

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF MARCH 26, 2014

REGULAR MEETING

TO: Don Mette, Chair, and
Members of the El Dorado County Local Agency Formation
Commission

FROM: José C. Henríquez, Executive Officer

AGENDA ITEM #10D: EXECUTIVE OFFICER REPORT

RECOMMENDATION

None. This is informational to the Commissioners

BACKGROUND

Legislation

The legislation report will contain information on this year's new bills. This report will update the Commission on a project I was involved in, in the past. Long-term Commissioners will recall that I was part of a CALAFCO legislative sub-committee that reviewed Government Code Section 56133 and ultimately proposed some changes to this section. In summary, GC56133 prohibits cities and special districts from extending services outside their boundaries without prior LAFCO approval except under very specific circumstances. While El Dorado LAFCO's official position was to leave 56133 alone, the Commission at the time recognized that other LAFCOs were encountering problems with this section and needed some technical relief in order to resolve a few problems with governmental structure.

This project had two components. The first was to develop and refine the proposed changes. The negotiations centered around retaining the essence of 56133 and provide the necessary flexibility without opening new loopholes. The second component was to inform and educate the member LAFCOs on the proposals. My involvement in the project ended on the first component.

Once unveiled, the proposed changes met resistance from the membership. Some thought the changes went too far and others thought that they did not go far enough. The CALAFCO Board of Directors has been wrestling with this issue for the last year or so. As you can read from the attached CALAFCO newsletter, the Board has decided to set aside the proposals and no longer pursue the project. Since this Commission's preference has been to retain GC56133 in its current form, nothing has been lost.

Continued Progress on SB 244

I have started to work on a draft policy to implement 2011's Senate Bill 244 (Wolk). As the Commission is aware, this law requires LAFCO MSRs and cities' and counties' general plans to address the infrastructure needs of unincorporated disadvantaged communities (as defined in the bill). The manner in which the bill prescribes a solution does not work in this county. Further, it is also not applicable given the governmental structures found in El Dorado. Consequently, the draft policy tries to bridge the gap between the spirit of the law and how it should be implemented here. I hope to have a draft for your review by summer.

Other Policies

LAFCO Counsel is doing a periodic review of the Commission's Personnel Policies and Procedures to ensure they are current. In addition, staff will return later with two additional policies to consider. One will relate to the handling of Public Records Act requests and a second on Brown Act compliance. Incidentally, with these two policies, LAFCO will be eligible for a "Transparency Certificate of Excellent" from the Special District Leadership Foundation.

Workload

The Latrobe FPD Dissolution/Annexation by El Dorado Hills CWD projects are going well and on target time-wise. At the time of this writing, the Assessor's Office has submitted their analysis and the Auditor's Office has verbally indicated they hope to complete their process during the week of March 11 or soon thereafter. This means that it is likely that at the time of the packet mailing the AB-8 process will be at the Board of Supervisors stage.

A few years ago, staff at EID requested that LAFCO add language that requires applicants to pay a district's annexation fees as a condition of approval. While the idea has merit, LAFCO staff came to the conclusion that it was cumbersome to enforce and added to the time an applicant spent going through the LAFCO process. To minimize these, the condition was rewritten to require that applicants "certify" their intention to pay the annexation fees, a copy of which will be given to the annexing districts. This passes the onus of enforcement to the annexing agencies where it fits better.

LAFCO has partnered with the El Dorado County Water Agency on a project of mutual benefit. EDCWA had asked to review the LAFCO files for all annexations to EID from the mid-1990s forward. In exchange, an EID map would be mocked up to include the location of those annexations. The mocked up map will become a quick visual guide to LAFCO staff since a good percentage of calls the office receives comes from landowners wanting to know when their property was annexed to EID.

My work with the Commission on Collaborative Fire Districts/Fire Advisory Committee continues. We have had discussions on both Phase II and putting the finishing touches on Phase I. In summary, Phase I involves making funds available to rural districts to assist them bridge a gap in finances in the short-term. Phase II seeks to develop a long-term, sustainable strategy for these districts so that fire districts are permanently viable.

CALAFCO

If you recall from last month, CALAFCO had requested that I organize a session for the upcoming April workshop. Based on the findings of an informal survey I conducted of all LAFCOs, I changed the topic. The session will now focus on understanding “other post employment benefits” and the unfunded liability associated with pension plans. There is little understanding among LAFCOs about these two areas. The panel will be composed of Marilyn Everett, CPA, from LAFCO’s auditing firm Matson & Isom, and John Bartel, president and actuary of Bartel Associates LLC. Both panelists have confirmed their participation. From here on out, the amount of time I devote to this task should be minimal.

Miscellaneous

Since the last Commission meeting, I have had telephone conversations with County Auditor-Controller Joe Harn and El Dorado Hills CWD Board Vice President Jim Hartley. I also had a few in-person meetings. I met Diamond Springs/El Dorado FPD Fire Chief Robert Combs and met with El Dorado Hills CSD Board President Noelle Mattock and a representative from Aerojet, the latter two discussions related to LAFCO and its functions. I have also attended the El Dorado County Department Heads meeting. On March 18 I will be attending SDRMA’s “Safety/Claims Education Day,” which, at the very least, will result in a discount in next year’s worker’s compensation and general liability insurance.