwood forest northwest of the City of Santa Cruz. For many years, its fire protection and emergency services have been provided by CAL FIRE under contract with Santa Cruz County. Bonny Doon is located within a 290 square mile county service area (CSA) which utilizes both property taxes and fire suppression assessments to fund the CAL FIRE contract. CAL FIRE supervises both paid companies and volunteer companies to respond to emergencies.



In 2006, the non-profit supporting the Bonny Doon volunteer company filed an application with LAFCo to detach Bonny Doon from the county service area and to form an independent fire protection district. They believed that the level of service could be improved if the new district were able to pass a higher fire suppression assessment to support the volunteers and a new paid company to be operated by the new district.

In September 2008, LAFCo’s public hearing was attended by approximately 500 people from Bonny Doon and surrounding communities. The issues were complex. One issue was whether the proposed district’s pro forma budget would support its service plan. Another issue was the degree to which the reduced revenue would cause service reductions within the remaining communities in the CSA. A third issue was whether there were feasible alternatives to improve service in Bonny Doon without any change of organization.

After a spirited public hearing, the Commission, on a split vote, voted to deny the application. The Commission’s majority concluded that the proposed district would be a costly way to improve services in Bonny Doon, that the proposed CSA detachment would likely result in a lower level of services in the remainder of the CSA, and that less expensive alternatives existed for improving fire protection and emergency services in Bonny Doon utilizing the CSA.

The non-profit sued LAFCo, asking the Superior Court to find that LAFCo had not complied with law in making its decision. The relief they sought was for the

vision with respect to administering policies and practices. Fewer sets of eyes on a particular project inherently limits the agency's ability to identify blind spots. One minor misstep in complying with the California Environmental Quality Act (CEQA) can potentially induce a crippling lawsuit, for instance. It would behoove LAFCo Analysts, therefore, to coordinate a system in which perspectives and strategies for certain processes are shared while also providing an opportunity to build a sense of true fellowship. This is precisely what the LAFCo Analysts Group attempts to achieve.

This role of an Analyst can sometimes be confounding, with the best solution typically involving an e-mail or phone call to a fellow LAFCo Analyst seeking advice.

San Mateo LAFCo Bids Farewell to Long-time Commissioners and Welcomes New Members

By Martha Poyatos

2012 marked a year of change for the Commission with long-time Commissioners Iris Gallagher, Rose Jacobs Gibson and Sepi Richardson retiring.

Iris Gallagher, Board Member on Bayshore Sanitary District, joined the Commission in 1996 as Alternate Special District Member after playing a key role in expanding LAFCo membership to include independent special districts. Ms. Gallagher became a regular member in 2000. She has since served as Chairperson twice, served regularly on the Commission's Budget Committee, attended several CALAFCO Conferences and made important contributions to LAFCo deliberations during her tenure. The Special District Member Selection Committee appointed Joe Sheridan of Broadmoor Police Protection District to finish Ms. Gallagher's term and also appointed Joshua Cosgrove of North Coast County Water District to the Alternate position vacated by Commissioner Sheridan.

County Member Rose Jacobs Gibson served as the LAFCo alternate since 1996 and made significant contributions to Commission deliberations on several complex proposals. In addition to her tenure as a County Supervisor and LAFCo Commissioner, Ms. Jacobs Gibson served on the East Palo Alto City Council, Association of Bay Area Governments, City/County Association of Governments of San Mateo County (C/CAG), the State Association of Counties (CSAC) Health and Human Services Committee and many other local and regional boards and commissions. The Board of Supervisors appointed newly elected Supervisor Warren Slocum as LAFCo's new Alternate County Member.

City Member Sepi Richardson joined the Commission in 2002, served as Chair in 2004 and regularly served on

the Commission's Budget Committee. She made extensive contributions to the work of the Commission in processing complex reorganization proposals including consolidation of fire districts, expansion of the regional open space district and many municipal service reviews and sphere updates. Ms. Richardson also served the on the CALAFCO Board. As a Brisbane City Council Member she served on several regional and state boards and associations including Association of Bay Area Governments (ABAG), City/County Association of Governments (C/CAG) and League of California Cities. The City Selection Committee will meet later this month to select her replacement.

The San Mateo LAFCo and staff express their thanks to the three outgoing members for their dedication and tenure as public servants, and wish them well in their future endeavors.

How Urban Development Policies Have Made a Difference in Santa Clara County: 40 Years Later, Policies Still Cutting-Edge and Vital

By Don Weden, Retired Principal Planner, Santa Clara County

This year marks the anniversary of two important events in Santa Clara County, the first being the 50th anniversary of the creation of Local Agency Formation Commissions (LAFCos) throughout California and the second being the 40th anniversary of the adoption of countywide urban development policies and the creation of Urban Service Areas for cities.

These groundbreaking policies continue to serve as examples of how collaboration among LAFCo, the County, and cities on planning and growth management principles can help discourage urban sprawl, preserve agricultural lands and open space, and promote efficient service provisions. Collaborative implementation of these policies fundamentally changed the growth and development trajectory of Santa Clara County from what it was 50 years ago – and made it a much more livable, sustainable place than it would otherwise have become.

Need for urban development policies - Santa Clara County in the 50s and the 60s

During the 1960s, growth and development in Santa Clara County – and much of California – was reminiscent of the “Wild West” of the 1800s, when new towns sprang up overnight, there were relatively few rules, and there was no sheriff in town to resolve disputes and enforce order. Rapid population growth following World War II was fueled by a combination of a robust economy, a benign climate, an attractive

physical setting, the post War Baby Boom, and affordable housing. Many workers who came to California to work in defense industries during the War chose to remain. And many soldiers from throughout the United States who were stationed in or passed through California chose to relocate here after the War. All of these factors combined to create a housing and real estate boom in Santa Clara County – and many other counties throughout California.

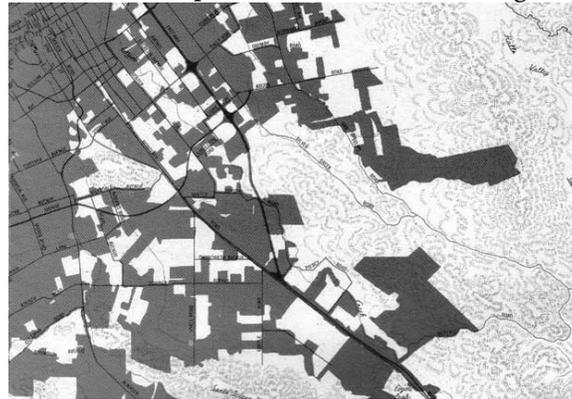
Back then, agriculture was California’s largest industry. But flat, fertile, farmlands could easily and rapidly be converted to sprawling, suburban subdivisions – and many of them were.

The laws governing the annexation of land into cities, the incorporation of new cities, or the creation and expansion of new special purpose districts – such as sanitation districts providing sewer services – were mostly adopted years before the boom in California’s population began. These laws were not designed to deal with the conditions of explosive urban growth that arose in many parts of California during the 1950s and ‘60s.

Many cities – competing to increase their property tax bases – pursued aggressive annexation policies to take in as much land as possible as quickly as possible. In some cases, they even annexed long, narrow strips of land along public roads – past intervening farmlands – in order to reach farmlands whose owners were seeking to develop them and wanted to annex into the city. In the absence of clear rules regarding to which city the land in a particular location could be annexed, two or more cities would sometimes compete to get a landowner to annex to their city. The County further contributed to inefficient development patterns and confusing, irrational jurisdictional boundaries by acting like a city and approving urban development on unincorporated lands not annexed to any city. Developers took advantage of this relatively lawless, “Wild West” environment by playing competing jurisdictions off against one another.

The jurisdictional landscape of Santa Clara County was also impacted during these years of rapid growth, aggressive annexations, and annexation wars. Residents

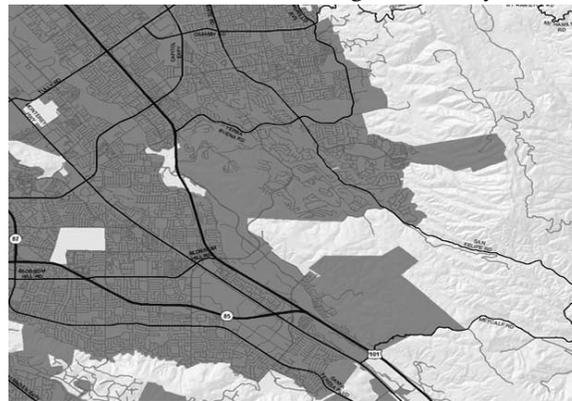
and landowners in some areas, seeking to avoid annexation by a nearby city, would sometimes incorporate as a new city. Irrational, inefficient city boundaries also resulted from some cities pursuing annexation strategies intended to block other cities from annexing lands in their vicinity.



1960s land development pattern in Santa Clara County

The result of the annexation wars and the County’s approval of urban development was an almost random pattern of irregularly-shaped city boundaries, and discontinuous patterns of urban development that leapfrogged over productive farmlands whose owners were more willing to sell their land for development, to reach farmlands farther out,

Another consequence of the rapid growth and annexation wars in Santa Clara County in the 1960s was the loss of prime agricultural lands – some of the most productive farmlands in the world – that had given the county its reputation as “The Valley of Heart’s Delight.” State farmland protection laws were virtually non-existent. And local policies to protect farmland were no match for the economic pressures that rapid urbanization of the Valley created. These pressures made it difficult for farmers to continue farming in northern Santa Clara County. Agriculture, California’s largest industry at that time, was rapidly being eroded and endangered by unplanned suburban sprawl.



2013 land development pattern in Santa Clara County

Facing the loss of the state’s largest industry and the costly and inefficient urban development and urban service delivery patterns of many cities, the State Legislature adopted a law in 1963 requiring all 58 counties in California to establish Local Agency Formation Commissions (LAFCOs). LAFCOs were given the responsibility to encourage the

orderly formation of local governmental agencies, preserve agricultural land resources, and discourage urban sprawl.

Creation of urban development policies - “Home Grown” by the Local Cities and the County

The first thing that Santa Clara County’s LAFCo set about doing was to put an end to the annexation wars. It did so by encouraging the cities to work together to reach agreements regarding “boundary agreement lines” – which sometimes were referred to as the “cease

fire” lines for the annexation wars. The boundary agreement lines divided up the entire county and defined which lands could potentially be annexed into each of the cities. Nearby cities were encouraged to reach agreement voluntarily regarding the location of these boundary agreement lines.

In the few instances where the cities were unable to reach agreement regarding the locations for portions of their boundary agreement lines, LAFCo had to decide which of the conflicting proposals to adopt. But the vast majority of the boundaries were agreed to voluntarily by the cities, and LAFCo simply adopted what the cities had agreed to.

Once the boundary agreement lines were adopted and the annexation wars were ended, LAFCo, the County, and the fifteen cities began the process of working together to reach agreement on a set of basic countywide urban development policies.

The cities and the County took the lead in this effort. A draft set of countywide urban development policies was prepared by a committee composed of city and County planning staff, working under the auspices the Santa Clara County Association of Planning Officials (SCCAPO). The committee’s proposal, reviewed and endorsed by SCCAPO, was then submitted to the Santa Clara County Planning Policy Committee (PPC) for review and endorsement.

The PPC was an influential intergovernmental organization whose membership consisted of one city councilmember from each of the fifteen cities, one planning commissioner from each of the cities, one member of the County Board of Supervisors, and one member of the County Planning Commission. After the PPC had reviewed and endorsed the proposed countywide urban development policies, LAFCo adopted these policies in 1971. These policies were subsequently adopted by the County and by each of the cities.

Important contributions were also made by the City of San Jose – Santa Clara County’s largest city – which was reviewing its own urban development policies as these other activities were taking place. The result was the publication and adoption by San Jose of a set of urban development policies that were very similar to the policies adopted by the County, cities and LAFCo, and provided additional support to these policies.

These basic policies developed through a locally-controlled process, driven by the cities and the County and adopted by LAFCo, the County, and the cities, can be summarized as follows:

1. Urban development should occur only on lands annexed to cities – and not within unincorporated areas, urban or rural.
2. Urban expansion should occur in an orderly, planned manner – with the cities responsible for planning and providing services to urban development, within explicitly adopted “urban

service areas” whose expansion is subject to LAFCo approval.

3. Urban unincorporated islands should eventually be annexed into their surrounding cities – so that the cities have urban service responsibilities and land use authority over all lands within their urban service area boundaries.

Implementation of the Policies - Unique Partnership Among the Cities, County and LAFCo

These basic urban development policies involved important mutual commitments by the County and the cities.

The County agreed, in essence, to get out of the “urban development business” and

1. No longer compete with the cities by approving new urban development in urban unincorporated islands, and
2. Limit development within rural unincorporated areas to rural land uses and densities

The County fulfilled this latter commitment through a series of major rezonings of rural unincorporated areas that significantly increased the minimum parcel sizes required for new subdivisions. As a result, the vast majority of Santa Clara County’s rural unincorporated areas now have zoning designations that require a minimum parcel size of 20 acres or more for new subdivisions. Over the past four decades, since these rezonings took place, the County has kept its commitment by consistently rejecting proposals for privately-initiated General Plan amendments that would have allowed significant changes in allowable uses or densities in rural unincorporated areas.

In return, the cities agreed to:

1. Plan for orderly urban development and expansion, within explicitly adopted “urban service area” boundaries, which they proposed and LAFCo adopted. Changes to those boundaries require LAFCo approval.
2. Annex the urban unincorporated islands – which were generally the result of past annexation practices and the annexation wars

The City of San Jose’s commitment to countywide urban development policies is demonstrated by its own General Plan policies that, over several decades, have directed its urban growth into existing urban areas. So, while San Jose’s population has grown substantially, its urban footprint has remained essentially the same – unlike cities like Phoenix and Atlanta that grew by similar amounts, but covered vast areas of land with low density sprawl over the same time period. San Jose’s recently revised General Plan accommodates all its new development over the next twenty years within its existing urban area – thus continuing its longstanding commitment to pursue more efficient, compact urban development patterns.

LAFCo became responsible for enforcing the urban development policies that the cities and the County had developed and agreed to.

Through its careful review of city proposals for Urban Service Area expansions, LAFCo ensures that future urban development in Santa Clara County occurs only when and where it is needed, can be serviced efficiently, and does not result in premature conversion of agricultural or open space lands. LAFCo's recently adopted agricultural mitigation policy discourages inclusion of agricultural lands in city proposals for Urban Service Area expansions and recommends permanent protection for other farmlands if the proposal involves development of farmland. In the last 14 years, LAFCo, working with the County, has facilitated annexation of 88 unincorporated islands containing nearly 25,000 people, into surrounding cities which are better situated to serve their needs.

Conclusion

If not for the countywide urban development policies and LAFCo, Santa Clara County would be a very different place today. In all likelihood, the county would have continuous urban development extending all the way from Palo Alto to the San Benito County border, many more homes on its scenic hillsides, no agricultural land left undeveloped, many fewer acres of publicly-owned open space preserves and parks, an irrational and inefficient, crazy quilt pattern of city, County, and special district jurisdictional and service boundaries and further fragmented local land use planning and regulation and service delivery responsibilities.

Working cooperatively with the County and the fifteen cities, LAFCo served as a catalyst for the adoption of the countywide urban development policies which helped prevent these things from happening. Forty years later, these policies continue to guide urban development in Santa Clara County and have made a significant, positive impact on the economic, social and environmental well-being of Santa Clara County.

Meet the CALAFCO Executive Assistant and Registrar

Meet CALAFCO's Executive Assistant and Registrar, Jeni Tickler. Jeni joined CALAFCO in January of this year and has been doing an excellent job supporting the Executive Director and the Association. For over 12 years, as Principal of Professional Events, Jeni has been responsible for the complete process of creating, managing, promoting and executing a wide array of campaigns and events with the singular goal of exceeding her clients' expectations. Jeni is highly skilled at developing innovative programs and partnerships. She assesses and develops campaigns and events tailored to specific project and agency needs. Jeni has successfully implemented a variety of programs for a diverse array of clients including public agencies, private entities, advocacy groups, professional associations and non-profit organizations. Since 2007, Jeni has served as the Communications and Event Manager for the Sacramento Valley Section California Chapter of the American Planning Association (APA). We are fortunate to have her as part of the CALAFCO administrative team. Jeni is typically in the CALAFCO office on Wednesdays and Thursdays.



*On the
Horizon*



2014 STAFF WORKSHOP

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Hosted by Bay Area LAFCos

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CALAFCO provides educational, information sharing and technical support for its members by serving as a resource for, and collaborating with, the public, the legislative and executive branches of state government, and other organizations for the purpose of discouraging urban sprawl, preserving open-space and prime agricultural lands, and encouraging orderly growth and development of local agencies.

Sharing Information and Resources

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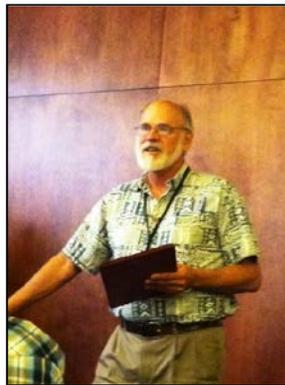


THE VIEW

Scenes from the CALAFCO, Board of Directors 2013 Strategic Planning Retreat and 2013 Staff Workshop in Davis



CALAFCO Board Retreat, February 2013, Irvine



Peter Banning, Marin Executive Officer, accepting award of recognition from CALAFCO in honor of his retirement. Staff Workshop in Davis, April 2013



Mobile Workshop
Center for land based
learning, Winters
2013 Staff Workshop

