

## San Joaquin

(Within subsection “Spheres and Municipal Service Reviews” of its Change Of Organization Policies And Procedures)

### 14. Disadvantaged Unincorporated Communities

Disadvantaged Unincorporated Communities (DUCs) are those territories shown in Exhibit A (*not included in this attachment - JH*) or as may be shown in a city municipal service review and sphere of influence plan.

The Commission shall not approve an annexation to a city or any territory greater than 10 acres where there exists a disadvantaged unincorporated community (DUC) that is contiguous to the area of proposed annexation, unless a concurrent application to annex all or a portion of the DUC to the subject city has been filed.

An application to annex a DUC shall not be required if either of the following applies:

1. A prior application for annexation of the territory has been made in the preceding five years.
2. The Commission finds, based upon written evidence, that a majority of the registered voters within the DUC are opposed to annexation.

Written evidence can be a scientific survey conducted by an academic institution or professional polling company.

(Within its “Policies and Procedures for Spheres of Influence”)

5. For cities and special districts that provide public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services within any disadvantaged unincorporated communities (DUCs) within the sphere of influence.

(Within subsection “Specific Municipal Service Review Requirements” of its Service Review Policies):

Determination 2: The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

Cities or special districts that provide sewer, municipal and industrial water and structural fire services shall identify any disadvantaged unincorporated communities (DUCs) within or contiguous to the sphere of influence of cities or special districts, and shall make a determination on infrastructure needs or efficiencies for those public facilities and services within the identified DUC.

Determination 3: Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire

protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.

Refers to the status of existing and planned public facilities and its relationship to the quality and levels of service that are, can and need to be provided. Infrastructure needs and deficiencies can be evaluated in terms of supply, capacity, condition of facilities, and service quality with correlations to operational, capital improvement, and finance plans. Maps and explanatory text that clearly indicate the location of existing facilities and proposed facilities, including a plan for the timing and location of new or expanded facilities need to be included. The identification of the anticipated service level needs to be tailored to the 5, 10, and 30 year sphere horizons.

**Sonoma:**

Policy: Designation of Disadvantaged Unincorporated Communities

Policy

The Commission determines that a “disadvantaged unincorporated community” in Sonoma County is a community identified in the 2010 United States Census as a “Census Designated Place,” with an annual median household income that is less than 80 percent of the statewide annual median household income pursuant to Section 79505.5(a) of the Water Code. The disadvantaged unincorporated communities in Sonoma County are: Boyes Hot Springs, Cazadero, Glen Ellen, Guerneville, Monte Rio, Temelec and Valley Ford.

Although, currently, there are no disadvantaged unincorporated communities contiguous to or surrounded by a city in Sonoma County, it is the Commission’s policy to deny an application for annexation to a city of territory greater than 10 acres if there exists a disadvantaged unincorporated community that is contiguous to the area of proposed annexation, unless an application to annex the disadvantaged unincorporated community has been filed with the executive officer. An application for annexation of the disadvantaged community shall not be required if an application for the same disadvantaged unincorporated community has been made in the preceding five years or if the Commission finds, based on written evidence, that a majority of the registered voters within the affected territory are opposed to annexation.

The Commission determines that “written evidence,” as used in Government Code Section 56375(a)(8)(B)(ii), may be in the form of annexation sentiment survey results from registered voters of the disadvantaged unincorporated community. The survey mailing list should be provided to the Commission, and the annexation survey should include information explaining the costs and benefits of potential annexation with regard to services, land use, voting, etc. The survey must be completed no more than two years prior to the filing of the annexation proposal.

**Stanislaus**

(Within “Policy 2 – Powers” of its Policies and Procedures Manual):

The Commission shall not approve an annexation to a city of any territory greater than 10 acres, or as determined by commission policy, where there exists a disadvantaged unincorporated community that is contiguous to the area of proposed annexation, unless an application to annex the disadvantaged unincorporated community to the subject city has been filed with the executive officer. However, an application to annex a contiguous disadvantaged community shall not be required if either of the following apply: (i) A prior application for annexation of the same disadvantaged community has been made in the proceeding five years; or (ii) The commission finds, based upon written evidence, that a majority of the residents within the affected territory are opposed to annexation. [Government Code Section 56375(8)(A)(B)]

(Within “Factors for Consideration” of its Policies and Procedures Manual):

5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to 56425 on or after July, 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

(Within “Sphere of Influence Plans” of its Policies and Procedures Manual):

- f. For an update of a sphere of influence of a city or special district, that provides public facilities and services related to sewers, municipal and industrial water, or structural fire protection, the sphere plan must include discussion of the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

(Within “Exhibit 1 - Municipal Service Review Evaluation Policies” of its “Policies and Procedures Manual):

Determination 2: The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

A disadvantaged unincorporated community is defined as “inhabited territory that constitutes all or a portion of a community with an annual median income that is less than 80 percent of the statewide median household income (MHI)”. Under LAFCO law, inhabited territory is defined as “territory within which there reside 12 or more registered voters”. In accordance with State law, Municipal Service Reviews will identify the location and service characteristics of disadvantaged unincorporated communities within, or contiguous to an agencies sphere of influence, if any.

(Within “Exhibit 2 - Municipal Service Review Information Questionnaire” of its “Policies and Procedures Manual):

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

Purpose: To identify the existence of any disadvantaged unincorporated communities within or contiguous to the agency's sphere of influence. This information will be used to further evaluate infrastructure needs or deficiencies in Determination 3.

- a. Are there any known unincorporated communities with annual median incomes less than 80 percent of the statewide median household income (MSI)?

Information Sources: County and City General Plans, Housing Elements, EIRs, Local and Regional Land Use Maps, US Census Website, State Department of Finance, Planning Departments, and Council of Government.

3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.

Purpose: To evaluate the present and planned capacity of public facilities, infrastructure needs and deficiencies of an agency in terms of capacity, condition of facility, service quality and levels of services and its relationship to existing and planned services users.

Also required is an evaluation of the present and planned infrastructure and/or service needs or deficiencies for disadvantaged unincorporated communities within or contiguous to the agencies sphere of influence.

- a. What are the current capacities of public services? Are the agency's resources and facilities adequate to meet the existing needs of the community and to serve the area in the existing boundaries?
- b. What are the infrastructure needs or deficiencies for the identified disadvantaged unincorporated communities?
- c. What are the age and/or condition of the agency's facilities and/or infrastructure?
- d. What are the agency's plans for future growth?
- e. Does the agency have plans to acquire new property, facilities, and/or equipment within the next 5 years?
- f. Does the agency have a Reserve Capacity policy?

Information Sources: Water Master Plans, Urban Water Management Plans, Department of Water Resources Annual Reports, Wastewater Master Plans, Storm Drainage Plans, General Plan, Housing Element, EIRs Capital Improvement Plans, Master Service Plans/Studies, Insurance Service Office PPC rating, Websites, Questionnaires, and Interviews.

(Within “Section 7 – Glossary of Terms” of its Policies and Procedures Manual):

Disadvantaged Unincorporated Community: An inhabited territory (12 or more registered voters) or as determined by commission policy, with an annual median household income that is less than 80% of the statewide annual median household income.