


EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF FEBRUARY 27, 2019

REGULAR MEETING

TO: Shiva Frentzen, Chair, and
Members of the El Dorado County Local Agency Formation
Commission

FROM: José C. Henríquez, Executive Officer 

PREPARED BY: Erica Sanchez, Assistant Executive Officer

**AGENDA ITEM #4D: CONSIDER UPDATES TO THE COMMISSION'S POLICIES
AND GUIDELINES BASED ON CHANGES IN STATE LAW**

RECOMMENDATION

Staff recommends that the Commission update Section 6.8.6 within the Commission's Policies and Guidelines, based on a change to State law effective in 2002.

REASON FOR RECOMMENDED ACTION

Section 6.8 of the Commission's Policies and Guidelines relates to Service Outside of Agency Boundaries. Policy 6.8.6 references an outdated exemption date for LAFCO review of outside agency service agreements. The recommended update to Policy 6.8.6 would bring it into compliance with Government Code Section 56133(e), as it's currently written.

BACKGROUND

Policy 6.8.6 states, "*Extra-territorial services provided by agencies prior to January 1, 1994 are not subject to LAFCO review.*" At the time this policy was approved in 2000, this was accurate. Government Code §56133 was subsequently revised in 2002 by AB 2227 (Harman) to extend the exemption to on or before January 1, 2001. However, the Commission's Policies and Guidelines were not updated to reflect this change.

It should be noted that staff has correctly applied the January 1, 2001 grandfather date for all out of agency service agreements since 2002; updating this section will not change current practice, but instead corrects an outdated reference in the Commission's Policies and Guidelines.

The recommended update to Commission Policy 6.8.6 will conform to Government Code Section 56133(e) as currently written, and is as follows:

6.8.6 Extra-territorial services provided by agencies prior to January 1, ~~1994~~ 2001 are not subject to LAFCO review.

There are no additional changes or updates recommended for the Commission's Service Outside of Agency Boundaries Policies.

Attachment

Attachment A: Current Section 6.8 of the Commission's Policies & Guidelines