



**LAFCO**

*Alameda* Local Agency Formation Commission

**NOTICE OF REGULAR MEETING AND AGENDA**

ALAMEDA LOCAL AGENCY FORMATION COMMISSION

THURSDAY, MAY 11, 2023

2:00 P.M.

Sblend Sblendorio, Chair — Nate Miley — David Haubert — Melissa Hernandez — Karla Brown — Ralph Johnson  
Lena Tam, Alternate — John Marchand, Alternate — Georgan Vonheeder-Leopold, Alternate

**In Person:**

Council Chamber  
Dublin City Hall  
100 Civic Plaza  
Dublin, CA 94658

**Or from the following remote locations:**

- 1221 Oak Street, Suite 536, Oakland, CA 94612
- Country Inn & Suites by Radisson, 1160 W. Devon Avenue, Business Center Elk Grove, IL 60007

**Via Video-Teleconference Participation:**

<https://us02web.zoom.us/j/83918998399?pwd=WEd5Y3ZkYjRmS1hhMDlNbFJ0cnUxdz09>

Meeting ID: 839 1899 8399

Password (if prompted): lafco or 446453

(669)-900-9128

**Remote participation by e-mail** is also welcomed by sending comments to LAFCO staff at [rachel.jones@acgov.org](mailto:rachel.jones@acgov.org). All e-mails received before 4:00 P.M. one business day before the meeting will be forwarded to the Commission and posted online. These comments will also be referenced at the meeting.

If you need assistance before the meeting, please contact Executive Officer, Rachel Jones at: [rachel.jones@acgov.org](mailto:rachel.jones@acgov.org)

1. **2:00 P.M. – Call to Order and Pledge of Allegiance**
2. **Roll Call**
3. **Welcome New Commissioner:** The Commission will learn the outcome of the appointment made by the Independent Special District Selection Commission election for the special district seat also to be held on May 10, 2023.

4. **Public Comment:** Anyone from the audience may address the Commission on any matter not listed on the agenda and within the jurisdiction of Alameda LAFCO. The Commission cannot act upon matters not appearing on the agenda. *Speakers are limited to three (3) minutes.*
  
5. **Appointment of Alternate Public Member:** The Alameda Local Agency Formation Commission (LAFCO) will consider the recommendation from its Ad Hoc Selection Committee to appoint – Bob Woerner – as the Alternate Public Member.
  
6. **Consent Items:**
  - a. Approval of Meeting Minutes: March 9, 2023 Regular Meeting
  - b. Quarterly Budget Report for FY 2022-2023
  - c. Proposed Bylaws Amendment for Regular Meeting Location
  - d. Contract Award for Professional Auditing Services
  
7. **Nomination and Election of Chair and Vice Chair** – (Business)  
As set forth in the Commission’s Policies and Procedures Guidelines, Alameda LAFCO elects its officers (Chair and Vice Chair) at the May meeting for a period of two years with the newly elected officers assuming office at the next regular Commission meeting.  
  
**LAFCO Staff Recommendation:** Nominate and elect the Commission Chair and Vice Chair for a period of two calendar years.
  
8. **Presentation from Alameda County Water District on Groundwater Conditions** – (Business)  
The Alameda Local Agency Formation Commission (LAFCO) will receive a presentation from Michelle Walden, Groundwater Resources Manager of the Alameda County Water District (ACWD), regarding the management of Niles Cone Subbasin 2.09.01 (Niles Cone).
  
9. **Presentation on Multi-Agency Water Reuse Programs** – (Business)  
The Alameda Local Agency Formation Commission (LAFCO) will receive a presentation from Eric Rosenblum P.E. BCEE, a licensed and board-certified environmental engineer who helps industrial and municipal clients through the evaluation of alternatives, development of agreements and the design and implementation of sustainable water reuse projects.
  
10. **Adoption of Final Operating Budget and Work Plan for FY 2023-2024** – (Public Hearing)  
The Alameda Local Agency Formation Commission (LAFCO) will consider adopting a final budget and work plan for the fiscal year 2023-2024. Both items return following their adoption in draft form and subsequent public review period. The final budget and work plan remain intact from its initial draft. The final budget expenses total \$784,740, representing an increase of \$38,312 or 5.1% from the current fiscal year.  
  
**LAFCO Staff Recommendation:** Adopt the resolution approving the final budget and work plan for 2023-2024 and circulate the final budget to all LAFCO funding agencies.
  
11. **Initiate Government Code 56831(c) for Delinquent Agency Contributions** – (Business)  
The Alameda Local Agency Formation Commission (LAFCO) will consider authorizing the Executive Officer to initiate Government Code 56831(c) to request the County Auditor to collect payments from three delinquent agencies.

**LAFCO Staff Recommendation:** Approve draft resolution to initiate payment collection process.

- 12. Matters Initiated by Members of the Commission**
- 13. Executive Officer Report**
  - a. Update on LAFCO Studies and Special Projects
- 14. Informational Items**
  - a. Current and Pending Proposals
  - b. Progress Report on Work Plan
  - c. Alameda County Housing Element Update
  - d. Legislative Update
  - e. CALAFCO Staff Workshop from April 26-28 in Murphys, California (verbal report)
- 15. Adjournment of Regular Meeting**

**Next Meetings of the Commission**

**Policy and Budget Committee Meeting**

**Thursday, June 1, 2023 at 2:00 p.m., Dublin City Hall**

**Special Meeting**

**Friday, June 23, 2023 at 9:00 a.m., Dublin San Ramon Services District**

**Regular Meeting**

**Thursday, July 13, 2023 at 2:00 p.m., Dublin City Hall, Council Chamber**

**DISCLOSURE OF BUSINESS OR CAMPAIGN CONTRIBUTIONS TO COMMISSIONERS**

Government Code Section 84308 requires that a Commissioner (regular or alternate) disqualify herself or himself and not participate in a proceeding involving an "entitlement for use" application if, within the last twelve months, the Commissioner has received **\$250 or more in business or campaign contributions from an applicant, an agent of an applicant, or any financially interested person who actively supports or opposes a decision on the matter.** A LAFCo decision approving a proposal (e.g., for an annexation) will often be an "entitlement for use" within the meaning of Section 84308. Sphere of Influence determinations are exempt under Government Code Section 84308.

If you are an applicant or an agent of an applicant on such a matter to be heard by the Commission and if you have made business or campaign contributions totaling \$250 or more to any Commissioner in the past twelve months, Section 84308(d) requires that you disclose that fact for the official record of the proceeding. The disclosure of any such contribution (including the amount of the contribution and the name of the recipient Commissioner) must be made either: 1) In writing and delivered to the Secretary of the Commission prior to the hearing on the matter, or 2) By oral declaration made at the time the hearing on the matter is opened. Contribution disclosure forms are available at the meeting for anyone who prefers to disclose contributions in writing.

Pursuant to GC Section 84308, if you wish to participate in the above proceedings, you or your agent are prohibited from making a campaign contribution of \$250 or more to any Commissioner. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until 3 months after a final decision is rendered by LAFCO. If you or your agent have made a contribution of \$250 or more to any Commissioner during the 12 months preceding the decision, in the proceeding that Commissioner must disqualify himself or herself from the decision. However, disqualification is not required if the Commissioner returns that campaign contribution within 30 days of learning both about the contribution and the fact that you are a participant in the proceedings. Separately, any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or a copy of all the documents constituting the agenda packet for a meeting upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting. Please contact the LAFCO office at least three (3) working days prior to the meeting for any requested arrangements or accommodations.

Alameda LAFCO Administrative Office  
224 West Winton Avenue, Suite 110  
Hayward, CA 94544  
T: 510.670.6267  
W: [alamedalafco.org](http://alamedalafco.org)



**TO:** Alameda Commissioners  
**FROM:** Rachel Jones, Executive Officer  
Ad Hoc Selection Committee  
**SUBJECT:** **Appointment of Alternate Public Member**

The Alameda Local Agency Formation Commission (LAFCO) will consider the recommendation from its Ad Hoc Selection Committee to appoint – Bob Woerner – as the Alternate Public Member.

**Information**

At its January 12<sup>th</sup> regular meeting, the Commission authorized staff to begin recruitment of its Alternate Public Member seat and establish an ad hoc selection committee that included Commissioners Haubert, Johnson, and Marchand to review applications, conduct interviews of candidates, and make a recommendation to the Commission on its appointment. These committee members were chosen to have representation from each of the appointing authorities.

Notice of applications for the Alternate Public Member seat was widely distributed in January 2023. A total of three applications were received by the deadline of March 3, 2023. On March 31, 2023, the Committee interviewed two applicants – Royce Johnson and Bob Woerner.

Based on the applicant’s background, LAFCO knowledge and interview, the Committee recommends the appointment of Bob Woerner as the Alternate Public Member. As a reminder, the appointment of the alternate public member requires an affirmative vote of at least one member from each of the appointing authorities: County, City and Special District.

**Alternatives for Action**

The following alternatives are available to the Commission:

Alternative One (Recommended):  
Appoint Bob Woerner as the Alternate Public Member.

Alternative Two:  
Continue consideration of the item.

Alternative Three:  
Deny the appointment and instruct staff to create a new notice of applications for the vacant seat.

## **Recommendation**

It is recommended the Commission proceed with Alternative Action One.

## **Procedures**

This item has been placed on Alameda LAFCO's agenda as part of the business calendar. The following procedures are recommended in consideration of this item:

1. Receive verbal presentation from staff unless waived.
2. Invite any comments from the public
3. Provide feedback on the item as needed.

Respectfully,



Rachel Jones  
Executive Officer

Attachment: none



# LAFCO

*Alameda* Local Agency Formation Commission

## AGENDA REPORT

May 11, 2023

Item No. 6a

**TO:** Alameda Commissioners

**FROM:** April L. Raffel, Commission Clerk

**SUBJECT:** **March 9<sup>th</sup> Regular Meeting Minutes**

The Alameda Local Agency Formation Commission (LAFCO) will consider draft minutes prepared for the meeting held on March 9, 2023. The minutes are in action-form and being presented for formal Commission approval.

### Background

The Ralph M. Brown Act was enacted by the State Legislature in 1953 and – among other items – requires public agencies to maintain written minutes for qualifying meetings.

### Discussion

This item is for Alameda LAFCO to consider approving action minutes for the March 9, 2023, regular meeting. The attendance record for the meeting follows.

- All Commissioners were present.

### Alternatives for Action

The following alternatives are available to the Commission:

#### Alternative One (Recommended):

Approve the draft minutes prepared for Alameda LAFCO’s March 9, 2023, regular meeting (Attachment 1) with any desired corrections or clarifications.

#### Alternative Two:

Continue consideration of the report to a future meeting and provide direction to staff as needed.

## **Recommendation**

It is recommended the Commission proceed with Alternative Action One.

## **Procedures**

This item has been placed on Alameda LAFCO's agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation as provided unless otherwise specified by the Commission.

Respectfully,



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April L. Raffel  
Commission Clerk

## **Attachments:**

1. Draft Meeting Minutes for March 9, 2023, Regular Meeting



**SUMMARY ACTION MINUTES**  
**ALAMEDA LOCAL AGENCY FORMATION COMMISSION**  
**March 9, 2023, REGULAR MEETING**

**1. CALL TO ORDER | ROLL CALL**

The regular meeting was called to order at 2:03 p.m. by Chair Sblendorio.  
The Commission Clerk performed the roll call with the following attendance recorded.

Regulars Present: Karla Brown, City of Pleasanton  
David Haubert, County of Alameda  
Melissa Hernandez, City of Dublin  
Ralph Johnson, Castro Valley Sanitary District  
Nathan Miley, County of Alameda  
Sblend Sblendorio, Public (CHAIR)

Alternates Present: John Marchand, City of Livermore  
Georgean Vonheeder-Leopold, Dublin San Ramon Services District  
(voting)

Members Absent: None

The Commission Clerk confirmed a quorum was present with seven voting members. Also present at the meeting were Executive Officer Rachel Jones, Commission Counsel Andrew Massey, and Commission Clerk April Raffel.

Commissioner Miley arrived at 2:15 p.m.

Commissioner Haubert arrived at 2:24 p.m.

**2. PUBLIC COMMENT:**

Chair Sblendorio invited anyone from the public to address the Commission on any matter not listed on the agenda and within the jurisdiction of the Commission.

The Commission Clerk confirmed there was one public comment to address the Commission. A comment was received from the following person:

- Kelly Abreau

**3. CONSENT ITEMS**

**Item 3a**

**Approval Meeting Minutes for January 12, 2023**

Item presented to approve draft action minutes prepared for the Commission’s January 12, 2023 regular meeting. Recommendation to approve.

**Item 3b**

**Approval of Proposed Contract Amendment with ACRC**

Item presented to consider approval of the Proposed Contract Amendment with ACRC.  
Recommendation to approve.

**Item 3c**

**Approval of Quarterly Budget Report for Fiscal Year 2022-2023**

Item presented to accept and file a Quarterly Budget Report for 2022-2023. Recommendation to approve.

Chair Sblendorio asked if any Commissioners would like to pull any consent agenda item. No Commissioners wanted to pull any item from the consent agenda.

Chair Sblendorio invited public comments.

The Commission Clerk confirmed there were no public comments.

Chair Sblendorio proceeded to close the public hearing.

Alternate Commissioner Vonheeder-Leopold motioned to approve the consent calendar with a second from Commissioner Johnson. Roll call requested:

AYES: Brown, Hernandez, Johnson, Sblendorio, Vonheeder-Leopold (voting for Special District)  
NOES: None  
ABSENT: Haubert and Miley  
ABSTAIN: None

The Commission Clerk confirmed the motion was approved 5-0.

**4. Draft Operating Budget and Workplan for FY 2023-2024 – (Public Hearing)**

Item presented to consider adopting a draft budget and work plan for the fiscal year 2023-2024 in anticipation of taking final action at its next regular meeting. Proposed budget expenses total \$784,740, representing an increase of \$38,312 or 5.1% from the current fiscal year. The increase is marked by expenses for professional services in the Service and Supplies Unit for additional LAFCO studies and a rise in membership and travel costs.

Executive Officer Jones provided the formal staff presentation for the Commission to adopt the resolution, circulate the proposed budget for review and comment, and direct staff to return with a final budget as part of a notice hearing at the next regular meeting. Adoption will precede a formal public review and comment period and conclude with final action taken at the next regular meeting on May 11<sup>th</sup>. Recommendation to approve.

Chair Sblendorio invited Commission questions. None received.

Chair Sblendorio invited public comments.

The Commission Clerk confirmed there was one public comment to address the Commission. A comment was received from the following person:

- Kelly Abreau

Chair Sblendorio proceeded to close the public hearing.

Commissioner Brown motioned to approve the staff recommendation with a second from Alternate Commissioner Vonheeder-Leopold. Roll call requested:

AYES: Brown, Hernandez, Johnson, Sblendorio, Vonheeder-Leopold (voting for Special District)  
NOES: None  
ABSENT: Haubert and Miley  
ABSTAIN: None

The Commission Clerk confirmed the motion was approved 5-0.

- 5. Review of Draft Scope of Analysis | Agricultural Land Use Designation Project – (Business)**  
Item presented to receive a draft scope of analysis to guide a potential project for the County of Alameda’s Planning Department on the review of land use designations for agricultural land in the unincorporated areas of Alameda County.

Executive Officer Jones provided the formal staff presentation for discussion and information to the Commission, and with membership consent, to review the draft scope and identify any desired changes before authorizing staff to solicit comments from the County Planning Department with a final version to be presented for approval in May 2023. Recommendation to approve.

Chair Sblendorio invited Commission questions and then invited public comments.

The Commission Clerk confirmed there was one public comment to address the Commission. A comment was received from the following person:

- Kelly Abreau

Chair Sblendorio proceeded to close the public hearing.

Commission questions and discussion continued.

Commissioner Haubert motioned to approve the staff recommendation with a second from Commissioner Hernandez. Roll call requested:

AYES: Brown, Haubert, Hernandez, Johnson, Sblendorio, Vonheeder-Leopold (voting for Special District)  
NOES: None  
ABSENT: None  
ABSTAIN: Miley

The Commission Clerk confirmed the motion was approved 6-0.

**6. MATTERS INITIATED BY MEMBERS OF THE COMMISSION**

- None

**7. EXECUTIVE OFFICER REPORT**

- None

## 8. INFORMATIONAL ITEMS

- a. Current and Pending Proposals
- b. Progress Report on Work Plan
- c. CALAFCO Staff Workshop from April 26-28 in Murphys, California
- d. Strategic Planning Workshop rescheduled for Friday, June 23 at Dublin San Ramon Services District for an in-person meeting.
- e. Commissioners with terms ending May 2023:
  1. David Haubert

Executive Officer Jones confirmed there was one public comment to address the Commission. A comment was received from the following person:

- Kelly Abreau

Chair Sblendorio proceeded to close the public hearing.

## 9. ADJOURNMENT OF REGULAR MEETING

Chair Sblendorio adjourned the meeting at 2:38 p.m.

### Next Meetings of the Commission

**Policy and Budget Committee Meeting**

**Thursday, April 6, 2023, at 2:00 p.m., Dublin City Hall**

**Regular Meeting**

**Thursday, May 11, 2023, at 2:00 p.m., Dublin City Hall**

**Strategic Planning Workshop**

**Friday, June 23, 2023, at 9:00 a.m., Dublin San Ramon Services District Boardroom**

I hereby attest the minutes above accurately reflect the Commission's deliberations at its March 9, 2023 meeting.

ATTEST,



April L. Raffel

Commission Clerk



# LAFCO

*Alameda* Local Agency Formation Commission

## AGENDA REPORT

May 11, 2023

Item No. 6b

**TO:** Alameda Commissioners

**FROM:** Rachel Jones, Executive Officer

**SUBJECT: Budget Update for Fiscal Year 2022-2023 | Quarterly Report**

The Alameda Local Agency Formation Commission (LAFCO) will review a report comparing budgeted to actual transactions for the fiscal year 2022-2023. Actual expenses processed through the first ten months totaled \$499,637, an amount representing 66.9% of the budgeted total with 83.0% of the fiscal year complete. The report is being presented to the Commission to accept, file, and provide direction to staff as needed.

### Information

Alameda LAFCO’s adopted final budget for 2022-2023 totals \$746,429. This amount represents the total approved operating expenditures for the fiscal year divided between three active expense units: salaries and benefits; services and supplies; and internal services. A matching revenue total was also budgeted to provide a balanced budget and with a purposeful aid of a planned \$250,000 transfer from reserves. Budgeted revenues are divided amongst three active units: intergovernmental contributions, application fees, and investments.

### Discussion

This item is for the Commission to receive an updated comparison of (a) budgeted to (b) actual expenses and revenues through the month of April. The report provides the Commission the opportunity to track expenditure trends accompanied by year-end operating balance projections from the Executive Officer. The report is being presented to the Commission to formally accept, file, and provide related direction to staff as needed.

Budgeted Expenses FY 22-23	Budgeted Revenues FY 22-23	Budgeted Year End Balance FY 22-23
\$746,428	\$746,429	\$1

## Summary of Operating Expenses

The Commission’s budgeted operating expense total for 2022-2023 is \$746,428. Actual expenses processed through the first ten months totaled \$499,637, an amount representing 66.9% of the budgeted total, with 83.0% of the fiscal year complete. Actuals through the first ten months and related analysis suggest the Commission is ahead to finish the fiscal year with a balanced budget. A discussion on budgeted and actual expenses over the first ten months and related year-end projections follow.

Expense Units	Adopted	Actuals	Percent Expended	Remaining Balance
Salaries and Benefits	400,491	332,407	83%	68,084
Services and Supplies	215,987	147,776	68%	68,221
Internal Service Charges	79,950	19,464	24%	60,486
Contingencies	50,000	0	0%	50,000
	\$746,428	\$499,637	67%	\$246,791

### Staffing Unit

The Commission budgeted \$400,491 in the Staffing or Salaries and Benefits Unit for 2022-2023. Through the first ten months, the Commission’s estimated expenses within the affected accounts totaled \$332,407 or 83.0% of the budgeted amount. It is projected the Commission will finish the fiscal year with actuals equal to the budgeted amount.

### Services and Supplies Unit

The Commission budgeted \$215,987 in the Services and Supplies Unit for 2022-2023 to provide funding for *direct* support services necessary to operate Alameda LAFCO. Through the first ten months, the Commission’s actual expenses within the affected 14 accounts totaled \$147,766, or 68.4% of the budgeted amount. Only two of the affected accounts – finished with balances exceeding the proportional 83.0% threshold, with explanations provided below.

- Memberships

This account covers the Commission’s annual dues for ongoing membership of several outside agencies and organizations as previously authorized by the members. This includes CALAFCO and the California Special Districts Association memberships. The Commission budgeted \$11,287 in this account for 2022-2023 based on recent trends. Actual expenses through April totaled \$11,287 or 100% of the budgeted amount and were tied to providing full payment of all budgeted costs. Staff projects no additional expenses to this account.

- Mileage/Travel

This account covers the Commission’s traveling and mileage costs. The Commission budgeted \$600 in this account for 2022-2023 based on limited traveling due to the COVID-19 pandemic. Actual expenses through April totaled \$4,389 and can be attributed to hotel and airline costs for the 2022 CALAFCO Annual Conference held in Newport Beach in October. Staff projects additional costs of approximately \$2,500 attributed to CALAFCO’s staff workshop to be held in Spring 2023 and other CALAFCO University programs over the succeeding months.

### Internal Services and Supplies

The Commission budgeted \$79,950 in the Internal Services and Supplies Unit for 2022-2023 to provide funding for *indirect* support services necessary to operate Alameda LAFCO. Through the first ten months the Commission’s actual expenses within the four affected accounts totaled \$19,464, or 24.3% of the budgeted amount. None of the affected accounts finished with balances exceeding the proportional 83.0% threshold, and staff estimates the unit to finish the fiscal year with a balanced budget.

### Summary of Operating Revenues

The Commission budgeted operating revenue total for 2022-2023 at \$746,429. Actual revenues collected through the first ten months totaled \$410,635. This amount represents 82.0% of the budgeted total with 83.0% of the fiscal year complete. A summary comparison of budgeted to actual operating revenue follows.

Revenue Units	Adopted	Actuals	Percent Expended	Remaining Balance
Agency Contributions	459,429	376,745	82%	82,684
Application Fees	30,000	0	0%	30,000
SALC Grant Funds	-	21,350	-	-
Interest	7,000	12,540	179%	(5,540)
Fund Balance Offset	250,000	0	0%	250,000
	\$746,429	\$410,635	55%	\$335,794

### Agency Apportionments

The Commission budgeted \$459,429 in the Agency Apportionments Unit for 2022-2023. This total budgeted amount was to be divided into three equal shares at \$153,143 and invoiced among the County of Alameda, 14 cities, and 15 independent special districts as provided under State statute. Through the first ten months the Commission received \$376,745, or 82.0% of the budgeted amount for agency apportionments.

Alameda LAFCO is still awaiting payment from the City of Oakland.

The following special districts have also not yet provided payments to LAFCO: City of Alameda Healthcare District, and Dublin San Ramon Services District.

Because payment was not received by the aforementioned agencies before May 1<sup>st</sup>, LAFCO staff recommends the Commission in an accompanying staff report to authorize the Executive Officer to initiate Government Code 56831(c) process and request the County Auditor collect an equivalent amount from property tax, or any fee eligible for revenue owed to the county, city, or district.

### **Application Fees Unit**

The Commission budgeted \$30,000 in the Application Fees Unit for 2022-2023. Through the first ten months, no monies have been collected in this unit.

### **Interest Unit**

The Commission budgeted \$7,000 in the Interest Unit for 2022-2023. Through the first ten months, \$12,540 have been collected in this unit by the County Treasurer.

### **Alternatives for Action**

The following alternatives are available to the Commission:

#### Alternative One (Recommended):

Accept and file the report as presented and provide direction as needed to staff with respect to any related matters for future consideration.

#### Alternative Two:

Continue consideration of the report to a future meeting and provide direction to staff as needed.

#### Alternative Three:

Take no action.

### **Recommendation**

It is recommended the Commission proceed with Alternative Action One.

### **Procedures**

This item has been placed on Alameda LAFCO's agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation as provided unless otherwise specified by the Commission.



Respectfully,

A handwritten signature in blue ink, appearing to read "Rachel Jones", with a stylized flourish at the end.

Rachel Jones  
Executive Officer

Attachments:

1. 2022-2023 General Ledger through April 30, 2023

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# ALAMEDA LOCAL AGENCY FORMATION COMMISSION

Regional Service Planning | Subdivision of the State of California

## Expense Ledger

		FY 2019-2020		FY 2020-2021		FY 2021-2022		FY 2022-2023			
		Adopted	Actuals	Adopted	Actuals	Adopted	Actuals	Adopted	Actuals As of 04-30-23	Difference	Percent of Budget
<b>Salary and Benefit Costs</b>											
<u>Account</u>	<u>Description</u>										
60001	Staff Salaries	308,307	263,373	234,254	172,085	250,564	250,564	275,933	229,024	(46,909)	83.0%
-	(ACERA)	175,275	149,961	122,903	88,649	123,411	123,411	124,558	103,383	(21,175)	83.0%
		<b>483,581</b>	<b>324,575</b>	<b>357,157</b>	<b>260,735</b>	<b>373,975</b>	<b>373,975</b>	<b>400,491</b>	<b>332,407</b>	<b>(68,084)</b>	<b>83.0%</b>
<b>Service and Supplies</b>											
<u>Account</u>	<u>Description</u>										
-	Intern	1,600	-	1,600	-	-	-	-	-	-	-
610077	Postage	1,000	1,000	1,000	1,000	500	-	500	-	-	-
610141	Copier	3,000	3,000	3,000	-	1,000	-	500	-	-	-
610191	Pier Diems	7,800	7,800	8,000	7,100	8,500	5,600	7,500	6,115	(1,385)	81.5%
610211	Milage/Travel	1,300	1,300	1,300	-	500	373	600	4,389	3,789	731.4%
610461	Training (Conferences and Workshops)	13,000	6,000	5,000	-	2,500	-	2,500	-	-	-
610241	Records Retention	1,000	1,000	1,000	303	350	210	350	-	(350)	0.0%
610261	Consultants	90,000	90,000	96,000	42,527	100,000	152,709	150,000	124,624	(25,376)	83.1%
610261	Mapping - County	5,000	5,000	5,000	-	500	-	-	-	-	-
610261	Planning Services	5,000	6,000	5,000	-	5,000	-	5,000	-	-	-
610261	Legal Services	30,000	21,775	25,000	-	20,000	-	20,000	-	-	-
610261	SALC Grant Charges	-	-	-	-	-	72,404	-	-	-	-
610311	CAO/CDA - County - Services	11,000	11,000	1,000	7,700	1,000	-	1,000	-	-	-
610312	Audit Services	7,700	10,000	10,000	-	10,000	-	10,000	-	-	-
610351	Memberships	10,476	10,476	10,762	10,662	10,760	10,760	11,287	11,287	-	100.0%
610421	Public Notices	5,000	5,000	5,000	2,149	3,000	2,453	2,000	1,091	-	-
610441	Assessor - County - Services	2,500	2,500	2,500	-	500	-	250	-	-	-
610461	Special Departmental	1,500	1,500	1,500	1,000	1,500	233	1,500	233	(1,267)	15.5%
620041	Office Supplies	4,000	4,000	4,000	916	4,000	28	3,000	28	-	-
		<b>200,876</b>	<b>187,351</b>	<b>186,662</b>	<b>73,357</b>	<b>269,610</b>	<b>244,769</b>	<b>215,987</b>	<b>147,766</b>	<b>(68,221)</b>	<b>68.4%</b>
<b>Internal Service Charges</b>											
<u>Account</u>	<u>Description</u>										
630051	Office Lease/Rent	25,000	35,000	32,500	32,500	32,500	32,500	50,550	2,950	(47,600)	5.8%
630021	Communication Services	3,950	3,950	100	-	100	-	100	-	-	-
630061	Information Technology	27,373	27,373	27,373	25,870	25,870	27,938	26,000	16,514	(9,486)	63.5%
630081	Risk Management	3,100	3,100	3,100	3,280	3,280	3,280	3,300	-	-	-
		<b>59,423</b>	<b>69,423</b>	<b>63,073</b>	<b>61,650</b>	<b>61,750</b>	<b>63,718</b>	<b>79,950</b>	<b>19,464</b>	<b>(60,486)</b>	<b>24.3%</b>
<b>Contingencies</b>		<b>50,000</b>	<b>-</b>	<b>50,000</b>	<b>-</b>	<b>50,000</b>	<b>-</b>	<b>50,000</b>			
<u>Account</u>	<u>Description</u>										
-	Operating Reserve	-	-	-	-	-	-	-	-	-	-
		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>EXPENSE TOTALS</b>		<b>793,880</b>	<b>581,349</b>	<b>656,892</b>	<b>395,742</b>	<b>755,335</b>	<b>682,462</b>	<b>746,428</b>	<b>499,637</b>	<b>(246,791)</b>	<b>66.9%</b>

Revenue Ledger	FY2019-2020		FY2020-2021		FY2021-2022		FY 2022-2023				
	Adopted	Actuals	Adopted	Actuals	Adopted	Actuals	Adopted	Actuals As of 04-30-23	Difference	Percent of Budget	
<b>Intergovernmental</b>											
<b>Account</b>	<b>Description</b>										
-	Agency Contributions										
	192,127	192,127	146,630	146,631	144,445	144,445	153,143	153,143	-	100.0%	
	192,127	192,127	146,630	146,631	144,445	144,445	153,143	79,710	(73,433)	52.0%	
	192,127	192,127	146,630	146,631	144,445	138,943	153,143	143,892	(9,251)	94.0%	
	<b>576,380</b>	<b>576,380</b>	<b>439,891</b>	<b>439,891</b>	<b>433,335</b>	<b>427,833</b>	<b>459,429</b>	<b>376,745</b>	<b>(82,684)</b>	<b>82.0%</b>	
<b>Service Charges</b>											
-	30,000	25,000	30,000	38,643	30,000	6,434	30,000		(30,000)	0.0%	
-					100,000	Amended 72,404		21,350			
<b>Investments</b>											
-	7,500	7,500	7,000	8,965	7,000	5,765	7,000	12,540	5,540	179.1%	
<b>Fund Balance Offset</b>											
	180,000	-	180,000	-	185,000	185,000	250,000		-	-	
	<b>793,880</b>	<b>608,880</b>	<b>656,891</b>	<b>487,499</b>	<b>655,335</b>	Adopted <b>755,335</b>	<b>697,436</b>	<b>746,429</b>	<b>410,635</b>	<b>(335,794)</b>	<b>55.0%</b>
						Amended					
<b>OPERATING NET</b>	-	27,531	(1)	91,757	-	14,974	1	-89,002	-	-	
<b>UNRESTRICTED FUND BALANCE</b>	1,061,570		1,153,327		883,301						
As of June 30th											



**TO:** Alameda Commissioners

**FROM:** Rachel Jones, Executive Officer

**SUBJECT: Proposed Bylaws Amendment | Section 2.1 - Regular Meetings Location**

The Alameda Local Agency Formation Commission (LAFCO) will consider amending its bylaws changing its regular meeting location to the Dublin City Council Chamber located at 100 Civic Plaza in Dublin to allow for hybrid meetings.

**Background**

As set forth in the Commission’s Bylaws and Budget & Operating Policies, the Alameda Local Agency Formation Commission (LAFCO) holds its regular meetings typically on the second Thursday of every other month in Dublin San Ramon Services District (DSRSD) Board Room located at 7051 Dublin Boulevard in Dublin. Now, due to the Commission’s request for hybrid meetings and the lack of DSRSD’s remote meeting capabilities, staff recommends the Commission change its meeting location to the Dublin City Council Chamber to hold its regular meetings.

**Discussion**

This item is for Alameda LAFCO to amend its bylaws of its regular meeting location from the DSRSD Board Room to the Dublin City Council Chamber to support and hold hybrid meetings for the Commission and public.

**Alternatives for Action**

The following alternatives are available to the Commission:

Alternative One (Recommended):

Amend Alameda LAFCO’s Bylaws of Section 2.1 to the meeting location of Dublin City Council Chamber located at 100 Civic Plaza in Dublin, California.

Alternative Two:

Continue consideration of the report to a future meeting and provide direction to staff for additional information as needed.

Alternative Three:

Deny the proposed amendment.

**Recommendation**

It is recommended the Commission proceed with Alternative Action One.

**Procedures**

This item has been placed on Alameda LAFCO's agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation as provided unless otherwise specified by the Commission.

Respectfully,



Rachel Jones  
Executive Officer

Attachment:

1. Alameda LAFCO Bylaws – Track Changes

- The Commission will make a selection as part of the agenda of the first regularly scheduled meeting following the application deadline.
- If no candidate receives the required votes from the full Commission, then a new recruitment shall be conducted.
- A candidate may withdraw an application before or after the application deadline. If a candidate withdraws an application after the deadline, the candidate shall not be considered for the appointment unless the Commission performs a new recruitment and the person reapplies.
- When a regular public member vacancy occurs, the Commission may alternatively consider appointing the alternate public member to the regular public member seat. If the alternate public member is so appointed, then the Commission will proceed with an alternate public member recruitment process.

## 2. MEETINGS AND CONDUCT OF BUSINESS

### 2.1. Regular Meetings

Regular meetings are typically held on the second Thursday of every other month in the Dublin City Council Chamber, 100 Civic Plaza, Dublin, California at 2:00 p.m. Meetings are scheduled for January, March, May, July, September and November. Meeting location and date may change depending on the nature of agenda items.

### 2.2. Special Meetings

A special Commission meeting may be requested by submitting a written request to the Executive Officer indicating the specific reason(s) for such a meeting. The request will be considered at the next regularly scheduled meeting for which adequate notice can be provided. If the request is granted, the applicant is responsible for all costs associated with the conduct of the special meeting. The Chair, Vice Chair acting as Chair, or Commission may call special meetings if deemed necessary.

### 2.3. Meeting Procedures

Rosenberg's Rules of Order is designated as the general guide for conducting meetings and will be used to resolve points of order. Each agenda item is addressed as follows:

- Chair clearly announces the agenda item number and states the agenda item subject.
- Chair invites the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the Chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.
- Chair asks members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.
- Chair invites public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the Chair may limit the time of public speakers. At the conclusion of the public comments, the Chair announces that public input has concluded (or the public hearing as the case may be is closed).
- Chair invites a motion and, if made, a second and announces the names of the members of the body who makes and seconds the motion.
- Chair ensures that everyone understands the motion. This is done in one of three ways: (1) The Chair can ask the maker of the motion to repeat it. (2) The Chair can repeat the motion. (3) The Chair can ask the secretary or the clerk of the body to repeat the motion.

- Chair invites discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the Chair announces that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.
- Chair takes a vote. Simply asking for the “ayes”, and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain”. Unless the rules of the body provide otherwise then a simple majority determines whether the motion passes or is defeated.
- Chair announces the result of the vote and should announce what action (if any) the body has taken. In announcing the result, the Chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring 10 days notice for all future meetings of this body.”

2.4. **Meeting Agenda**

A written agenda shall be prepared for each meeting which lists the various items being considered including the title, a brief description of the item, the requested action and LAFCo staff's recommendation, if applicable. The agenda will be provided to LAFCo's established agenda mailing list, including appropriate media, project applicants and proponents, and interested parties requesting notice for a specific hearing.

2.5. **Order of Business**

Commission agendas shall include the following items:

- Call to Order and Pledge of Allegiance
- Roll Call
- Public Comment
- Closed Session (if needed)
- Approval of Minutes
- Consent Items
- Public Hearings
- Administrative Business
- Matters Initiated by the Commission
- Information Items/Announcements
- Adjournment

2.6. **Public Notice**

Public notice of regular and special meetings will be provided in accordance with the provisions of the CKH Act, the Brown Act and the California Environmental Quality Act, as applicable. The Executive Officer may provide public notice, above that required by law, when appropriate.

2.7. **Public Participation**

All citizens are encouraged to attend Commission meetings and state their views during public hearings. Alameda LAFCo shall hear and consider all oral or written testimony presented by any affected agency or any interested person on any agenda item. The Commission Chair may direct the focus of public comment for any given proposal.

2.8. **Public Comment**

An opportunity for public comment on any item not listed on an agenda will be provided at each meeting. Public comments are limited to no more than three minutes. Additional time may be granted at the discretion of the Chair. Only those issues, which are brought up at the



public hearing or in written correspondence delivered to the Commissioners at or prior to the hearing, may be raised in any legal challenge to actions taken by the Commission.

2.9. **Written Comments**

Submission of written comments regarding an item on the agenda is encouraged to facilitate thorough and thoughtful consideration of issues. Written comments will be distributed in agenda packets if received prior to packet distribution; for comments received up to 48 hours prior to the meeting, the Executive Officer will copy and distribute such comments at the meeting; for comments submitted less than 48 hours before the meeting, the writer must provide at least 15 copies for distribution, or may directly distribute written comments and materials to the Commission any time prior to the end of the public hearing.

2.10. **Consent Calendar**

Routine proposals and issues that do not require a public hearing may be placed on the Commission's consent calendar. Approval of all items on the consent calendar may be made in one motion. Matters placed on the consent calendar may be removed by any Commissioner, staff person or member of the public in order to allow discussion or postponement.

2.11. **Quorum**

A quorum is the number of Commissioners that must be present to legally conduct business. Four members of the seven-member commission constitute a quorum.

2.12. **Majority Vote**

Four affirmative votes, or a majority of the Commission, constitute a majority vote and are required for the adoption of any motion that has been duly made and seconded. On a tie vote, the motion fails.

2.13. **Record of Proceedings**

The Commission Clerk shall record and prepare minutes of each meeting. The minutes shall record major actions of the Commission at the meeting, but are not intended as a complete transcript of discussions. Upon approval, the minutes with any corrections thereto, shall become the official record of the action of the Commission. Commission proceedings shall be tape recorded and transcripts will be prepared upon request. The cost of transcription will be charged to the person or entity making the request in a manner established by the Executive Officer.

2.14. **Staff Reports**

Not less than five days prior to the hearing, the Executive Officer shall complete a staff report including his or her recommendations for each item to be heard. Copies, along with the agenda, shall be provided to each member of the Commission and to parties as required by the CKH. Staff reports related to change of organization, reorganization, and out of area service agreement proposals shall include the application questionnaire, a vicinity map; a boundary map showing existing and proposed boundaries along with relevant sphere of influence and other boundaries (e.g., Measure D and urban growth limits) superimposed, as appropriate; environmental documentation; and any related draft LAFCo resolutions.

2.15. **Committees**

LAFCo may establish committees deemed necessary for the purpose of conducting its proceedings. The Commission chair shall appoint members to the committees.

2.16. **Policy and Budget Committee**

LAFCo shall have a standing policy and budget committee for the purpose of reviewing and recommending policies, an annual workplan and annual budget to the Commission. The Policy and Budget Committee will meet the second Thursday of the even-numbered months (February, April, June, August, October and December) at 1:00 p.m. at the Dublin San Ramon Services District, 7051 Dublin Boulevard, Dublin, California.

### **3. CONFLICTS OF INTEREST AND FINANCIAL DISCLOSURE**

#### **3.1. Conflict of Interest Code**

Alameda LAFCo shall adopt a conflict of interest code and update as necessary.

#### **3.2. Disqualification**

A Commissioner must disqualify herself or himself and not participate in a proceeding involving any proposal if, within the last 12 months, that Commissioner has received \$250 or more in business or campaign contributions from an applicant, an agent of an applicant, or any financially interested person who actively supports or opposes a decision on the matter pursuant to §84308.

If a Commissioner's impartiality with respect to a proposal is questioned by any person appearing before the Commission and that member has not disqualified himself or herself, the member may be permitted to abstain from participation in the proceedings by unanimous vote of the remaining Commission members. In such an event, the alternate member would be qualified to vote in the place of the regular member. A Commission member or alternate may not be disqualified from voting on any matter pertaining to his or her area or political jurisdiction.

#### **3.3. Financial Disclosure**

Pursuant to §56700.1, expenditures for political purposes related to an application must be disclosed. All applicants, including individual property owners who are a party to a proceeding, are required to submit a financial disclosure statement as part of any application package. Disclosures must be made in the same manner as disclosures for local initiative measures presented to the electorate.

Any applicant or an agent of an applicant who has made business or campaign contributions totaling \$250 or more to any Commissioner (regular or alternate) in the past twelve months, must disclose that fact for the official record of the Commission §84308(d). The disclosure of any such contribution (including amount of contribution and name of recipient Commissioner(s)) must be made: (1) in writing and delivered to the Executive Officer of the Commission prior to the hearing on the matter; or (2) by oral declaration made at the time the hearing on the matter is opened.

#### **3.4. Other Disclosures**

The applicant and any participant in the application, as defined in §84308, shall file with the Executive Officer any disclosure filings required by §56700.1.

### **4. BUDGET**

#### **4.1 Annual Budget**

LAFCo will adopt an annual budget that identifies the resources available for LAFCo's use under the law and those resources necessary for the purpose of carrying out state law, including requirements for service reviews, sphere of influence updates and other mandated functions.



# LAFCO

*Alameda* Local Agency Formation Commission

## AGENDA REPORT

May 11, 2023

Item No. 6d

**TO:** Alameda Commissioners

**FROM:** Rachel Jones, Executive Officer  
Ad Hoc Selection Committee (Johnson and Vonheeder-Leopold)

**SUBJECT:** **Contract Award | Professional Auditing Services**

The Alameda Local Agency Formation Commission (LAFCO) will consider awarding a service contract to O’Connor & Company for professional auditing services, and for a contract period of 24 months, starting in May 2023; in an amount not-to-exceed \$23,000. Staff recommends approval.

### Background

Alameda LAFCO’s financial records are managed by staff with technical support and bookkeeping services provided by the County of Alameda’s Finance Department. These support services are formally provided through a Memorandum of Understanding and highlighted by staff accessing and utilizing the County’s ALCOLINKS software system in budgeting and accounts receivable/payable transactions. The Commission’s financial records, however, are separate and excluded from the County’s external auditing process that is ultimately published as a comprehensive annual financial report.

Alameda LAFCO’s work plan for the FY 2022-2023 includes an objective to complete a two-year audit report to verify the Commission’s fund balance and financial performance.

### Selection Process

The Requests for Proposals (RFP) calling for bids from experienced consultants to prepare Alameda LAFCO’s audited financial statements was issued on January 20, 2023. The deadline to receive proposals was March 10, 2023. LAFCO compiled a list of potential bidders with the help of recommendations from other LAFCO agencies. The RFP was electronically sent to 30 firms and posted on the Alameda LAFCO for approximately 45 days.

An Ad Hoc Selection Committee was formed to review, screen written proposals, conduct interviews, and recommend a firm to the Commission. The Committee was comprised of Commissioners Ralph Johnson, Georgan Vonheeder-Leopold, and Executive Officer, Rachel Jones.

LAFCO received proposals from one firm – O’Connor & Company. The Committee conducted an interview remotely on April 6, 2023.

#### Administrative Office

Rachel Jones, Executive Officer  
224 West Winton Avenue, Suite 110  
Hayward, California 94544  
T: 510.670.6267  
www.alamedalafco.org

Nate Miley, Regular  
County of Alameda

David Haubert, Regular  
County of Alameda

Lena Tam, Alternate  
County of Alameda

Karla Brown, Regular  
City of Pleasanton

Melissa Hernandez, Reg  
City of Dublin

John Marchand, Alternate  
City of Livermore

Ralph Johnson, Regular  
Castro Valley Sanitary District

Vacant, Regular  
Special District Member

Georgan Vonheeder-Leopold, Alternate  
Dublin San Ramon Services District

Sblend Sblendorio, Chair  
Public Member

Vacant, Alternate  
Public Member

The Ad Hoc Selection Committee recommends O'Connor & Company based on three specific factors. The first being that O'Connor & Company has worked with five other LAFCO agencies and is familiar with LAFCO's accounting and bookkeeping practices. Secondly, the firm estimated a prompt timeframe for the completion of the audit report by December 2023. Lastly, the firm has significant experience in accounting practices and public processes.

### **Financing**

Adequate funding is dedicated in the FY 2022-2023 budget to cover costs associated with professional auditing services for the current and future fiscal years.

### **Alternatives for Action**

The following alternatives are available to the Commission:

#### **Alternative One (Recommended):**

Award a service contract to O'Connor & Company to perform Alameda LAFCO's audit reports (2021-2022 and 2022-2023) for the contract period of approximately 24 months, starting May of 2023; in an amount not to exceed \$23,000; and

Authorize the Executive Officer to finalize contract negotiations and execute the consulting contract with O'Connor & Company with the advice of Alameda LAFCO Legal Counsel.

#### **Alternative Two:**

Continue consideration of the report to a future meeting and provide direction to staff as needed.

#### **Alternative Three:**

Take no action.

### **Recommendation**

It is recommended the Commission proceed with Alternative Action One.

### **Procedures**

This item has been placed on Alameda LAFCO's agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation as provided unless otherwise specified by the Commission.

Respectfully,



Rachel Jones  
Executive Officer

Attachment:

1. Draft Contract Agreement
2. O'Connor & Company Proposal

**Blank for Photocopying**

P.O./Contract # \_\_\_\_\_

**ALAMEDA LAFCO, ALAMEDA COUNTY, STATE OF CALIFORNIA  
STANDARD AGREEMENT**

THIS AGREEMENT, made and entered into this \*\*\* day of \*\*\*\*\*, by and between the ALAMEDA LOCAL AGENCY FORMATION COMMISSION, a public agency of the State of California, hereafter called the "Alameda LAFCO", and O'Connor & Company, a business duly qualified in the State of California, whose principal place of business 1101 Fifth Avenue, Suite 360, San Rafael, CA 94901, is hereafter called the "Contractor."

**WITNESSETH**

WHEREAS, the Alameda LAFCO desires to obtain professional consulting services for a auditing services that is a part of LAFCO's workplan for fiscal year 2022-2023 and the proposal can be viewed in Exhibit A attached hereto ("Services"); and

WHEREAS, Contractor is professionally qualified to provide such services; and

WHEREAS, the Alameda LAFCO desires to retain and employ the services of Contractor in connection with such work, and Contractor is agreeable with such employment.

NOW, THEREFORE, it is agreed that the Alameda LAFCO does hereby retain and employ Contractor to provide the Services in connection with such work, and Contractor accepts such employment, on the terms and conditions hereinafter specified in this Agreement and additional provisions attached hereto, and the following described exhibits, all of which are incorporated into this Agreement by this reference:

Exhibit A	Scope of Services
Exhibit B	Payment Terms
Exhibit C	Insurance Requirements

CONTRACT PERIOD will be a continuance from May 12, 2023 through May 12, 2025. This Agreement may be extended by mutual agreement of both parties hereto, in writing not less than thirty (30) days prior to the expiration of this Agreement.

COMPENSATION: The Alameda LAFCO agrees to pay Contractor, pursuant to the terms set forth in Exhibit B, for services performed hereunder in a total amount not to exceed \$23,000 for the term of the current agreement, including all expenses, contingencies, and other miscellaneous expenses.

ADDITIONAL PROVISIONS, pages 3 through 11, attached hereto constitute a part of this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written.

ALAMEDA LAFCO

CONTRACTOR

By: \_\_\_\_\_  
Rachel Jones  
LAFCO EXECUTIVE OFFICER

\_\_\_\_\_  
CONTRACTOR

By: \_\_\_\_\_

Title: Principal

1101 Fifth Avenue, Suite 360  
San Rafael, CA 94901

Tax Payer I.D. # \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Andrew Massey,  
LAFCO LEGAL COUNSEL

I hereby certify under penalty of perjury that the Executive Officer of the Alameda LAFCO was duly authorized to execute this document on behalf of the Alameda LAFCO by a majority vote of the Commission on May 11, 2023.

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

Alameda LAFCO  
County of Alameda  
State of California

By: \_\_\_\_\_



**ADDITIONAL PROVISIONS**

1. **EMPLOYER/EMPLOYEE RELATIONSHIP:** No relationship of employer and employee is created by this Agreement, it being understood that Contractor shall act hereunder as an independent Contractor; that Contractor shall not have any claim under this Agreement or otherwise against the Alameda LAFCO for seniority, vacation time, vacation pay, sick leave, personal time off, overtime, health insurance, medical care, hospital care, retirement benefits, Social Security, disability, Workers' Compensation, or unemployment insurance benefits, civil service protection, or employee benefits of any kind; that Contractor shall be solely liable for and obligated to pay directly all applicable taxes, including, but not limited to, Federal and State income taxes, and in connection therewith Contractor shall indemnify and hold the Alameda LAFCO harmless from any and all liability which the Alameda LAFCO may incur because of Contractor's failure to pay such taxes; that Contractor does, by this Agreement, agree to perform his/her said work and functions at all times in strict accordance with currently approved methods and practices in his/her field and that the sole interest of the Alameda LAFCO is to ensure that said service shall be performed and rendered in a competent, efficient, timely and satisfactory manner and in accordance with the standards required by the agency concerned. Notwithstanding the foregoing, if the Alameda LAFCO determines that pursuant to state and federal law Contractor is an employee for purposes of income tax withholding, the Alameda LAFCO shall, upon two weeks notice to Contractor withhold from the payments to Contractor hereunder federal and state income taxes and pay said sums over to the Federal and State governments.
2. **HOLD HARMLESS/INDEMNIFICATION:** To the fullest extent permitted by law, Contractor shall hold harmless, defend and indemnify Alameda LAFCO, its Commissioners, employees and agents from and against any and all claims, losses, damages, liabilities and expenses, including but not limited to attorneys' fees, arising out of or resulting from the performance of services under this Agreement, provided that any such claim, loss, damage, liability or expense is attributable to bodily injury, sickness, disease, death or to injury to or destruction of property, including the loss therefrom, or to any violation of federal, state or municipal law or regulation, which arises out of or is any way connected with the performance of this agreement (collectively "Liabilities") except where such Liabilities are caused solely by the negligence or willful misconduct of any indemnitee. Alameda LAFCO may participate in the defense of any such claim without relieving Contractor of any obligation hereunder. The obligations of this indemnity shall be for the full amount of all damage to Alameda LAFCO, including defense costs, and shall not be limited by any insurance limits.
3. **INSURANCE AND BOND:** Contractor shall at all times during the term of the Agreement with Alameda LAFCO maintain in force those insurance policies as designated in the attached Exhibit C, "Insurance Requirements," and will comply with all those requirements as stated herein.
4. **WORKERS' COMPENSATION:** Contractor shall provide Workers' Compensation insurance at Contractor's own cost and expense and further, neither the Contractor nor its carrier shall be entitled to recover from the Alameda LAFCO any costs, settlements, or expenses of Workers' Compensation claims arising out of this agreement.
5. **CONFORMITY WITH LAW AND SAFETY:**
  - A. Contractor shall observe and comply with all applicable laws, ordinances, codes and regulations of governmental agencies, including federal, state, municipal, and local governing bodies, having jurisdiction over the scope of services or any part hereof, including all provisions of the Occupational Safety and Health Act of 1979 and all amendments thereto, and

all applicable federal, state, municipal, and local safety regulations. All services performed by Contractor must be in accordance with these laws, ordinances, codes and regulations. Contractor shall indemnify and hold Alameda LAFCO harmless from any and all liability, fines, penalties and consequences from any noncompliance or violations of such laws, ordinances, codes and regulations. If a provision of this Agreement is found to be invalid, the parties legally, commercially, and practicably can continue this Agreement without that provision, and the remainder of this Agreement shall continue in force and effect unless an essential purpose of this Agreement would be defeated by the loss of such provision. In the event any of the terms, conditions, or provisions of this Agreement are held to be illegal or otherwise unenforceable, such term, condition or provision shall be deemed severable from the remainder of this Agreement and shall not cause any other part or provision of this Agreement to be illegal or unenforceable.

- B. Accidents: If death, serious personal injury or substantial property damage occurs in connection with the performance of this agreement, Contractor shall immediately notify Alameda LAFCO by telephone. Contractor shall promptly submit to Alameda LAFCO a written report, in such form as may be required by Alameda LAFCO of all accidents which occur in connection with this Agreement. This report must include the following information: (1) name and address of the injured or deceased person(s); (2) name and address of Contractor's subcontractor, if any; (3) name and address of Contractor's liability insurance carrier; and (4) a detailed description of accident and whether any of LAFCO's equipment, tools, material, or staff were involved. Contractor further agrees that it shall take all reasonable steps to preserve all physical evidence and information which may be relevant to accidents or circumstances surrounding a potential claim, while maintaining public safety. Contractor shall provide Alameda LAFCO the opportunity to review and inspect such evidence, including the scene of the accident.
6. PAYMENT: Payment to Contractor will be made only upon presentation of proper invoice by Contractor subject to the approval of Alameda LAFCO, and in accordance with this Agreement and its Exhibit B.
  7. ROYALTIES AND INVENTIONS: The Alameda LAFCO shall have a royalty-free, exclusive and irrevocable license to reproduce, publish and use the results produced in the course of or under this Agreement; and Contractor shall not publish any such material relating to Alameda LAFCO without prior consent of Alameda LAFCO.
  8. CONFIDENTIALITY OF INFORMATION: Confidential information is defined as all information disclosed to Contractor which relates to Alameda LAFCO's past, present, and future activities, as well as activities under this Agreement. Contractor will hold all such information with the same degree of care which Contractor utilizes to protect its own data of a similar nature. Upon cancellation or expiration of this Agreement, Contractor will return to Alameda LAFCO all written or descriptive matter which contains any such confidential information.
  9. CONFLICT OF INTEREST: No officer, member, or employee of Alameda LAFCO and no member of its governing body shall have any pecuniary interest, direct or indirect, in this Agreement or the proceeds thereof. No Contractor, nor any member of Contractor's family shall serve on the Alameda LAFCO, or hold any such position which either by rule, practice or action nominates, recommends, or supervises Contractor's operations, or authorizes funding to Contractor. Contractor shall immediately bring to Alameda LAFCO's attention any situation in which its client has, or is reasonably likely to have an application or other matter pending before Alameda LAFCO. The

provisions of this Agreement are not exclusive, and thus Alameda LAFCO may at its discretion appoint a different firm to serve as its consultant in the event of a conflict. Contractor agrees not to assign any of the key personnel identified in Exhibit A to any matter that is, or is likely to be pending before Alameda LAFCO regardless of whether Alameda LAFCO in its discretion decides to hire another firm to avoid a conflict.

10. **USE OF ALAMEDA LAFCO PROPERTY:** Contractor shall not use Alameda LAFCO premises or property (including equipment, instruments and supplies) or personnel for any purpose other than in the performance of his/her obligations under this Agreement.
11. **EQUAL EMPLOYMENT OPPORTUNITY PRACTICES/PROVISIONS:** Contractor assures that it will comply with Title VII of the Civil Rights Act of 1964 and that no person shall, on the grounds of race, creed, color, disability, sex, sexual orientation, national origin, age, religion, Vietnam era Veteran's status, political affiliation, or any other non-merit factor, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under this Agreement.
  - A. Contractor shall, in all solicitations or advertisements for applicants for employment placed as a result of this Agreement, state that it is an "Equal Opportunity Employer" or that all qualified applicants will receive consideration for employment without regard to their race, creed, color, disability, sex, sexual orientation, national origin, age, religion, Vietnam era Veteran's status, political affiliation, or any other non-merit factor.
  - B. Contractor shall, if requested to so do by Alameda LAFCO, certify that it has not, in the performance of this Agreement, discriminated against applicants or employees because of their race, creed, color, disability, sex, sexual orientation, national origin, age, religion, Vietnam era Veteran's status, political affiliation, or any other non-merit factor.
  - C. If requested to do so by Alameda LAFCO, Contractor shall provide Alameda LAFCO with access to copies of all of its records pertaining or relating to its employment practices, except to the extent such records or portions of such records are confidential or privileged under State or Federal law.
  - D. Contractor shall recruit vigorously and encourage minority- and women-owned businesses to bid its subcontracts.
  - E. Nothing contained in this contract shall be construed in any manner so as to require or permit any act which is prohibited by law.
  - F. The Contractor shall include the provisions set forth in paragraphs A through E (above) in each of its subcontracts.
12. **ASSIGNMENT OF CONTRACT:** Nothing contained in this Agreement shall be construed to permit assignment or transfer by Contractor of any rights under this Agreement and such assignment or transfer is expressly prohibited and void unless otherwise approved in writing by Alameda LAFCO.
13. **DRUG-FREE WORKPLACE:** Contractor and Contractor's employees shall comply with Alameda LAFCO's policy of maintaining a drug-free workplace. Neither Contractor nor Contractor's employees shall unlawfully manufacture, distribute, dispense, possess or use controlled substances, as defined in 21 U.S. Code section 812, including marijuana, heroin, cocaine, and amphetamines, at any LAFCO facility or work site. If Contractor or any employee of Contractor is convicted or pleads

nolo contendere to a criminal drug statute violation occurring at an Alameda LAFCO facility or work site, the Contractor within five days thereafter shall notify the Executive Officer of Alameda LAFCO. Violation of this provision shall constitute a material breach of this Agreement.

14. **FEDERAL AND STATE AUDITS:** Until the expiration of five (5) years after the furnishing of any services pursuant to this Agreement, Contractor shall make available, upon written request, to the Federal/State government or any of their duly authorized representatives, this Agreement, and such books, documents, and records of Contractor that are necessary to certify the nature and extent of the reasonable cost of services to Alameda LAFCO. If Contractor enters into any Agreement with any related organization to provide services pursuant to this Agreement with value or cost of \$10,000 or more over a twelve-month period, such Agreement shall contain a clause to the effect that until the expiration of five years after the furnishing of services pursuant to such subcontract, the related organization shall make available, upon written request, to the Federal/State government or any of their duly authorized representatives, the subcontract, and books, documents and records of such organization that are necessary to verify the nature and extent of such costs. This paragraph shall be of no force and effect when and if it is not required by law. Alameda LAFCO shall have access to Contractor's financial records for purposes of auditing payments made to Contractor hereunder. Such records shall be complete and available for audit ninety (90) days after final payment is made to Contractor hereunder and shall be retained and available for audit purposes for five (5) years after said final payment hereunder.
15. **TIME IS OF THE ESSENCE** in each and all of the provisions of this agreement.
16. **AMENDMENT:** No change, alteration, variation, modification of the terms, termination or discharge of this Agreement shall be valid unless made in writing and signed by the parties hereto.
17. **ASSURANCE OF PERFORMANCE:** If at any time Alameda LAFCO believes Contractor may not be adequately performing its obligations under this Agreement, that Contractor may fail to complete the Services as required by this Agreement, or has provided written notice of observed deficiencies in Contractor's performance, Alameda LAFCO may request from Contractor prompt written assurances of performance and a written plan to correct the observed deficiencies in Contractor's performance. Contractor shall provide such written assurances and written plan within ten (10) calendar days of receipt of Alameda LAFCO's written request and shall thereafter diligently commence and fully perform such written plan. Contractor acknowledges and agrees that any failure to provide written assurances and a written plan to correct observed deficiencies, in the required time, to diligently commence and fully perform such written plan, is a material breach under this Agreement.
18. **KEY PERSONNEL:** Contractor shall identify himself as key personnel assigned to perform services in Exhibit A and obtain Alameda LAFCO approval of any substitution by the Contractor of key personnel.
19. **SUBCONTRACTORS:** Contractor shall identify and obtain Alameda LAFCO approval of all subcontractors. Nothing provided herein shall create any obligation on the part of Alameda LAFCO to pay or to see to the payment by Contractor of any monies to any subcontractor, supplier or vendor, nor create any relationship in contract or otherwise, express or implied between any such subcontractor, supplier or vendor and Alameda LAFCO. Approval by Alameda LAFCO of any subcontractor shall not constitute a waiver of any right of Alameda LAFCO to reject defective work, material or equipment, not in compliance with the requirements of this Agreement.

20. **CHOICE OF LAW:** This Agreement, and any dispute arising from the relationship between the parties to this Agreement, shall be governed by the laws of the State of California, excluding any laws that direct the application of another jurisdiction's laws, and its courts shall have jurisdiction (but not exclusive jurisdiction) to hear and determine all questions relating to this Agreement.
21. **WAIVER:** Any failure of a party to assert any right under this Agreement shall not constitute a waiver or a termination of that right, under this Agreement or any provisions of this Agreement.
22. **ENTIRE AGREEMENT:** This Agreement, including all attachments, exhibits, and any other documents specifically incorporated into this Agreement, shall constitute the entire Agreement between Alameda LAFCO and Contractor relating to the subject matter of this Agreement. As used herein, Agreement refers to any documents incorporated herein by reference and any exhibits or attachments. This Agreement supersedes and merges all previous understandings, and all other agreements, written or oral, between the parties and sets forth the entire understanding of the parties regarding the subject matter thereof. The Agreement may not be modified except by a written document signed by both parties.
23. **TERMINATION:** Alameda LAFCO may terminate this Agreement with or without cause by providing thirty (30) days notice, in writing, to the Contractor. Upon the expiration of said notice, this Agreement shall become of no further force or effect whatsoever and each of the parties hereto shall be relieved and discharged here from. Alameda LAFCO may terminate at any time without notice upon material breach of the terms of this Agreement and/or in the event that Alameda LAFCO determines that the Contractor's performance is substandard or unsatisfactory.
24. **SURVIVAL:** The obligations of this Agreement, which by their nature would continue beyond the termination or expiration of the Agreement, including without limitation, the obligations regarding Hold Harmless/Indemnification (paragraph 2), Confidentiality of Information (paragraph 9), and Conflict of Interest (paragraph 10), shall survive termination or expiration.
25. **NOTICES:** All notices, requests, demands, or other communications under this Agreement shall be in writing. Notices shall be given for all purposes as follows:
  - **Personal delivery:** When personally delivered to the recipient, notices are effective on delivery.
  - **First Class Mail:** When mailed first class to the last address of the recipient known to the party giving notice, notice is effective three mail delivery days after deposit in a United States Postal Service office or mailbox.
  - **Certified Mail:** When mailed certified mail, return receipt requested, notice is effective on receipt, if delivery is confirmed by a return receipt.
  - **Overnight Delivery:** When delivered by overnight delivery (Federal Express/United Parcel Service/DHL WorldWide Express/etc.) with charges prepaid or charged to the sender's account, notice is effective on delivery, if delivery is confirmed by the delivery service.
  - **Telex or facsimile transmission:** When sent by telex or fax to the last telex or fax number of the recipient known to the party giving notice, notice is effective on receipt, provided that (a) a duplicate copy of the notice is promptly given by first-class or certified mail or by overnight delivery, or (b) the receiving party delivers a written confirmation of receipt. Any notice given

by telex or fax shall be deemed received on the next business day if is received after 5:00 p.m. (recipients time) or on a non-business day.

Addresses for purpose of giving notice are as follows:

To LAFCO:                      Alameda LAFCO  
   224 West Winton, Suite 110  
   Hayward, CA 94544

To Contractor:                O'Connor & Company  
   1101 Fifth Avenue, Suite 360  
   San Rafael, CA 949

Any correctly addressed notice that is refused, unclaimed, or undeliverable because of an act or omission of the party to be notified shall be deemed effective as of the first date that said notice was refused, unclaimed, or deemed undeliverable by the postal authorities, messenger, or overnight delivery service.

Any party may change its address or telex or facsimile number by giving the other party notice of the change in any manner permitted by this Agreement.

[END OF ADDITIONAL PROVISIONS]

## EXHIBIT A - SCOPE OF SERVICES

### Alameda LAFCO

Year Ending June 30, 2022

### Work Plan by Significant Segments

	Sept	Oct	Nov	Hours
<b>Planning</b>				
Meet with client to discuss current year issues and audit work plan	x			2
Consult with management regarding internal control, computer and financial reporting. Review Alameda LAFCO's organizational chart, current year audit objectives of Alameda LAFCO, current litigation regarding Alameda LAFCO, new Federal, State and local legislation affecting Alameda LAFCO, material subsequent events, and review of prior year reports and findings.	x			8
Conduct Fraud Risk Assessment.	x			1
<b>Compliance</b>				
Document and evaluate significant accounting systems.	x			2
Perform all necessary compliance testing of Alameda LAFCO using various checklists to cover the following areas: Petty cash, investments, cash, minutes, contracts, ordinances, revenue, receivables, service revenue, expenditures, accounts payable, payroll and related liabilities, inventories, property, equipment and capital expenditures, grants, single audit compliance and other pertinent areas.	x			8
Discuss interim findings with management.	x			1
<b>Financial</b>				
Perform year-end substantive testing including using tailored audit programs to test year end account balances, third party confirmations, verify material balances, Alameda LAFCO compliance with its budget and additional compliance testing as needed.		x		40
Exit conference and discuss findings with management.		x		1
Prepare Draft Audit Reports and Financial Statements for Alameda LAFCO.		x	x	20
Complete/issue Financial Reports and Management Letter.		x	x	2
<b>Total Estimated Hours</b>				<b>85</b>

**EXHIBIT B – CONTRACT PAYMENT TERMS**

## Contracted Service:

- The Alameda LAFCo will pay Contractor for services provided herein, upon submittal of an invoice and summary report of services performed pursuant to this agreement. All services will be performed at the direction of, and with the prior authorization of, the LAFCO Executive Officer. Invoices will be approved by the Alameda LAFCO Executive Officer. Payments under the terms of this Agreement shall not exceed \$23,000. This amount includes all administrative expenses and costs, travel expenses and contingencies. For the purposes assigned in the proposal, the billing rates are as listed in the firm’s proposal and shown below:

Michael O’Connor, Director: \$200/hour

	<u>Hours</u>	<u>Rates</u>	<u>Estimated amount</u>
Director	20	\$ 200	\$ 4,000
Audit Director/Reviewer	2	150	300
Audit Supervisor	44	120	5,280
Senior Accountant	11	100	1,100
Admin	8	100	800
	<u>85</u>		<u>11,480</u>
Travel, out-of-pocket expenses, etc.			<u>20</u>
			<b><u>Estimated Audit Fees for 2021-2022 \$ 11,500</u></b>
			<b><u>Estimated Audit Fees for 2022-2023 \$ 11,500</u></b>

- Alameda LAFCo expects Contractor to cover all costs of professional development activities, training, and/or continuing education unless Alameda LAFCO requires such professional development activities, training and/or continuing education of Contractor or Contractor obtains prior written approval from LAFCO to incur the cost of such professional development activities, training and/or continuing education.
- The term of this Agreement is May 12, 2023 through May 12, 2025.



**EXHIBIT C - MINIMUM INSURANCE REQUIREMENTS**

Without limiting any other obligation or liability under this Agreement, the Contractor, at its sole cost and expense, shall secure and keep in force during the entire term of the Agreement or longer, as may be specified below, the following minimum insurance coverage, limits and endorsements:

TYPE OF INSURANCE COVERAGES		MINIMUM LIMITS
<b>A</b>	<b>Commercial General Liability</b> Premises Liability; Products and Completed Operations; Contractual Liability; Personal Injury and Advertising Liability	\$1,000,000 per occurrence (CSL) Bodily Injury and Property Damage
<b>B</b>	<b>Commercial or Business Automobile Liability</b> All owned vehicles, hired or leased vehicles, non-owned, borrowed and permissive uses. Personal Automobile Liability is acceptable for individual contractors with no transportation or hauling related	\$1,000,000 per occurrence (CSL) Any Auto Bodily Injury and Property Damage
<b>C</b>	<b>Workers' Compensation (WC) and Employers Liability (EL)</b> Required for all contractors with employees	WC: Statutory Limits EL: \$1,000,000 per accident for bodily injury or disease
<b>D</b>	<p><b>Endorsements and Conditions:</b></p> <ol style="list-style-type: none"> <li><b>ADDITIONAL INSURED:</b> All insurance required above with the exception of Commercial or Business Automobile Liability, Workers' Compensation and Employers Liability, shall be endorsed to name as additional insured: the Alameda Local Agency Formation Commission (LAFCO), the individual members thereof, and all Alameda LAFCO officers, agents, employees, volunteers, and representatives. The Additional Insured endorsement shall be at least as broad as ISO Form Number CG 20 38 04 13.</li> <li><b>DURATION OF COVERAGE:</b> All required insurance shall be maintained during the entire term of the Agreement. In addition, Insurance policies and coverage(s) written on a claims-made basis shall be maintained during the entire term of the Agreement and until 3 years following the later of termination of the Agreement and acceptance of all work provided under the Agreement, with the retroactive date of said insurance (as may be applicable) concurrent with the commencement of activities pursuant to this Agreement.</li> <li><b>REDUCTION OR LIMIT OF OBLIGATION:</b> All insurance policies, including excess and umbrella insurance policies, shall include an endorsement and be primary and non-contributory and will not seek contribution from any other insurance (or self-insurance) available to Alameda LAFCO. The primary and non-contributory endorsement shall be at least as broad as ISO Form 20 01 04 13. Pursuant to the provisions of this Agreement insurance effected or procured by the Contractor shall not reduce or limit Contractor's contractual obligation to indemnify and defend the Indemnified Parties.</li> <li><b>INSURER FINANCIAL RATING:</b> Insurance shall be maintained through an insurer with a A.M. Best Rating of no less than A:VII or equivalent, shall be admitted to the State of California unless otherwise waived by Risk Management, and with deductible amounts acceptable to Alameda LAFCO. Acceptance of Contractor's insurance by Alameda LAFCO shall not relieve or decrease the liability of Contractor hereunder. Any deductible or self-insured retention amount or other similar obligation under the policies shall be the sole responsibility of the Contractor.</li> <li><b>SUBCONTRACTORS:</b> Contractor shall include all subcontractors as an insured (covered party) under its policies or shall verify that the subcontractor, under its own policies and endorsements, has complied with the insurance requirements in this Agreement, including this Exhibit. The additional Insured endorsement shall be at least as broad as ISO Form Number CG 20 38 04 13.</li> <li><b>JOINT VENTURES:</b> If Contractor is an association, partnership or other joint business venture, required insurance shall be provided by one of the following methods: <ul style="list-style-type: none"> <li>Separate insurance policies issued for each individual entity, with each entity included as a "Named Insured" (covered party), or at minimum named as an "Additional Insured" on the other's policies. Coverage shall be at least as broad as in the ISO Forms named above.</li> <li>Joint insurance program with the association, partnership or other joint business venture included as a "Named Insured".</li> </ul> </li> <li><b>CANCELLATION OF INSURANCE:</b> All insurance shall be required to provide thirty (30) days advance written notice to Alameda LAFCO of cancellation.</li> <li><b>CERTIFICATE OF INSURANCE:</b> Before commencing operations under this Agreement, Contractor shall provide Certificate(s) of Insurance and applicable insurance endorsements, in form and satisfactory to Alameda LAFCO, evidencing that all required insurance coverage is in effect. Alameda LAFCO reserves the rights to require the Contractor to provide complete, certified copies of all required insurance policies. The required certificate(s) and endorsements must be sent as set forth in the Notices provision.</li> </ol>	

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# Proposal For Auditing Services

For

## Alameda Local Agency Formation Commission

For the Fiscal Years Ending  
June 20, 2022, and 2023

Submitted by March 10, 2023

Proposed by:



Michael A. O'Connor, CPA  
1101 Fifth Avenue, Suite 360  
San Rafael, CA 94901  
Telephone: (415) 457-1215

March 10, 2023

Rachel Jones, Executive Officer  
 Alameda Local Agency Formation Commission  
 224 West Winton Avenue, Suite 110  
 Hayward, CA 94544  
 Email: [Rachel.jones@acgov.org](mailto:Rachel.jones@acgov.org)

Dear Rachel Jones:

We are pleased to submit, in response to your request, the following proposal for a financial statement audit for Alameda Local Agency Formation Commission (Alameda LAFCO) for the fiscal years ending June 30, 2022, and 2023, to be performed in accordance with applicable California Government Code provisions and Alameda LAFCO's policies and procedures.

We believe that the selection of a public accounting firm is a very important decision. Our local firm can offer the strength and experience necessary to meet the challenges at hand. In summary:

- We specialize in auditing government-assisted and nonprofit programs. Consequently, we are acutely aware of the operating and accounting problems inherent to such organizations and can provide competent professional services tailored to your needs.
- The management staff assigned to this engagement have the following audit experience:

	<u>Estimated Governmental or Nonprofit Experience</u>
Michael O'Connor, CPA	51,000 hours
June Nguyen, CPA	30,000 hours


- The lead auditor on this engagement will be Mr. Michael A. O'Connor, CPA. Mr. O'Connor is a member of the California State Municipal Finance Officers Association and Government Finance Officers Association. He is also a member of the GFOA Special Review Committee. Mr. O'Connor has reviewed or prepared over 50 GFOA Certificated CAFR's and has been the lead auditor on over 300 single audits. He has also prepared over 100 TDA Audit Reports.
- Our Auditors have audited the following similar programs:
  - Contra Costa LAFCO
  - Marin LAFCO
  - Sonoma LAFCO
  - San Mateo LAFCO
  - San Diego LAFCO
  - Highlands Recreation District
  - Marinwood Community Services District
  - Strawberry Park and Recreation District
  - Marin City Community Services District
  - Cameron Park Community Services District
  - Muir Beach Community Services District
  - Bel Marin Keys Community Services District
  - Humboldt Community Services District
  - Bodega Bay Public Utilities District

- Our examination will include a list of comments to management regarding the present state of Alameda LAFCO's accounting system. This document will recognize strengths of the Accounting Department as well as provide recommendations for improvement.
- The firm does not have any current projects that would prevent it from completing this engagement in a timely manner, and further, we are not committed to a project with Alameda LAFCO that would constitute a conflict of interest or impair our independence.
- The firm is committed to performance within a reasonable time period; we estimate that the audit will be completed and a report issued by December, unless Alameda LAFCO would like the audit completed sooner.
- This proposal is firm for 90 days.
- The firm maintains the following Insurance.
  - General Liability           \$1,000,000 Limit
  - Professional Liability    \$1,000,000 Limit
  - Workers Compensation As required by state law
- The individuals authorized to make representations and bind the firm are:

Michael O'Connor, CPA  
O'Connor & Company  
1101 Fifth Avenue, Suite 360  
San Rafael, CA 94901  
Federal ID# 88-3469983  
Telephone: (415) 457-1215, Fax: (415) 457-6735  
E-mail: michael@maocpa.com
- Our fees for services are detailed in the accompanying Fee proposal letter.

We appreciate the opportunity to present this proposal and look forward to becoming more familiar with Alameda LAFCO. We want your business and are making a personal and professional commitment to provide you the highest quality of services available.

Sincerely,



O'Connor & Company

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# Firm Profile

## Structure

O'Connor & Company is a certified public accounting firm located at 1101 Fifth Avenue, San Rafael, California. Established in 2023 with Ralph Ricciardi's support after he retired and closed down R.J. Ricciardi, Inc. CPAs, the firm is committed to providing clients with the finest quality of accounting services available. In particular, we have developed significant expertise in auditing governmental and nonprofit entities, and a comprehensive understanding of the issues and challenges facing the financial and accounting personnel of such organizations. Furthermore, the firm's staff have an excellent reputation for technical assistance and cooperation with the auditee's staff.

The firm's total staff consists of 8 professionals and the management staff consists of the following individuals:

Michael A. O'Connor, CPA, Director  
June Nguyen, CPA Audit Director  
Matt Mingram, Audit Manager  
Ian McGraw, CPA Audit Supervisor

The firm and all key professional staff assigned are properly licensed to practice in California. We believe that continuity of audit personnel and institutional knowledge are instrumental in providing a quality audit. The lead auditor on this engagement has been working as an auditor for 38 years and will be committed in serving Alameda LAFCO for the term of this agreement. References and continuing education are provided at the back. We understand Alameda LAFCO reserves the right to request replacement of any members of the auditing team at any time. Alameda LAFCO will also be notified in advance of any changes made by us concerning the make-up of the auditing team after the work has begun. We strive to provide staff continuity and institutional knowledge to our clients.

## Range of Services

The firm offers a full range of accounting services including tax preparation (for both nonprofit and for-profit clients), management consulting, general accounting, and auditing. Each of these areas will be of value to Alameda LAFCO, in particular our industry expertise in auditing federally-assisted programs.

## Quality Review

The firm was established in January 2023, and as such will undergo its first quality review at 18-months as required by the A.I.C.P.A. and Government Audit Standards.

## Small Business Concern

The firm meets both Federal and State small business concern qualifications.

## **Mandatory Criteria**

### **· Licensing**

O'Connor & Company is a properly certified public accounting firm in California. In addition, our firm meets the independence standards of the GAO, *Standards for Audit of Governmental Organizations, Programs, Activities and Functions* (2003 Revision) with regard to Alameda LAFCO.

California CPA Corporate License number	COR 9263
Federal Identification number	88-3469983
California State Business number	5163781

### **· Record of Excellence**

The firm meets all qualifications and requirements imposed by the California State Board of Accountancy.

Further, the firm and its staff affirm that:

- We have no record of substandard work.
- We have not been debarred or suspended.
- We are not under review for debarment or suspension.
- There is no disciplinary action being taken or pending against the firm during the past 3 years with state regulatory bodies or professional organizations, nor has there been any pending or settled litigation within the past 3 years.



# Approach to the Examination

## Audit Objective

The objective of the work to be performed under the agreement will be the examination and expression of an opinion on Alameda LAFCO's financial statements for the years ending June 30, 2022, and 2023.

We will also assist in preparation and review of year-end closing entries and adjustments. Such an examination is subject to the inherent risk that errors or irregularities may not be detected. If conditions are discovered which lead to the belief that material errors, defalcations, or other irregularities may exist, or if any other circumstances are encountered which require extended services, we will promptly advise the requester. Finally, no extended services will be performed unless they are authorized in the contractual agreement or in an amendment to the agreement. The examination will be performed in accordance with U.S. generally accepted auditing standards and will include auditing procedures to ensure that all laws and regulations have been complied with during the fiscal year. In addition, the examination will be performed in accordance with the provisions of: (1) *Standards for Audits of Governmental Organizations, Programs, Activities, and Functions* promulgated by the Comptroller General of the United States, which pertain to financial and compliance audits; and (2) *State of California Controller's Minimum Audit Requirements and Reporting Guidelines for Special Districts*.

## Work Plan

Advance planning is the key to any successful engagement. In relation to other firms involved in audits, we believe we provide for a higher proportion of director's time in planning the engagement. With careful and extensive planning, we tailor our audit program to fit the unique aspects of each client. Through this means, we are able to better target our audit work, get to the core of accounting issues and systems, and thus provide more meaningful information to our clients.

The first step in the planning process is the preparation of a time line and work plan by significant segments. This schedule appears subsequently, encompassing the time period from September through November. Upon award of the engagement, we solicit additional input from the client and preliminarily evaluate and become familiar with their accounting system. We then revise the work plan to include details and specifics to "map out" our approach to the audit. The refinement of the work plan is, however, a continual process which occurs throughout the audit.

An integral part of preliminary planning is the assignment of staff best qualified to work on the particular engagement. We foresee, in the course of the audit, a substantial amount of director's time spent on on-site supervision. These factors, combined with communication with Alameda LAFCO, will facilitate the inclusion of new ideas and experience into the initial work plan.

Ultimately, this process leads to a quality audit that is performed in a timely and efficient manner.

# Proposed Segmentation of the Audit Engagement

## 1. Planning

- Gain an understanding of Alameda LAFCO's controls
- Test controls noted above
- Inquire about fraud and related risks
- Assess fraud risk
- Review and obtain risk management policies
- Discuss with management and document control environment
- Send confirmations
- Document other inquiries (contingencies and related party and subsequent events)
- Discuss observations with management

## 2. Year-End Testing

- Perform analytical review and inquire about fluctuations
- Perform year-end audit tests on Alameda LAFCO's accounts
- Exit conference and communicate audit adjustments

## 3. Presentation and Disclosure

- Review Financial Statements and complete GFOA checklist
- Communicate changes to Management
- Prepare Management report and send draft
- Final Management/Director review Report issuance

# Alameda LAFCO

Year Ending June 30, 2022

## Work Plan by Significant Segments

	Sept	Oct	Nov	Hours
<b>Planning</b>				
Meet with client to discuss current year issues and audit work plan	x			2
Consult with management regarding internal control, computer and financial reporting. Review Alameda LAFCO's organizational chart, current year audit objectives of Alameda LAFCO, current litigation regarding Alameda LAFCO, new Federal, State and local legislation affecting Alameda LAFCO, material subsequent events, and review of prior year reports and findings.	x			8
Conduct Fraud Risk Assessment.	x			1
<b>Compliance</b>				
Document and evaluate significant accounting systems.	x			2
Perform all necessary compliance testing of Alameda LAFCO using various checklists to cover the following areas: Petty cash, investments, cash, minutes, contracts, ordinances, revenue, receivables, service revenue, expenditures, accounts payable, payroll and related liabilities, inventories, property, equipment and capital expenditures, grants, single audit compliance and other pertinent areas.	x			8
Discuss interim findings with management.	x			1
<b>Financial</b>				
Perform year-end substantive testing including using tailored audit programs to test year end account balances, third party confirmations, verify material balances, Alameda LAFCO compliance with its budget and additional compliance testing as needed.		x		40
Exit conference and discuss findings with management.		x		1
Prepare Draft Audit Reports and Financial Statements for Alameda LAFCO.		x	x	20
Complete/issue Financial Reports and Management Letter.		x	x	2
	<b>Total Estimated Hours</b>			<b>85</b>

**Computer Assisted Auditing Techniques**

We use Prosystems Fx Engagement auditing software, Microsoft Excel and Word, and Adobe Acrobat to prepare reports and to assist us with managing the trial balances, audits and creating reports. We use judgmental sampling not software to choose audit samples. Audit samples will be chosen judgmentally and haphazardly. The purpose of the test of compliance will be to meet single audit compliance requirements. Also to detect any weaknesses in the internal control system, risk of fraud, and material differences with account balances. We prefer to receive as much information as possible in an electronic format and provide a secure FTP site, if the client prefers not to use email.

**Approach to Internal Control Structure**

Audit staff will send Alameda LAFCO an internal control questionnaire. The Audit Director will discuss with Alameda LAFCO's staff the answers to the internal control questionnaire. The Director will type up the narrative on the various Alameda LAFCO internal control cycles. Alameda LAFCO's staff will review and make any changes to the narrative. The audit staff will then test the internal controls of the Alameda LAFCO as noted in the narrative. Any findings or weaknesses will be discussed immediately with Alameda LAFCO's staff and Alameda LAFCO will have an opportunity to respond.

**Approach to Determining Laws and Regulations Subject to Audit Test Work**

Review of government grant contracts and related laws and regulations, transportation development act Alameda LAFCO, other laws and regulations and other areas of human resources GAAP, state and local government code, and any other applicable laws and regulations. Legal confirmations will be sent to attorneys Alameda LAFCO does business with during the fiscal year.

**Identification of Anticipated Potential Audit Problems**

We do not foresee any at this time. However, we are happy to assist Alameda LAFCO should any arise during the course of the audit.

**New Accounting Laws and Principles**

We will notify Alameda LAFCO of any impending changes that will affect the audit, and assist them with implementation if necessary.

**IT Controls Audit Procedures**

- 1) Inquire about system controls;
- 2) Walk through system controls;
- 3) Review data input and reports generated;
- 4) Review approval of transactions and related reports; and
- 5) Observe Alameda LAFCO staff's use of hardware and software.

# Project Management and Experience

## Engagement Team

The following is a synopsis of each team member's professional background. Detailed resumes are included in the appendix to this proposal.

### **Michael A. O'Connor, CPA, Director**

Mr. O'Connor has over 38 years of accounting experience. His prior experience includes the audit of commercial entities as well as HUD projects and ten city and Special District audits. His current audit experience includes Transportation Commissions, Cities, Towns, Sanitation Districts, Community Services Districts, Retirement/Pension Plans, Fire Protection Districts, Local Agency Formation Commissions, Public Utility Districts, Head Start, NASA, NSF, Health and Human Services, Department of Labor, CSBG and various other funding streams. Mr. O'Connor will be the lead person and Project Manager for this project.

### **June Nguyen, CPA, Auditor**

Ms. Nguyen will be available as CPA Audit Director working on this engagement. Her extensive auditing experience includes Head Start, Child Care, Pension Plans, JTPA, WIA, Low Income Energy Assistance Program (LIEAP), Community Services Block Grants, Community Development Block Grants, and various other nonprofit programs, as well as governmental agencies. She has experience in both the public and private accounting sectors.

### **Ian McGraw, CPA, Auditor**

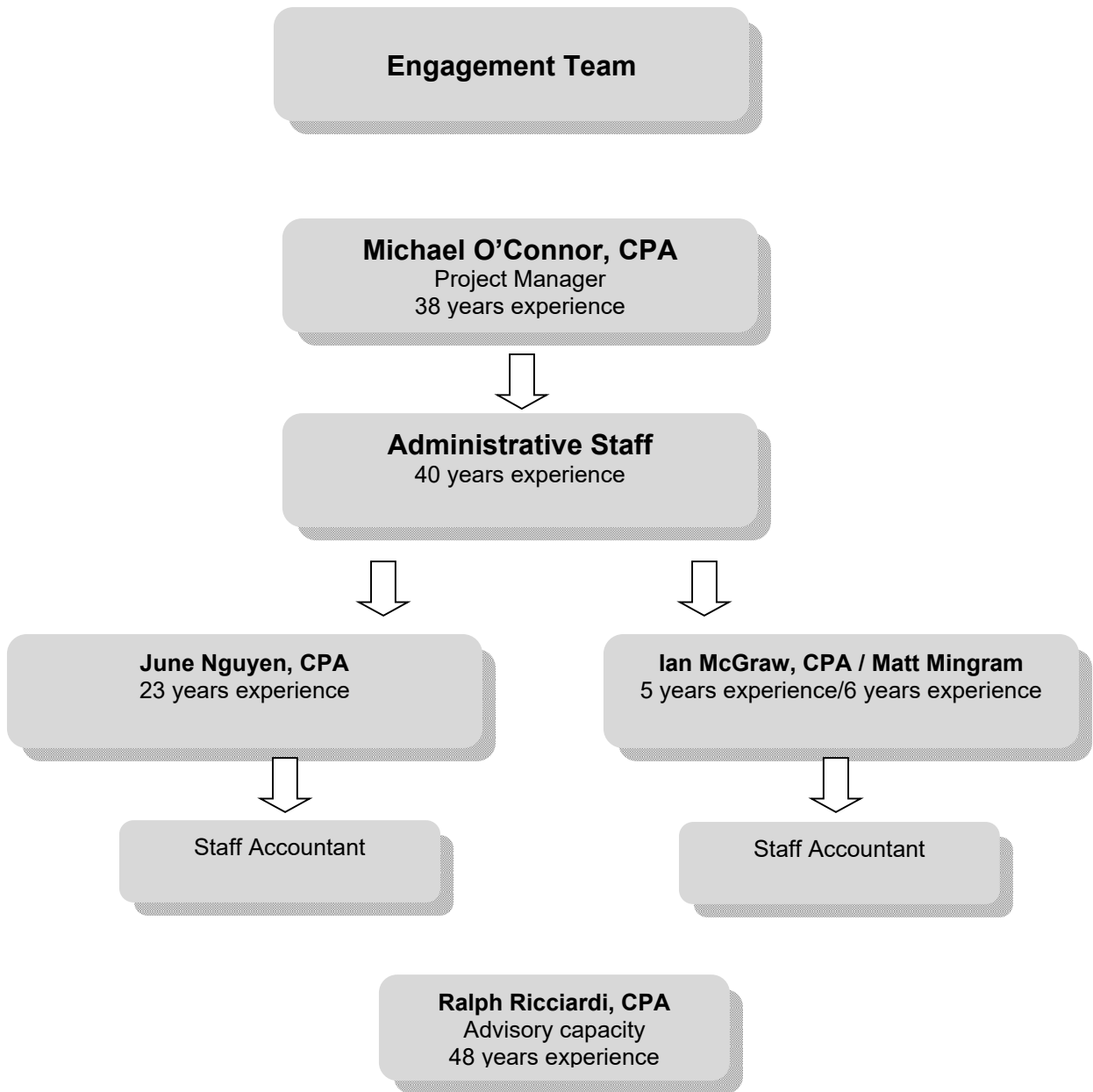
Mr. McGraw has over 5 years of auditing and tax experience, in addition to experience as a small business owner. He has performed financial audits for various non-profit organizations, partnerships, and corporations. He will be available to assist with tax preparation of nonprofit returns (if applicable) and for reviewing reports and audit documentation.

### **Matt Mingram, Auditor**

Mr. Mingram has over 6 years of auditing and tax experience. He has performed complex financial audits for various governmental agencies, non-profit organizations. He will be available to assist with the audit, tax preparation of nonprofit returns (if applicable) and for reviewing reports and audit documentation.

### **Ralph J. Ricciardi, CPA**

Mr. Ricciardi has over 48 years of accounting experience, most of which is in auditing federally-assisted and nonprofit programs, he offers the highest degree of expertise in the industry. His experience includes, more specifically: indirect cost allocation plans, contract compliance, OJT contracting, fixed unit price contracts, and performance-based contracts. Ralph Ricciardi will be available in a consulting capacity.



## Similar Engagements with Other Government Entities Performed within the Past 5 Years

### ■ Marinwood Community Services District

Scope: Basic Financial Statements  
Audit Year: 6/30/22  
Total Hours: 62  
Partner: Michael O'Connor, CPA  
CAFR Yes/No: No  
Client contact: Erik Dreikosen, General Manager  
Phone number: (415) 479-7751

### ■ Highlands Recreation District

Scope: Basic Financial Statements  
Audit Year: 6/30/22  
Total Hours: 74  
Partner: Michael O'Connor, CPA  
CAFR Yes/No: No  
Client Contact: Naomi Kawakita, General Manager  
Phone Number: (650) 341-4251

### ■ Strawberry Recreation District

Scope: Basic Financial Statements  
Audit Year: 6/30/21  
Total Hours: 77  
Partner: Michael O'Connor, CPA  
CAFR Yes/No: No  
Client Contact: Nancy Shapiro, District Manager  
Phone Number: (415) 383-6494

### ■ Cameron Park Community Services District

Scope: Basic Financial Statements  
Audit Year: 6/30/21  
Total Hours: 163.25  
Partner: Michael O'Connor, CPA  
CAFR Yes/No: No  
Client Contact: Christina Greek, General Manager  
Phone Number: (530) 677-2231

### ■ Bel Marin Keys Community Services District

Scope: Basic Financial Statements  
Audit Year: 6/30/22  
Total Hours: 93  
Partner: June Nguyen, CPA  
CAFR Yes/No: No  
Client Contact: Noemi Camargo-Martinez, District Manager  
Phone Number: (415) 883-4222

## Similar Engagements with Other Government Entities Performed within the Past 5 Years *(continued)*

### ■ Humboldt Community Services District

Scope: Basic Financial Statements  
Audit Year: 6/30/22  
Total Hours: 85.5  
Partner: Michael O'Connor, CPA  
CAFR Yes/No: No  
Client Contact: Michael Montag, Finance Manager  
Phone Number: (707) 443-4550

### ■ City of Fortuna

Scope: Basic Financial Statements, State Controller's Report;  
Appropriations limit  
Audit Year: 6/30/21  
Total Hours: 210.5  
Partner: Michael O'Connor, CPA  
CAFR Yes/No: No  
Client Contact: Aaron Felmlee, Director of Finance  
Phone Number: (707) 725-1402

### ■ City of Calistoga

Scope: Basic Financial Statements, CAFR, SAR, Local Transportation Audit,  
Measure A Funds Compliance, Appropriations limit review  
Audit Year: 6/30/22  
Total Hours: 204.25  
Partner: Michael O'Connor, CPA  
CAFR Yes/No: Yes  
Client Contact: Administrative Services Director  
Phone Number: (707) 942-2803



## **Ancillary Services**

In addition to being a full-service accounting firm, over the years our staff have obtained certain areas of expertise. First and foremost, in setting us apart from other firms is our vast experience in the auditing of federally-assisted programs. However, other services, in which we have accomplished a high degree of proficiency, follow:

### **Internal Control System Review**

Because of our experience with nonprofit and Federal grant auditing, we have the ability to review internal control systems from the standpoint of “materiality” vis-a-vis the almost endless list of compliance control systems required by Federal and State funding sources. For this reason, we feel we are in a somewhat unique position to review and evaluate internal control systems of governmental entities and nonprofit clients and issue an opinion on them.

### **Indirect Cost Allocation Plans**

We have been helpful to a number of our clients in the development, implementation, and/or review of Indirect Cost Allocation Plans.

### **Fixed Unit Price Contracts / Performance Based Contracts**

Our firm has several clients that are subject to both fixed unit and performance based contracts. These contracts can be complex; we can offer the know-how and experience to assist in their development.

### **Computer Conversions**

We can offer assistance in EDP systems conversions as well as pre-audit assistance to determine if computer installation/conversion was satisfactorily accomplished. We have facilitated conversions for a number of our clients, and would be pleased to provide such services to you when and if they are needed.

### **Close-out Report Reconciliations**

Funding sources frequently express disappointment in the limited financial information they receive from the Schedule of Federal Financial Assistance (Single Audit Report). They ask for additional information regarding a reconciliation between the Schedule of Federal Financial Assistance and the Funding Agency’s Close-out Report. We have provided many clients with special reporting sections in their audit report that satisfy this request and/or respond to special requirements with which the Agency must comply. We believe that this valuable service is essential in maintaining good relations between our clients and their funding sources.

# Staff Resumés

## **Michael A. O'Connor, CPA**

**President (License 1990 55781E)**

### **Personal Data**

A native of Novato, Michael obtained his CPA License in May of 1990. Mr. O'Connor is a member of the Government Finance Officers Association of the United States, American Institute of Certified Public Accountants, and the California Society of CPA's. After working for R.J. Ricciardi, Inc. for over 30 years, upon Ralph Ricciardi's retirement announcement and with his encouragement and support, Michael started his own firm in 2022.

### **Education**

Mr. O'Connor graduated from St. Mary's College in 1987, receiving a Bachelor's Degree in Business Administration with an emphasis in Accounting.

### **Experience**

In 1987, Mr. O'Connor accepted a position with Seiler and Company in Redwood City, California. At that time, he worked on Housing and Urban Development audits as well as audits of various commercial entities.

From 1989 through March, 1991, he served as a Senior Accountant for C.G. Uhlenberg & Company in Redwood City, California. During this time Mr. O'Connor supervised audits of the following:

- City of Campbell (Awarded the GFOA and CSMFO Certificate of Achievement)
- City of Cupertino
- City of Menlo Park (Awarded the GFOA and CSMFO Certificate of Achievement)
- City of Pittsburg (Awarded the GFOA and CSMFO Certificate of Achievement)
- City of Redwood City
- City of San Bruno
- Purisma Hills Water District
- Sausalito and Marin City Sanitary District
- South Bay Systems Authority
- Dublin/San Ramon Services District
- The North Marin Water District
- The Town of Atherton
- The Town of Los Altos Hills (Awarded the GFOA and CSMFO Certificate of Achievement)
- The Town of Portola Valley
- The Town of Woodside

From 1991-2022 he worked with R.J. Ricciardi, Inc. Certified Public Accountants. During that period Mr. O'Connor successfully built the Government auditing side of the practice, while continuing to hone his nonprofit auditing skills. His audit experience included:

#### **Municipalities and Special Districts**

- Alameda Resource Conservation District
- Almonte Sanitary District
- Alto Sanitary District
- Amador County Transportation Commission
- Bel Marin Keys Community Services District
- Bay Public Utilities District
- Bolinas Community Public Utility District
- Cameron Park Community Services District

Mr. O'Connor's audit experience (continued)

Municipalities and Special Districts (continued)

- City of Alturas
- City of Amador
- City of Calistoga
- City of Crescent City
- City of Fortuna
- City of Gustine
- City of Livingston
- City of Monterey
- City of Newman
- City of Patterson
- City of Rio Dell
- City of Willits
- Alameda LAFCO
- County of Modoc
- Norte Local Transportation Commission
- Diamond Springs-El Dorado County Fire Protection Agency
- Highlands Recreation District
- Homestead Valley Sanitary District
- Humboldt Bay Community Services District
- Humboldt Bay Municipal Water District
- Indian Valley Community Services District
- Inverness Public Utility District
- Kentfield Fire Protection District
- Livermore-Amador Valley Water Management Agency
- Marin City Community Services District
- Marin General Services Authority
- Marin Healthcare District
- Marinwood Community Services District
- Mendocino Council of Governments
- Mendocino Transit Authority
- Muir Beach Community Services District
- Napa County Mosquito Abatement District
- River Reclamation District
- North of the River Recreation District
- Placer County Transportation Planning Agency
- Pleasant Hill Recreation and Park District
- Pleasant Hill Senior's Club
- Redwood Coast Transit Authority
- Ross Valley Fire District
- San Mateo County Resource Conservation District
- Sonoma Resource Conservation District
- Southern Marin Emergency Medical Paramedic System
- Southern Marin Fire Protection District
- Regional Transit
- Recreation District
- Tehama County Transportation Commission
- Timber Cove County Water District
- Town of Colma
- Town of San Anselmo
- Transportation Authority of Marin
- Ukiah Valley Sanitation District
- Yolo County Resource Conservation District

Mr. O'Connor's audit experience (continued)

Municipalities and Special Districts (continued)

LAFCOs

- Contra Costa LAFCO
- Marin LAFCO
- San Diego LAFCO
- San Mateo LAFCO
- Sonoma LAFCO

Child Care Programs / Head Start

- Child Family and Community Services
- Community Action Marin
- Institute for Human and Social Development
- Sierra Cascade Family Opportunities WIOA/JTPA Programs
- Community Services and Employment Training
- Mother Lode Job Training Agency
- Plumas Job Training Center
- Proteus Inc.
- San Luis Obispo PIC

CSBG /CDBG/ECIP/LIHEAP

- Community Action Marin
- Community Services and Employment Training
- Proteus Inc.

Scientific Research

- American Technology Alliances (NASA, Commercial)
- Molecular Research Institute (NASA, NIH, Commercial)
- SETI Institute (NASA, NSF, other)

Pension Plan Audits

- California Autism Foundation
- Child Start Inc.
- Community Action Commission of Santa Barbara County
- Community Action Marin
- Consumer Credit Counseling Services of San Francisco
- Proteus, Inc.
- Resort at Indian Springs

Other Nonprofits

- Bay Institute of San Francisco
- California Maritime Academy Foundation
- Family Service Agency of Marin
- The Friends of Photography
- Lassen Economic Development Corp
- MariNet
- Marin Professional Firefighters
- MATRIX
- National Poetry Association
- Prison Law Office
- Support for Families of Children with Disabilities
- Training Employment and Community Help, Inc.
- Helping All People

## **June Nguyen, CPA**

**Auditor (License 2004 89110)**

### **Personal Data**

Ms. Nguyen is a resident of Sonoma County. She has over 20 years of auditing experience. Ms. Nguyen has experience in public auditing with a strong focus on Child Care and Pension Plan audits with a high level of complexity.

### **Education**

She has a Bachelor's Degree in Business Administration with an emphasis in Accounting from Sonoma State University.

### **Experience**

Ms. Nguyen's experience in auditing includes, but is not limited to:

#### Child Care Programs/ Head Start

- Child, Family & Community Services, Inc.
- Community Action Commission of Santa Barbara County
- Community Action Marin
- Community Action of Napa Valley
- Community Action Partnership of Sonoma County
- Kings Community Action Organization

#### Municipalities and Special Districts

- Area 12 Agency on Aging
- Bel Marin Keys Community Services District
- Alameda LAFCO
- Ukiah Valley Sanitation District

#### JTPA Programs

- Mendocino Private Industry Council, Inc.
- Proteus, Inc.
- Siskiyou Training and Employment Program, Inc.
- San Diego Workforce Partnership

#### CSBG/CDBG/ECIP/LIHEAP

- Proteus, Inc.
- The Ford Street Project
- Community Action Marin
- Community Services & Employment Training
- Community Action Commission of Santa Barbara County

#### Pension Plan Audits

- Community Action Marin
- California Autism Foundation
- Child, Family & Community Services, Inc.
- Child Start Inc.
- Community Action Commission of Santa Barbara County
- Community Action Marin
- Consumer Credit Counseling Services of San Francisco
- Institute of Human & Social Development
- Proteus, Inc.
- Resort at Indian Springs
- San Mateo County Event Center

Ms. Nguyen's audit experience (continued)

NASA Funded/Scientific Programs

- Bay Area Environmental Research Institute

Other Nonprofits

- Ala Costa Centers
- Alameda Food Bank
- Associated Students of Sonoma State University
- Bloom
- California Autism Foundation
- California Maritime Academy Foundation
- California/Nevada Community Action
- Casa Allegra Community Services
- Community Action of Napa Valley
- Community Action Partnership of Sonoma County
- Community Care Management Corporation
- Community Support Network
- Consumer Credit Counseling Center of San Francisco
- Global Strategies
- Hospice of Napa Valley
- LeadersUp
- Marin Advocates for Children
- Marin Art Council
- Matrix Parent Network and Resource Center
- San Francisco Estuary Institute
- SF New Deal
- SFSU-Athletic Department
- Silicon Valley De-Bug
- Sonoma Student Union Corporation

## **Ian McGraw, CPA**

**Senior Auditor (License 2022 148747)**

### **Personal Data**

Mr. McGraw joined our firm with experience working in the public accounting sector at Vine Solutions, R.J. Ricciardi, Inc. Certified Public Accountants, Perotti & Carrade CPAs, as well as spending time in the private accounting side of the industry. Mr. McGraw also ran his own business for a 2 year period.

### **Education**

He studied accounting at St. Mary's College and received a Master of Accountancy from Golden Gate University.

### **Experience**

Mr. McGraw's public accounting experience includes both Governmental and Nonprofit work, such as:

#### Nonprofits/ Governmental Agencies

- Abraham Lincoln High School of San Francisco Alumni Association
- City of Nevada City
- City of Newman
- Contra Costa LAFCO
- Humboldt Community Services District
- Job Training Center of Tehama County
- Marin Recycling & Recovery Center
- MariNet
- Matrix
- Northern Rural Training and Employment Consortium
- Richmond Art Center
- Rural Human Services
- San Francisco Estuary Institute
- Seeds of Learning
- Sourcewise
- Sonoma LAFCO
- Sonoma Resource Conservation District
- Superior California Economic Development



# **Matthew Mingram**

## **Senior Staff Auditor**

### **Personal Data**

Mr. Mingram joined our firm with experience working in the public accounting sector at Novogradac & Company, R.J. Ricciardi, Inc Certified Public Accountants, as well as spending time in the private accounting side of the industry.

### **Education**

He studied accounting at Sonoma State University and received a post-graduate advanced accounting certification at Santa Clara University.

### **Experience**

Mr. Mingram's public accounting experience includes both Governmental and Nonprofit work, such as:

#### **Nonprofits**

- Alameda Food Bank
- Alliance for Workforce Development
- Astronomical Society of the Pacific
- Big Brothers Big Sisters of the Bay Area
- Community Action Marin
- Community Action Napa Valley
- Community Support Network
- Earth Island Institute
- Family Resource Navigators
- Great Northern Services
- Jefferson Economic Development Institute
- Job Training Center of Tehama County
- Marin Professional Firefighters
- MariNet
- Matrix
- Northern Rural Training and Employment Consortium
- Oak Hill School
- Project Sanctuary
- Rhodes Residential Services
- Richmond Art Center
- Rural Human Services
- San Francisco Estuary Institute
- Seeds of Learning
- Shining Star Foundation, dba Star Academy
- Sourcewise
- Sonoma LAFCO
- Superior California Economic Development

Mr. Mingram's audit experience (continued)

Government Agencies

- Alto Sanitary District
- Bel Marin Keys Community Services District
- Bodega Bay Public Utilities District
- Bolinas Community Public Utility District
- City of Alturas
- City of Calistoga
- City of Fortuna
- City of Rio Dell
- Alameda LAFCO
- County of Modoc
- Highlands Recreation District
- Humboldt Bay Municipal Water District
- Inverness Public Utility District
- Marin County Public Works
- Marinwood Community Services District
- Mendocino Council of Government
- Mendocino Transit Authority
- Muir Beach Community Services District
- North of the River Recreation District
- Redwood Coast Transit Authority
- San Mateo County Resource Conservation District
- Southern Marin Emergency Medical Paramedic System
- Southern Marin Fire Protection District
- Strawberry Recreation District
- Tehama County Transportation Commission
- Town of Colma

# Michelle Nguyen

## Staff Auditor II

### Personal Data

Ms. Nguyen is a resident of Alameda County. Ms. Nguyen came to us with over 2 years of experience in public auditing at R.J. Ricciardi, Inc. Certified Public Accountants, and additional experience at a small tech start-up as an accountant. Ms. Nguyen is adept with nonprofit tax/auditing and governmental auditing.

### Education

She has a Bachelor's Degree in Business Administration & Accounting from San Jose State University.

### Experience

Ms. Nguyen's experience in tax and auditing experience includes, but is not limited to:

#### Nonprofits

- Advance SF
- Ala Costa Centers
- Alameda Food Bank
- Bay Area Environmental Research Institute
- California Maritime Academy Foundation
- Casa Allegra Community Services
- Community Care Management Corporation
- Community Action of Napa Valley
- Family Resource Navigators
- Ford Street Project
- Freedom FWD
- Global Strategies
- Great Northern Services
- Institute for Human & Social Development
- Intercommunal Preschool
- JobTrain
- Marin Advocates for Children
- Marin District Attorney's Office
- Pleasant Hill Senior Center
- Project Sanctuary
- SF New Deal
- Silicon Valley De-Bug
- Support for Families of Children with Disabilities

#### Government Agencies

- City of Alturas
- City of Fortuna
- City of Gustine
- City of Newman
- Humboldt Bay Municipal Water District
- Humboldt Community Services District
- Marin Professional Firefighters
- Mendocino Council of Governments
- Muir Beach Community Services District
- North of the River Recreation District
- Pleasant Hill Recreation and Park District

Ms. Nguyen's audit experience (continued)

- Redwood Coast Transit Authority
- San Diego LAFCO
- Sonoma LAFCO
- Southern Marin Emergency Paramedic Services
- Strawberry Recreation District
- Town of Colma
- Trinity Resource Conservation District

## Education and Training

## Education and Training

### Michael O'Connor, CPA

<i>Conference/Training</i>	<i>Years</i>	<i>Hours</i>
Data Portal: Annual Debt Transparency Report Tutorial	2023	1.5
Accountants Liability: Balancing Risk and Reward (A&A Focus)	2022	4
Not-for-Profit Organizations Virtual Conference	2022	8
Governmental Accounting and Auditing Virtual Conference	2022	8
Fundamentals of Single Audit	2022	8
Governmental Accounting & Auditing Conference	2021	8
California Regulatory Review for CPAs-RRS-014-0414	2021	2
Risk Assessment Deep Dive: How to Avoid Common Missteps	2021	3.5
GASB Basic Financial Statements for State and Local Governments	2021	8
Nonprofit Accounting and Auditing Update	2021	8
Not-for-Profit Organizations Conference	2020	8
Governmental Accounting and Auditing Conference	2020	9
Transit Operator Financial Transactions Report Training	2019	3
Governmental Accounting and Auditing Conference	2019	8.5
Accounting Fraud	2019	8

### June Nguyen, CPA

<i>Conference/Training</i>	<i>Years</i>	<i>Hours</i>
Not-for-Profit Organizations Conference	2020	9
Ethics for California	2020	4
Auditing: The Compilation and Review Standards: SSARS No. 21-24	2020	10
Computer and Data Security Basics for the CPA	2020	1
California Regulatory Review for CPAs – RRS-014-0414	2020	2
Not-for-Profit Organizations Conference	2019	8
Employee Benefit Plans Annual Audit Conference	2019	8
New Yellow Book: An Effective Implementation	2019	2
Controls Over Compliance: An Advanced Discussion	2019	2
Nonprofit Update	2019	4
Governmental Accounting and Auditing Conference	2019	8.5
Accounting Fraud Webcast	2019	8
Government Auditing: A Complete Guide to Yellow Book	2019	11

### Ian McGraw, CPA

<i>Conference/Training</i>	<i>Years</i>	<i>Hours</i>
Accountants Liability: Balancing Risk and Reward (A&A Focus)	2023	4
Implementing and Maintaining and Internal Control System	2021	8
Leases: Topic 842 in Depth	2021	8
Not-for-Profit Organizations Virtual Conference	2022	8
Introduction to Government Accounting	2022	2

**Matt Mingram**

<b><i>Conference/Training</i></b>	<b><i>Years</i></b>	<b><i>Hours</i></b>
Governmental Accounting & Auditing Conference	2022	8
Governmental Accounting & Auditing Conference	2021	10
Government Auditing" A Complete Guide to Yellow Book - Why, What and How	2021	11
Fraud and Small Business	2021	5
Not-for-Profit Organizations Conference	2020	9
Not-for-Profit Organizations Conference	2019	8
Cost Principles for State and Local Governments and Nonprofit Organizations	2019	8
Not-for-Profit Organizations Conference	2019	8

## References



## References

The best recommendations a CPA firm can have are those of existing clients. We are, therefore, including a partial list of references and encourage you to contact them.

<u>ORGANIZATION/CONTACT</u>	<u>TELEPHONE/EMAIL</u>
<b>Contra Costa LAFCO</b> Lou Ann Texeira	(925) 313-7131 louann.Texeira@lafco.cccounty.us
<b>San Diego LAFCO</b> Keene Simonds	(619) 321-3380 keene.simonds@sdcounty.ca.gov
<b>San Mateo LAFCO</b> Rob Bartoli	(650) 363-1857 rbartoli@smcgov.org
<b>Sonoma LAFCO</b> Cynthia Olson	(707) 565-3780 cynthia.olson@sonoma-county.org
<b>Humboldt Community Services District</b> Michael Montag	(707) 443-4558 FM@humboldtcsd.org
<b>Highlands Recreation District</b> Naomi Kawakita	(650) 341-4251 naomik@highlandsrec.ca.gov
<b>Marinwood Community Services District</b> Eric Dreikosen	(415) 479-7751 edreikosen@marinwood.org
<b>Bodega Bay Public Utilities District</b> Jan Ames	(707) 875-3332 j.ames@bodegabaypud.com

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# LAFCO

*Alameda* Local Agency Formation Commission

## AGENDA REPORT

May 11, 2023

Item No. 7

**TO:** Alameda Commissioners

**FROM:** Rachel Jones, Executive Officer

**SUBJECT:** **Nomination and Election of Chair and Vice Chair**

As set forth in the Commission’s Policies and Procedures Guidelines, the Alameda Local Agency Formation Commission (LAFCO) elects its officers (Chair and Vice Chair) at the May meeting for a period of two years with the newly elected officers assuming office at the next regular Commission meeting.

The Commission established the following rotation for officers:

- County
- Public
- City
- Special District

The next Chair and Vice Chair up for rotation on the Commission are the city members. Only those members of the Commission authorized to vote at this meeting can nominate and vote for the Chair and Vice Chair.

### Alternatives for Action

The following alternatives are available to the Commission:

#### Alternative One (Recommended):

Nominate and elect the Commission Chair and Vice Chair for a period of two calendar years.

#### Alternative Two:

Continue consideration of the report to a future meeting and provide direction to staff for additional information as needed.

### Recommendation

It is recommended the Commission proceed with Alternative Action One.

## **Recommendation**

It is recommended the Commission proceed with Alternative Action One.

## **Procedures**

This item has been placed on Alameda LAFCO's agenda as part of the business calendar. The following procedures are recommended in consideration of this item:

1. Receive verbal presentation from staff unless waived.
2. Invite any comments from the public.
3. Provide feedback on the item as needed.

Respectfully,



Rachel Jones  
Executive Officer

Attachment: none



**TO:** Alameda Commissioners

**FROM:** Rachel Jones, Executive Officer

**SUBJECT: Alameda County Water District | Presentation on Groundwater Conditions**

The Alameda Local Agency Formation Commission (LAFCO) will receive a presentation from Michelle Walden, Groundwater Resources Manager of the Alameda County Water District (ACWD), regarding the management of Niles Cone Subbasin 2.09.01 (Niles Cone). ACWD will provide information on water resources planning-related topics, such as their survey report on groundwater conditions and resolutions for setting the replenishment assessment for their upcoming fiscal year. A PowerPoint Presentation will be provided at the time of the meeting.

### Information

On November 10, 2022, ACWD ordered the preparation of a Survey Report on Groundwater Conditions. The purpose of the report is to provide information on the Niles Cone Groundwater Basin and contains the results of an annual study which: 1) estimates the total amount of groundwater production for the coming year; 2) estimates the total amount of groundwater recharge required; 3) determines the extent of any salinity intrusion into the groundwater basin; and 4) analyzes the effects on groundwater levels within the basin due to production and other well pumping, recharge, and sea level.

The study reflects actual values of pumping, recharge, and sea level from July 2021 through November 2022 (except for private pumping which is projected after September 2022) and projected values for the remainder of Fiscal Year (FY) 2022-2023 and the entirety of FY 2023-2024. The projections, which were developed in December 2022, are based on a scenario of above-median rainfall in December 2022, and then a repeat of 2022 rainfall for the months of 2023 through November, followed by a median rainfall pattern for December 2023 through June 2024. In addition, the report recommends 3,800 acre-feet of supplemental water needed in order to maintain basin water levels and estimates the cost of the District's groundwater program, including the estimated cost of the recommended supplemental supply to total \$23.4 million.

### Commission Review

The item is being presented for information only and Commission discussion.

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# LAFCO

*Alameda* Local Agency Formation Commission

## AGENDA REPORT

May 11, 2023

Item No. 9

**TO:** Alameda Commissioners

**FROM:** Rachel Jones, Executive Officer

**SUBJECT: Presentation | Multi-Agency Water Reuse Programs**

The Alameda Local Agency Formation Commission (LAFCO) will receive a presentation from Eric Rosenblum P.E. BCEE, a licensed and board-certified environmental engineer who helps industrial and municipal clients through the evaluation of alternatives, development of agreements and the design and implementation of sustainable water reuse projects.

### Information

Recycled water can be a safe and reliable water supply, but to develop it agencies responsible for managing water, wastewater, and stormwater must work together. As part of the Commission’s 2022-2023 work plan, Alameda LAFCO aims to create a Countywide Regional Water and Wastewater Committee that includes all affected agencies that provide water, wastewater, stormwater, and flood control services to explore opportunities and share practices for collaboration on how the region can recycle water, or better utilize water that is already imported.

Mr. Rosenblum previously managed operations at the regional wastewater treatment plant serving the Silicon Valley area of northern California, where he was also responsible for the design, construction, start-up, and operation of South Bay Water Recycling, the Bay Area’s largest urban water reuse program. He will provide the Commission a presentation on lessons for successful collaboration that support local and regional reuse projects by identifying challenges, opportunities, and models for interagency collaboration.

### Commission Review

The item is being presented for information only and Commission discussion.

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# LAFCO

*Alameda* Local Agency Formation Commission

## AGENDA REPORT

May 11, 2023

Item No. 10

**TO:** Alameda Commissioners

**FROM:** Rachel Jones, Executive Officer

**SUBJECT: Adoption of Final Operating Budget and Work Plan for FY 2023-2024**

The Alameda Local Agency Formation Commission (LAFCO) will consider adopting a final budget and work plan for the fiscal year 2023-2024. Both items return following their adoption in draft form and subsequent public review period. The final budget and work plan remain intact from its initial draft. The final budget expenses total \$784,740, representing an increase of \$38,312 or 5.1% from the current fiscal year. The increase is marked by expenses for professional services in the Service and Supplies Unit for additional LAFCO studies and a rise in membership and travel costs. Revenues are matched to expenses with an increase in agency contributions by \$23,310, or 5.1%, in step with a fund balance offset of \$265,000, applied in the same manner as the previous fiscal year with a \$15,000 increase in the total amount. Staff recommends approval.

### Background

Alameda LAFCO is responsible under State law to adopt a proposed budget by May 1<sup>st</sup> and a final budget by June 15<sup>th</sup>. A mandatory review by all local funding agencies is required between the two adoption periods. Alameda LAFCO’s (“Commission”) annual operating costs are primarily funded by proceeds collected from 29 local public agencies operating within Alameda County. State law specifies the Commission’s operating costs shall be divided into one-third increments between the (a) County of Alameda, (b) 14 cities, and (c) 15 independent special districts with the latter two categories apportioned based on total revenues as provided in the most recent annual report published by the State Controller’s Office. A relatively small portion, typically representing less than one-tenth of total revenues, is also funded from application fees and interest earnings.

### Adopted 2022-2023 Budget

The Commission’s adopted final budget for fiscal year 2022-2023 totals \$746,429. This amount represents the total approved operating expenditures divided between three active expenses units: salaries and benefits; services and supplies; and internal service charges. A matching revenue total was also budgeted to provide a balanced budget along with the purposeful transfer of \$250,000 from reserves. Budgeted revenues are divided between three active units: agency contributions, application fees, and interest earnings. The total unaudited fund balance as of July 1, 2022 was \$883,301.

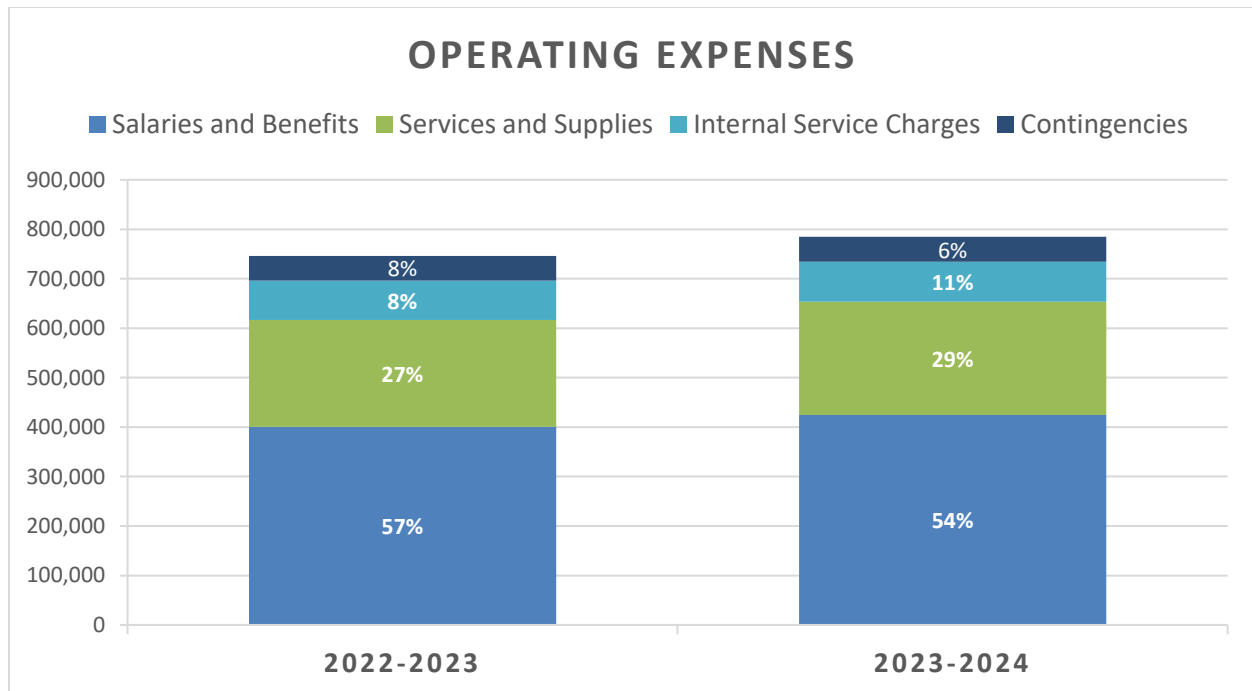
Budgeted Expenses FY 22-23	Budgeted Revenues FY 22-23	Budgeted Year End Balance FY 22-23	Fund Balance FY 22-23
\$746,428	\$746,429	\$1	\$883,301

**Discussion**

This item is for the Commission to consider adopting a final (a) operating budget and (b) work plan for the upcoming fiscal year. Both items return to the Commission from their initial presentation and adoption in March and subsequent public review and comment period. This includes providing direct notice to all 29 local funding agencies as required under the statute. A summary of the final budget and accompanying work plan follows.

**Final Operating Budget for FY 2023-2024**

The final operating budget developed by the Executive Officer sets operating expenses at \$784,740; a net increase of \$38,312, or 5.1% from the current fiscal year. The operating expenses total, divided between labor and non-labor costs, are at a 54% to 40% split, with 6% dedicated to contingencies. Revenues match operating expenses and are covered by drawing down reserves consistent with the practice to help offset and phase in sizable increases to agency contributions. The net effect would be an increase in contributions of \$23,310, or 5.1% from \$459,429 to \$482,739.



## Operating Expenses

The **Salaries and Benefits Unit** will increase by \$24,028, or 6% over the next fiscal year from \$400,491 to \$424,519. The unit covers labor costs tied to staffing 2.0 full-time employees: Executive Officer and Commission Clerk. Notable adjustments proposed may be reviewed below.

- Salary increases of no less than 6% are contemplated for all budgeted positions to accommodate merit and or cost of living adjustments that may be approved during the fiscal year.

The **Services and Supplies Unit** will increase by 13,284, or 6.2% over the next fiscal year from \$215,987 to \$229,271. The unit provides direct support services necessary to operate Alameda LAFCO. Notable adjustments proposed may be reviewed below.

- Adds \$10,000 in the professional services account; a difference of 6.7% over the next fiscal year. The increase is based on the Commission's work plan for additional municipal service reviews and special studies.
- Adds \$1,500 in the Commission pier diem account; a difference of 20% over the next fiscal year. The increase is based on the Commission's stipend increase from \$100 to \$125 for all regular and ad hoc committee meetings.
- Increases \$500 in the public notices services account to increase the total line item from \$2,000 to \$2,500; a difference of 25% over the next fiscal year. The increase is based on recent demands and future application notices.
- Adds \$600 in the mileage/travel services account; a difference of 100% over the next fiscal year. The increase is based on the end of the state of emergency of the COVID-19 pandemic and the regular program of CALAFCO conferences and staff workshops.

The **Internal Service Charges Unit** will increase by \$1,000, or 1.3% over the next fiscal year from \$79,950 to \$80,950. The unit provides indirect support services necessary to operate Alameda LAFCO. Notable adjustments proposed may be reviewed below.

- Adds \$1,000 from the information technology services account to increase the total line item from \$26,000 to \$27,000, a difference of 3.8% over the next fiscal year. The rise is attributable to service cost increases.

## Operating Revenues

The **Intergovernmental Unit** will increase by \$23,310, or 5.1% over the next fiscal year from \$459,429 to \$482,739. The unit provides payments received from the 29 local government agencies responsible under State law for funding Alameda LAFCO with apportionments divided in three equal shares among the County of Alameda, 14 cities and 15 independent special districts. Actual invoice amounts for cities and special districts would be determined by the County Auditor's Office consistent with the allocation formula outlined under Government Code Section 56383 and based on local revenue tallies.

The **Service Charge Unit** remain as is at \$30,000. This unit covers payments received from outside applicants to process change of organizations (annexations, detachments, formations, etc.), outside service extensions, and sphere of influence amendments.

The **Interest Earnings Unit** will remain as is at \$7,000. This total is consistent with recent quarters.

## Final Work Plan for FY 2023-2024

The final work plan draws on a review of Alameda LAFCO's needs and goals by the Executive Officer and ahead of receiving input and direction from the Commission. It outlines 20 specific projects divided between statutory (legislative directives) and administrative (discretionary) activities. The projects are listed in sequence by assigned priority between high, moderate, and low. The majority of the projects are rollover from this current fiscal year with several additional items. A summary of notable high-priority projects follows.

### Community Services Municipal Service Review

The project involves a countywide study on agencies that provide community services such as street maintenance and lighting, parks and recreation, mosquito and vector abatement, and lead abatement in Alameda County. The MSR will also review broadband services and any accessibility issues within the region.

### Countywide Municipal Service Review on Police Protection Services

This study will examine the current provision and need for police services and related financial and governance considerations in the County. The report will consider the potential needs in the unincorporated communities of Fairview, Cherryland, San Lorenzo and Castro Valley and include one special district and the municipal police departments of 14 cities.

### Comprehensive Tri-Valley Area Study

This study will examine the current provision and need for governmental services and related financial and governance considerations along the eastern portion of the 580 corridor and anchored by Pleasanton, Dublin, and Livermore along with neighboring communities.

It is also expected the study will consider potential needs or issues in outlying unincorporated areas, including Happy Valley and the Remen Tract. The study will be region-specific and will precede sphere updates for all of the affected agencies as deemed appropriate by the Commission.

### **Conclusion**

The final operating budget and work plan affirmatively respond to the feedback provided by the Commission along with the functional needs in meeting the agency's existing and expanding duties under State law. This includes advancing the Commission's outreach and educational opportunities throughout the community and region, conducting municipal service reviews to inform spheres of influence updates, and creating stakeholder groups to determine growth management policies. The principal difference in the final budget is largely tied to the adjustments made in salaries and benefits and services and supplies units to account for cost-of-living adjustments and the demand for more professional services to conduct LAFCO special studies and MSRs.

### **Alternatives for Action**

The following alternatives are available to the Commission:

#### Alternative One (Recommended):

Adopt the attached resolution approving the final budget and work plan for 2023-2024 with any desired changes; and

Direct the Executive Officer to circulate the final budget for 2023-2024 to all funding agencies and public.

#### Alternative Two:

Continue consideration of the item to a special meeting scheduled no later than the legislative deadline of June 15, 2023, and provide direction to staff with respect to any additional information requests.

### **Recommendation**

It is recommended the Commission proceed with Alternative Action One.

### **Procedures for Consideration**

This item has been placed on the agenda for action as part of a noticed public hearing. The following procedures are recommended for consideration.

- 1) Receive a verbal report from staff;
- 2) Invite questions from the Commission;
- 3) Open the public hearing and invite comments from audience (mandatory); and
- 4) Close the public hearing, discuss item, and consider recommendation.

Respectfully,



Rachel Jones  
Executive Officer

Attachments:

1. Draft Resolution Adopting the Final Budget and Work Plan for FY 2023-2024
2. Final Budget for FY 2023-2024
3. Final Work Plan for FY 2023-2024

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION**

**RESOLUTION OF THE  
ALAMEDA LOCAL AGENCY FORMATION COMMISSION  
ADOPTING A FINAL WORK PLAN AND BUDGET  
FOR FISCAL YEAR 2023-2024**

**WHEREAS**, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires the Alameda Local Agency Formation Commission (“Commission”) to perform certain regulatory and planning duties for purposes of facilitating efficient and accountable local government; and

**WHEREAS**, the Commission is required to adopt proposed and final budgets each year by May 1<sup>st</sup> and June 15<sup>th</sup>, respectively; and

**WHEREAS**, the Commission’s Executive Officer prepared a written report outlining recommendations with respect to anticipated work activities and budgetary needs in 2023-2024 and

**WHEREAS**, the Commission has heard and fully considered all evidence on a final work plan and budget for 2023-2024 presented at a public hearing held on May 11, 2023; and

**WHEREAS**, the adoption of a work plan and budget are not projects under the California Environmental Quality Act;

**NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

1. The final operating budget for 2023-2024 shown as Exhibit A is APPROVED.
2. The final work plan for 2023-2024 shown as Exhibit B is APPROVED

**PASSED AND ADOPTED** by the Alameda Local Agency Formation Commission on May 11, 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

\_\_\_\_\_  
Sblend Sblendorio  
Chair

\_\_\_\_\_  
Rachel Jones  
Executive Officer

APPROVED TO FORM:

\_\_\_\_\_  
Andrew Massey  
Legal Counsel



# ALAMEDA LOCAL AGENCY FORMATION COMMISSION

Regional Service Planning | Subdivision of the State of California

## Expense Ledger

		FY 2020-2021		FY 2021-2022		FY 2022-2023		FY 2023-2024		
		Adopted	Actuals	Adopted	Actuals	Adopted	Projected	Proposed	Difference	
<b>Salary and Benefit Costs</b>										
<u>Account</u>	<u>Description</u>									
60001	Staff Salaries	234,254	172,085	250,564	250,564	275,933	275,933	292,488	16,555	
-	(ACERA)	122,903	88,649	123,411	123,411	124,558	124,558	132,031	7,473	
		<b>357,157</b>	<b>260,735</b>	<b>373,975</b>	<b>373,975</b>	<b>400,491</b>	<b>400,491</b>	<b>424,519</b>	<b>24,028</b>	<b>6.0%</b>
<b>Service and Supplies</b>										
<u>Account</u>	<u>Description</u>									
-	Intern	1,600	-	-	-	-	-	-	-	-
610077	Postage	1,000	1,000	500	-	500	500	500	-	-
610141	Copier	3,000	-	1,000	-	500	500	500	-	0.0%
610191	Pier Diems	8,000	7,100	8,500	5,600	7,500	7,500	9,000	1,500	20.0%
610211	Mileage/Travel	1,300	-	500	373	600	5,000	1,200	600	100.0%
610461	Training (Conferences and Workshops)	5,000	-	2,500	-	2,500	2,500	2,500	-	0.0%
610241	Records Retention	1,000	303	350	210	350	350	350	-	0.0%
610261	Consultants	96,000	42,527	100,000	152,709	150,000	150,000	160,000	10,000	6.7%
610261	Mapping - County	5,000	-	500	-	-	-	-	-	-
610261	Planning Services	5,000	-	5,000	-	5,000	5,000	5,000	-	0.0%
610261	Legal Services	25,000	-	20,000	-	20,000	20,000	20,000	-	0.0%
610261	SALC Grant Charges	-	-	-	72,404	-	-	-	-	-
610311	CAO/CDA - County - Services	1,000	7,700	1,000	-	1,000	-	250	-	-
610312	Audit Services	10,000	-	10,000	-	10,000	-	10,000	-	0.0%
610351	Memberships	10,762	10,662	10,760	10,760	11,287	11,287	12,221	934	8.3%
610421	Public Notices	5,000	2,149	3,000	2,453	2,000	2,000	2,500	500	25.0%
610441	Assessor - County - Services	2,500	-	500	-	250	-	250	-	0.0%
610461	Special Departmental	1,500	1,000	1,500	233	1,500	1500	2,000	500	33.3%
620041	Office Supplies	4,000	916	4,000	28	3,000	3000	3,000	-	0.0%
		<b>186,662</b>	<b>73,357</b>	<b>269,610</b>	<b>244,769</b>	<b>215,987</b>	<b>209,137</b>	<b>229,271</b>	<b>13,284</b>	<b>6.2%</b>
<b>Internal Service Charges</b>										
<u>Account</u>	<u>Description</u>									
630051	Office Lease/Rent/CDA	32,500	32,500	32,500	32,500	50,550	32,500	50,550	-	0.0%
630021	Communication Services	100	-	100	-	100	100	100	-	0.0%
630061	Information Technology	27,373	25,870	25,870	27,938	26,000	26,000	27,000	1,000	3.8%
630081	Risk Management	3,100	3,280	3,280	3,280	3,300	3,300	3,300	-	0.0%
		<b>63,073</b>	<b>61,650</b>	<b>61,750</b>	<b>63,718</b>	<b>79,950</b>	<b>61,900</b>	<b>80,950</b>	<b>1,000</b>	<b>1.3%</b>
<b>Contingencies</b>										
		<b>50,000</b>	<b>-</b>	<b>50,000</b>	<b>-</b>	<b>50,000</b>	<b>-</b>	<b>50,000</b>	<b>-</b>	<b>0.0%</b>
<u>Account</u>	<u>Description</u>									
-	Operating Reserve	-	-	-	-	-	-	-	-	-
		<b>655,335</b>	<b>395,742</b>	<b>755,335</b>	<b>682,462</b>	<b>746,428</b>	<b>671,528</b>	<b>784,740</b>	<b>38,312</b>	<b>5.1%</b>
<b>EXPENSE TOTALS</b>		<b>656,892</b>	<b>395,742</b>	<b>755,335</b>	<b>682,462</b>	<b>746,428</b>	<b>671,528</b>	<b>784,740</b>	<b>38,312</b>	<b>5.1%</b>

**Revenue Ledger**

	FY 2020-2021		FY 2021-2022		FY 2022-2023		FY 2023-2024			
	Adopted	Actuals	Adopted	Actuals	Adopted	Projected	Proposed	Difference		
<b>Intergovernmental</b>										
<u>Account</u> <u>Description</u>										
- Agency Contributions										
County of Alameda	146,630	146,631	144,445	144,445	153,143	153,143	160,913	7,770	5.1%	
Cities	146,630	146,631	144,445	144,445	153,143	153,143	160,913	7,770	5.1%	
Special Districts	146,630	146,631	144,445	138,943	153,143	153,143	160,913	7,770	5.1%	
	<b>439,891</b>	<b>439,891</b>	<b>433,335</b>	<b>427,833</b>	<b>459,429</b>	<b>459,429</b>	<b>482,739</b>	<b>23,310</b>	<b>5.1%</b>	
<b>Service Charges</b>										
- Application Fees	30,000	38,643	30,000	6,434	30,000	5,000	30,000	-	0.0%	
- SALC Grant Funds			100,000	72,404						
<b>Investments</b>										
- Interest	7,000	8,965	7,000	5,765	7,000	7,000	7,000	-	0.0%	
<b>Fund Balance Offset</b>										
	180,000	-	185,000	185,000	250,000	250,000	265,000	15,000	6.0%	
			655,335	Adopted						
			755,335	Amended	697,436		784,739	38,310	5.1%	
<b>REVENUE TOTALS</b>	<b>656,891</b>	<b>487,499</b>	<b>755,335</b>	<b>697,436</b>	<b>746,429</b>	<b>721,429</b>	<b>784,739</b>	<b>38,310</b>	<b>5.1%</b>	
<b>OPERATING NET</b>	(1)	91,757	-	14,974	1	49,901	-	-	-	
<b>UNRESTRICTED FUND BALANCE</b>		1,153,327		883,301		683,202				

Priority	Urgency	Type	Project	Key Issues
1	High	Statutory	Community Services Municipal Service Review	Service Specific MSR   Identify Accessibility Issues for Broadband Services
2	High	Statutory	Countywide MSR on Police Protection Services	Examine Current Provision and Need for Police Services and Related Financial and Governance Considerations
3	High	Statutory	Comprehensive Tri-Valley Area Study	Region Specific MSR   Review of Potential Needs and Issues
4	High	Administrative	LAFCO Office Move	Fulfill Long-Term Lease in MOU with CDA; Aid in Hiring LAFCO Analyst
5	High	Statutory	Application Proposals and Requests	Utilize resources to address all application proposals and boundary issues
6	High	Administrative	Establish LAFCO Bank Account	Deposit LAFCO Application funds for Special Projects and CALAFCO Conferences
7	High	Administrative	2018-2021 Audits	Verify Fund Balance; Perform Regular Audits
8	Moderate	Administrative	Alameda LAFCO Brochure	Create and Distribute Pamphlet for LAFCO Outreach and Education
9	Moderate	Statutory	Informational Report on Island Annexations	Map all Unincorporated Islands and Examine Island Annexation Implementation Issues in Alameda County
10	Moderate	Administrative	Create Countywide Regional Water and Wastewater Committee	Explore Opportunities and Share Practices for Collobaration on Recycled Water for the Region and Better Utilization of Imported Water
11	Moderate	Statutory	Unincorporated Areas Incorporation Feasibility Report	Prepare a Feasibility Report on the Incorporation of Castro Valley and surrounding areas of Ashland, Cherryland, and San Lorenzo
12	Moderate	Administrative	SALC Grant Award	Continue Two-Year Process on Grant Project and Track Agricultural Trends
13	Moderate	Administrative	Prepare Informational Report on JPAs	Post Enactment of SB 1266; Enhance Repository on Local Government Services
14	Low	Administrative	Review of County Transfer of Jurisdiction Policies	Ensure Policies are Consistent with CKH
15	Low	Administrative	Update Application Packet and Mapping Requirements	Streamline LAFCO Application and County Mapping Requirements; Make User Friendly
16	Low	Administrative	Informational Report on Remen Tract	Special Report on Service Delivery
17	Low	Administrative	Bay Area LAFCO Meetings	Attend Meetings with Other Bay Area LAFCOs for Projects/Training

18	Low	Administrative	Website Content Update	Update Relevant Information on LAFCO Website and Create New Mapping Page
18	Low	Administrative	Social Media	Expand Alameda LAFCO's Social Media Presence
19	Ongoing	Statutory	Policy Review on Agricultural Protection and Out of Area Service Agreements	Periodical review of existing policies relative to practices and trends, and determine whether changes are appropriate to better reflect current preferences



# LAFCO

*Alameda* Local Agency Formation Commission

## AGENDA REPORT

May 11, 2023

Item No. 11

**TO:** Alameda Commissioners

**FROM:** Rachel Jones, Executive Officer

**SUBJECT: Initiate Government Code 56381(c) for Delinquent Agency Contributions**

The Alameda Local Agency Formation Commission (LAFCO) will consider authorizing the Executive Officer to initiate Government Code 56381(c) to request the County Auditor to collect payments from the following agencies: City of Oakland, City of Alameda Healthcare District, and Dublin San Ramon Services District. Staff recommends approving the draft resolution as shown as Attachment 1.

### Background

State law specifies the Commission’s operating costs shall be divided in one-third increments between the (a) County of Alameda, (b) 14 cities, and (c) 15 independent special districts with the latter two categories apportioned based on total revenues as provided in the most recent annual report published by the State Controller’s Office. Of the 29 local agencies under Alameda LAFCO’s purview, three agencies, which include – the City of Oakland, City of Alameda Healthcare District (CAHD), and Dublin San Ramon Services District (DSRSD) – have failed to contribute to LAFCO’s net operating budget. The total payment allocation from all three agencies is \$82,684.

Fiscal Year 2022-2023	
<u>Agency</u>	<u>Apportionments</u>
City of Oakland	\$62,506
City of Alameda Healthcare District	\$10,688
<u>Dublin San Ramon Services District</u>	<u>\$9,490</u>
<b>TOTAL</b>	<b>\$82,684</b>

### Discussion

Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”), once the Commission adopts a budget for the fiscal year, LAFCO’s net operating expenses are apportioned by the County Auditor. On May 13, 2022, LAFCO staff transmitted the adopted FY 2022-2023 operating budget to the County Auditor’s Office and its 29 local funding agencies.

To date, the three agencies – City of Oakland, CAHD, DSRSD – have failed to contribute to LAFCO’s net operating budget for the current fiscal year.

Under Government Code 56381(c), it states:

*If the county, a city, or an independent special district does not remit its required payment within 60 days, the commission may determine an appropriate method of collecting the required payment, including a request to the auditor to collect an equivalent amount from the property tax, or any fee or eligible revenue owed to the county, city, or district.*

*The auditor shall provide written notice to the county, city, or district, prior to appropriating a share of the property tax or other revenue to the commission for the payment due the commission pursuant to CKH.*

*Any expenses incurred by the commission or auditor in collecting late payments or successfully challenging nonpayment shall be added to the payment owed to the commission.*

If approved, staff will hold preliminary discussions with the County Auditor's Office to identify funds as revenue owed by the three agencies from which the LAFCO allocation can be secured.

### **Alternatives for Action**

The following alternatives are available to the Commission:

#### Alternative One (Recommended):

Authorize the Executive Officer to initiate 56381(c) and request the County Auditor to collect payment from the City of Oakland, CAHD, and DSRSD as shown in Attachment 1.

#### Alternative Two:

Continue consideration of the report to a future meeting and provide direction to staff as needed.

#### Alternative Three:

Take no action.

### **Recommendation**

It is recommended the Commission proceed with Alternative Action One.

### **Procedures**

This item has been placed on Alameda LAFCO's agenda as part of the business calendar. The following procedures are recommended in consideration of this item:

1. Receive verbal presentation from staff unless waived.
2. Invite any comments from the public.
3. Provide feedback on the item as needed.

Respectfully,



Rachel Jones  
Executive Officer

Attachment:

1. Draft Resolution
2. Alameda LAFCO Agency Apportionments for FY 2022-2023

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**ALAMEDA LOCAL AGENCY FORMATION COMMISSION**

**RESOLUTION NO. 2023-XX**

**AUTHORIZING THE COLLECTION OF DELINQUENT AGENCY CONTRIBUTIONS; REQUESTING COUNTY AUDITOR INITIATE COLLECTION PROCEEDINGS**

**WHEREAS**, in accordance with Government Code section 56381(a), on May 12, 2022, the Alameda Local Agency Formation Commission (“Commission”) conducted a public hearing at which it adopted a final budget (“Final Budget”); and

**WHEREAS**, on or about May 13, 2022, the Commission’s Executive Officer transmitted the Final Budget to the County of Alameda, each of the 14 cities in Alameda County, and each of the 15 independent special districts in Alameda County (“the Funding Agencies”); and

**WHEREAS**, on or about June 15, 2022, the County Auditor apportioned the net operating expenses of the Commission among the Funding Agencies in accordance with Government Code section 56381(b) to determine the amount each of the Funding Agencies must contribute toward funding the Commission, plus the Auditor’s actual cost of apportionment and collection (“Agency Contribution”), described in particularity in Attachment 2; and

**WHEREAS**, on or about July 1, 2022, the County Auditor sent a notice requesting from each of the Funding Agencies its Agency Contribution (“Payment Notice”); and

**WHEREAS**, each of the Funding Agencies remitted its respective Agency Contribution with the exception of the City of Oakland, City of Alameda Healthcare District, and the Dublin-San Ramon Services District (“Delinquent Agencies”); and

**WHEREAS**, more than 60 days have elapsed since the County Auditor transmitted the Payment Notice to the Delinquent Agencies; and

**WHEREAS**, after 60 days has elapsed without payment of the Agency Contribution, Government Code section 56381(c) authorizes the Commission to determine an appropriate method of collecting the required payment, including a request to the County Auditor to collect an equivalent amount from the property tax, or any fee or eligible revenue owed to the nonpaying Funding Agencies; and

**WHEREAS**, the County Auditor’s ability to collect payment from the property tax, fee or other revenue owed by nonpaying Funding Agencies is an efficient and cost-effective means to collect unpaid amounts;

**NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. The County Auditor's ability to collect payment from the property tax, fee or other revenue owed by nonpaying Funding Agencies is an efficient and cost-effective means to collect unpaid amounts.
3. The County Auditor is requested to initiate collection of the unpaid Agency Contribution from the Delinquent Agencies through the collection of an equivalent amount from the property tax, or any fee or eligible revenue owed.
4. The Executive Officer is directed to transmit a copy of this resolution to the County Auditor and to cooperate fully with the County Auditor to recover the unpaid Agency Contribution amounts.

**PASSED AND ADOPTED** by the Alameda Local Agency Formation Commission on May 11, 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

\_\_\_\_\_  
Sblend Sblendorio  
Chair

\_\_\_\_\_  
Rachel Jones  
Executive Officer

APPROVED TO FORM:

\_\_\_\_\_  
Andrew Massey  
Legal Counsel

**Estimated Alameda LAFCO Member Agency Apportionments  
FY 2022-2023\***

rev. 3/23/2022

<b>Agency</b>	<b>2021-2022 Amounts</b>	<b>2022-2023 Amounts</b>	<b>Difference</b>	<b>% change</b>
<b>Cities</b>				
ALAMEDA	\$ 8,912	\$ 10,090	\$ 1,178	13.2%
ALBANY	\$ 1,166	\$ 1,203	\$ 37	3.2%
BERKELEY	\$ 15,821	\$ 17,030	\$ 1,209	7.6%
DUBLIN	\$ 4,852	\$ 4,480	\$ (372)	-7.7%
EMERYVILLE	\$ 2,879	\$ 3,046	\$ 167	5.8%
FREMONT	\$ 12,374	\$ 14,136	\$ 1,762	14.2%
HAYWARD	\$ 12,132	\$ 12,572	\$ 440	3.6%
LIVERMORE	\$ 7,101	\$ 7,444	\$ 343	4.8%
NEWARK	\$ 2,968	\$ 2,894	\$ (74)	-2.5%
OAKLAND	\$ 59,106	\$ 62,506	\$ 3,400	5.8%
PIEDMONT	\$ 1,214	\$ 1,227	\$ 13	1.1%
PLEASANTON	\$ 6,960	\$ 7,125	\$ 165	2.4%
SAN LEANDRO	\$ 5,652	\$ 6,179	\$ 527	9.3%
UNION CITY	\$ 3,308	\$ 3,211	\$ (97)	-2.9%
<b>TOTAL CITIES SHARE</b>	<b>\$ 144,445</b>	<b>\$ 153,143</b>	<b>\$ 8,698</b>	<b>6.0%</b>
<b>Special Districts</b>				
ALAMEDA COUNTY MOSQUITO	\$ 572	\$ 514	\$ (58)	-10.1%
ALAMEDA COUNTY RESOURCE	\$ 222	\$ 205	\$ (17)	-7.7%
ALAMEDA COUNTY WATER	\$ 16,116	\$ 15,270	\$ (846)	-5.2%
CASTRO VALLEY SANITARY	\$ 1,481	\$ 1,374	\$ (107)	-7.2%
CITY OF ALAMEDA HEALTH CARE DISTRICT	\$ -	\$ 10,688	\$ 10,688	n/a
DUBLIN SAN RAMON SERVICE DISTRICT	\$ 11,599	\$ 9,490	\$ (2,109)	-18.2%
EAST BAY MUNICIPAL UTILITY DISTRICT	\$ 72,222	\$ 76,572	\$ 4,350	6.0%
EAST BAY REGIONAL PARK DISTRICT	\$ 21,666	\$ 21,376	\$ (290)	-1.3%
EDEN TOWNSHIP HOSPITAL	\$ 1,513	\$ 1,028	\$ (485)	-32.1%
FAIRVIEW FIRE DISTRICT	\$ 434	\$ 395	\$ (39)	-9.0%
HAYWARD AREA RECREATION	\$ 5,680	\$ 4,817	\$ (863)	-15.2%
LIVERMORE AREA RECREATION	\$ 2,648	\$ 2,018	\$ (630)	-23.8%
ORO LOMA SANITARY	\$ 2,880	\$ 2,706	\$ (174)	-6.0%
UNION SANITARY	\$ 7,412	\$ 6,690	\$ (722)	-9.7%
WASHINGTON TOWNSHIP HOSPITAL	\$ -	\$ -	\$ -	n/a
<b>TOTAL SPECIAL DISTRICTS SHARE</b>	<b>\$ 144,445</b>	<b>\$ 153,143</b>	<b>\$ 8,698</b>	<b>6.0%</b>
<b>COUNTY SHARE</b>	<b>\$ 144,445</b>	<b>\$ 153,143</b>	<b>\$ 8,698</b>	<b>6.0%</b>
<b>TOTAL APPORTIONMENTS*</b>	<b>\$ 433,335</b>	<b>\$ 459,429</b>	<b>\$ 26,094</b>	<b>6.0%</b>

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\*Fund balance is \$250,000. This amount is used per LAFCO policy to offset funding agency apportionments. Other Revenue is budgeted at \$30,000. Interest is budgeted at \$7,000. The \$287,000 in offset, other revenue and interest plus the Cities, Special Districts and County's apportionments of \$459,429 (allocated 1/3 each at \$153,143) total the LAFCO budget of \$746,429 (approved by LAFCO on March 10, 2022).

Note for FY 2022-23 Final Amounts: Pursuant to Government Code §56381 the cost allocation is based on the most recent State Controller's annual Cities and Special Districts revenue reports (FY 2019-2020) and the most recent edition of the hospital financial disclosure report form published by the Office of Statewide Health Planning and Development. For City of Alameda Health Care District (Alameda Hospital) the report date was 07/01/2019 thru 06/30/2020 (audited); for the Eden Township Hospital, the report date was 1/1/2020 through 12/31/2020 (audited); and for Washington Township Hospital the report date was 7/1/2020 through 6/30/2021 (audited).

Draft



**TO:** Alameda Commissioners

**FROM:** Rachel Jones, Executive Officer

**SUBJECT:** **Current and Pending Proposals**

The Commission will receive a report identifying active proposals on file with the Alameda Local Agency Formation Commission (LAFCO) as required under statute. The report also identifies pending local agency proposals to help telegraph future workload. The report is being presented to the Commission for information only.

### Information / Discussion

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”) delegates LAFCOs with regulatory and planning duties to coordinate the formation and development of local government agencies and their municipal services. This includes approving or disapproving boundary changes involving the formation, expansion, merger, and dissolution of cities, towns, and special districts, as well as sphere of influence amendments. It also includes overseeing outside service extensions. Proposals involving jurisdictional changes filed by landowners or registered voters must be put on the agenda as information items before any action may be considered by LAFCO at a subsequent meeting.

### Current Proposals | Approved and Awaiting Term Completions

Alameda LAFCO currently has no proposals on file that were previously approved and awaiting term completions. CKH provides applicants one calendar year to complete approval terms or receive extension approvals before the proposals are automatically terminated.

### Current Proposals | Under Review and Awaiting Hearing

There are currently no active proposals on file with the Commission that remain under administrative review and await a hearing as to the date of this report.

## **Pending Proposals**

There are currently two new potential proposals at the moment that staff believes may be submitted to the Commission from local agencies based on ongoing discussions with proponents.

- **Annexation of West Jack London Boulevard | City of Livermore**

The City of Livermore plans to annex two parcels on West Jack London Boulevard that total 71 acres within the unincorporated area of Alameda County. The purpose of the annexation is to facilitate the Oaks Business Park for the development of offices, research institutions, warehousing, manufacturing, and limited business supporting commercial uses.

- **Reorganization of Appian Way/Louis Ranch Property | ACWD and USD**

The Alameda County Water District (ACWD) and Union Sanitary District (USD) plan to annex one parcel totaling approximately 30 acres within the City of Union City. The purpose of the annexation is to develop 325 single-family residential units on nine parcels totaling 98.6 acres.

## **Alternatives for Action**

This item is for informational purposes only. No formal action will be taken as part of this item.

Attachments: none



# LAFCO

*Alameda* Local Agency Formation Commission

## AGENDA REPORT

May 11, 2023

Item No. 14b

**TO:** Alameda Commissioners

**FROM:** Rachel Jones, Executive Officer

**SUBJECT: Progress Report on 2022-2023 Work Plan**

The Alameda Local Agency Formation Commission (LAFCO) will receive a progress report on accomplishing specific projects as part of its adopted work plan for 2022-2023. The report is being presented to the Commission to formally receive and file as well as provide direction to staff as needed.

### Background

Alameda LAFCO’s current strategic plan was adopted following a planning session on December 16, 2019. The plan defines each of LAFCO’s priorities through overall goals, core objectives, and target outcomes with overarching themes identified as education, facilitation, and collaboration. The strategic plan is anchored by seven key priorities that collectively orient the Commission to proactively fulfill its duties and responsibilities under the Cortese-Knox-Hertzberg Act of 2000 in a manner responsive to local conditions and needs. These pillars and their related strategies, which premise individual implementation outcomes, are summarized in Attachment 1.

1. Education – Serve as a resource to the public and local agencies to support orderly growth and logical sustainable service provision.
2. Facilitation – Encourage orderly growth and development through the logical and efficient provision of municipal services by local agencies best suited to feasibly provide necessary governmental services and housing for persons and families of all incomes.
3. Collaboration – Be proactive and act as a catalyst for change as a way to contribute to making Alameda County a great place to live and work by sustaining its quality of life.

On May 13, 2021, Alameda LAFCO adopted the current fiscal year work plan at a noticed public hearing. The work plan is divided into two distinct categories – statutory and administrative – with one of three priority rankings: high; moderate; or low. The underlying intent of the work plan is to serve as a management tool to allocate Commission resources in an accountable and transparent manner over the corresponding 12-month period that pulls from the key priorities in the Commission’s 2020-2021 Strategic Plan.

Further, while it is a standalone document, the work plan should be reviewed in relationship to the adopted operating budget given the planned goals and activities are facilitated and or limited accordingly.

This item provides the Commission with a status update on two-dozen plus targeted projects established for the fiscal year with a specific emphasis on the “top ten” projects that represent the highest priority to complete during the fiscal year as determined by the membership. This includes identifying the projects already completed, underway, or pending in the accompanying attachment. The report and referenced attachment are being presented for the Commission to formally receive and file while also providing additional direction to staff as appropriate.

### **Discussion**

The Commission has initiated work on nine of the nineteen projects included in the adopted work plan. This includes progress on projects, such as the municipal service review (MSR) on Fire Protection and Emergency Medical Services, Unincorporated Areas Incorporation Feasibility Report, LAFCO Office Move, 2022-2023 Audit Report, Countywide Regional Water and Wastewater Committee, and the Sustainable Agriculture Lands Conservation Planning Grant.

### **Alternatives for Action**

This item is for informational purposes only. No formal action will be taken as part of this item.

#### Attachments:

1. 2020-2021 Strategic Plan
2. 2022-2023 Work Plan



ALAMEDA LOCAL AGENCY FORMATION COMMISSION

# STRATEGIC PLAN

2020 -2021

**MISSION STATEMENT:** Alameda LAFCO provides oversight over local governments to make Alameda County a great place to live and work by balancing the preservation of agriculture and open space with the provision of sustainable municipal services

	EDUCATION	FACILITATION	COLLABORATION
STRATEGIC PILLARS	Serve as a resource to the public and to local agencies to support orderly growth and logical, sustainable service provision	Encourage orderly growth and development through the logical and efficient provision of municipal services by local agencies best suited to feasibly provide necessary governmental services and housing for persons and families for all incomes.	Be proactive and act a catalyst for change as a way to contribute to making Alameda County a great place to live and work by sustaining the quality of life.
CORE STRATEGIES	Enagage with the community through LAFCO outreach as well as receive presentations from outside stakeholders and local agencies to understand issues	Use LAFCO authority through municipal services reviews and change of organizations to promote the change in the region aligned with its mission	Always seek, determine, and question if any regional issues are opportunities for partnerships
TARGET OUTCOMES	Review growth boundaries and governance	Regulate land use through the extension of services	Coordinate with other agencies to determine high-need areas (DUCs)
	Provide Presentations to City Councils, Special Districts, and the County on upcoming projects and LAFCO's role	Provide more guidance on regional issues	Promote inter-agency special projects and partnerships
	Understand local agricultural issues and then consider a study	Create a five-year island annexation plan	Work with stakeholders to identify issues under LAFCO jurisdiction related to economic viability of agriculture
	Identify emerging issues, i.e. water treatment changes	Prepare comprehensive study on climate change	Establish policies and standards to address sustainability of adequate and reliable water supplies, including the use of recycled water
	Educate public on service costs	Encourage consolidations or review shared opportunities	Conduct joint LAFCO workshops
	Determine LAFCO's role in housing	Unfunded liabilities in services - do more to encourage future planning	Create homelessness initiatives with other agencies

Priority	Urgency	Type	Project	Key Issues
1	High	Statutory	Community Services Municipal Service Review	Service Specific MSR   Identify Accessibility Issues for Broadband Services
2	High	Statutory	General MSR on Fire Protection and Emergency Services	Second MSR on Fire and Emergency Services sine 2006   Address Shared Opportunities
3	High	Statutory	Alameda County Resource Conservation District MSR	MSR on resource conservation in Alameda County
4	High	Administrative	LAFCO Office Move	Fulfill Long-Term Lease in MOU with CDA; Aid in Hiring LAFCO Analyst
5	High	Statutory	Countywide MSR on Police Services	Examine Current Provision and Need for Police Services and Related Financial and Governance Considerations
6	High	Administrative	South Livermore Valley Area Specific Plan	Provide a LAFCO Update on Plan and Review Current Trends
7	High	Administrative	2022-2023 Audit Report	Verify Fund Balance; Perform Regular Audits
8	Moderate	Administrative	Alameda LAFCO Brochure	Create and Distribute Pamphlet for LAFCO Outreach and Education
9	Moderate	Statutory	Informational Report on Island Annexations	Map all Unincorporated Islands and Examine Island Annexation Implementation Issues in Alameda County
10	Moderate	Administrative	Create Countywide Regional Water and Wastewater Committee	Explore Opportunities and Share Practices for Collobaration on Recycled Water for the Region and Better Utilization of Imported Water
11	Moderate	Statutory	Unincorporated Areas Incorporation Feasibility Report	Prepare a Feasibility Report on the Incorporation of Castro Valley and surrounding areas of Ashland, Cherryland, and San Lorenzo
12	Moderate	Administrative	SALC Grant Award	Continue Two-Year Process on Grant Project and Track Agricultural Trends
13	Moderate	Administrative	Prepare Informational Report on JPAs	Post Enactment of SB 1266; Enhance Repository on Local Government Services
14	Low	Administrative	Review of County Transfer of Jurisdiction Policies	Ensure Policies are Consistent with CKH
15	Low	Administrative	Update Application Packet and Mapping Requirements	Streamline LAFCO Application and County Mapping Requirements; Make User Friendly
16	Low	Administrative	Informational Report on Remen Tract	Special Report on Service Delivery
17	Low	Administrative	Bay Area LAFCO Meetings	Attend Meetings with Other Bay Area LAFCOs for Projects/Training

18	Low	Administrative	Host Alameda County Special District Association Meeting	Communicate LAFCO's Mission and Goals to the Community
18	Low	Administrative	Social Media	Expand Alameda LAFCO's Social Media Presence
19	Ongoing	Statutory	Policy Review on Agricultural Protection and Out of Area Service Agreements	Periodical review of existing policies relative to practices and trends, and determine whether changes are appropriate to better reflect current preferences

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**TO:** Alameda Commissioners  
**FROM:** Rachel Jones, Executive Officer  
**SUBJECT:** Alameda County Housing Element Update

The Alameda Local Agency Formation Commission (LAFCO) will receive a report on housing allocations and general plans. No formal action is required as part of this item.

**Background**

*General Plan Housing Element*

Charts are included for each jurisdiction’s required Annual Housing Progress Report. This information will support the Commission’s future decision-making as it relates to encouraging logical and orderly growth and development throughout the region.

State law recognizes the vital role local governments play in the supply and affordability of housing. Each local government in California is required to adopt a Housing Element as part of its General Plan that shows how the community plans to meet the existing and projected housing needs of people at all income levels. Government Code Section 65400 mandates that certain cities and all 58 counties submit an annual report on the status of the General Plan and progress its implementation to their legislative bodies, the Governor’s Office of Planning and Research (OPR), and the California Department of Housing and Community Development (HCD) by April 1 of each year. Only charter cities are exempt from the requirement to prepare Annual Progress Reports unless the charter stipulates otherwise (Government Code Section 65700).

*Regional Housing Need Allocation*

The Regional Housing Need Allocation (RHNA) is the state-mandated process to identify the total number of housing units by affordability level that each jurisdiction must accommodate in its General Plan Housing Element. As part of this process, HCD identifies the total housing need for the San Francisco Bay Area for an eight-year period. The Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) develop a methodology to distribute this need to local governments consistent with Sustainable Communities Strategies. Once a local government has received its final RHNA, it must revise its Housing Element to demonstrate how it plans to accommodate its portion of the region’s housing needs.

Certain actions related to RHNA are required of the local land use authorities, and certain other actions are strictly advisory. Specifically, jurisdictions are required to zone a sufficient amount of land to accommodate their respective RHNA totals. However, it is only advised that each of these agencies issue housing permits to accommodate their respective RHNA totals. As for the Bay Area, the “projection period”, or the time period in which the Regional Housing Need is calculated, is 2014 to 2022. The “planning period” or timeframe between the due date for one Housing Element and the due date for the next Housing Element, is 2015 to 2023.<sup>1</sup>

***Countywide RHNA and General Plan Status***

Each city and county are required to submit an Annual Housing Element Progress Report to HCD by April 1. These reports provide updates on each jurisdiction’s 2015-2023 RHNA and the total number of housing permits issued during the current planning period. The following tables summarize the 2015-2023 RHNA and permits issued from 2015 through 2022 at each income level for the fifteen local land use authorities.

**County of Alameda – Unincorporated Areas**

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA (2015-2023)</b>	430	227	295	817	1,769
<b>Permits Issued (2015-2023)</b>	145	233	59	319	756
<b>Percentage Complete</b>	33.7%	102.6%	20.0%	39.0%	42.7%

**City of Alameda**

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA (2015-2023)</b>	448	248	283	748	1,727
<b>Permits Issued (2015-2023)</b>	267	161	105	1,914	2,447
<b>Percentage Complete</b>	60.1%	64.9%	37.1%	255.9%	142.1%

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Association of Bay Area Governments (ABAG), Housing Element Implementation and APR Data Dashboard:  
<https://www.hcd.ca.gov/planning-and-community-development/housing-open-data-tools/housing-element-implementation-and-apr-dashboard>

### City of Albany

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA (2015-2023)</b>	80	53	57	145	335
<b>Permits Issued (2015-2023)</b>	32	30	93	211	366
<b>Percentage Complete</b>	40.0%	56.6%	163.2%	145.5%	109.3%

### City of Berkeley

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA (2015-2023)</b>	532	442	584	1,401	2,959
<b>Permits Issued (2015-2023)</b>	397	188	106	3,940	5,119
<b>Percentage Complete</b>	74.6%	42.5%	18.2%	281.2%	156.5%

### City of Dublin

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA (2015-2023)</b>	796	446	425	618	2,285
<b>Permits Issued (2015-2023)</b>	26	39	79	4,975	4,631
<b>Percentage Complete</b>	3.3%	8.7%	18.6%	805.0%	224.0%

### City of Emeryville

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA (2015-2023)</b>	276	211	259	752	1,498
<b>Permits Issued (2015-2023)</b>	115	49	60	1,052	1,276
<b>Percentage Complete</b>	41.7%	23.2%	23.2%	139.9%	85.2%

### City of Fremont

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA (2015-2023)</b>	1,714	926	978	1,837	5,455
<b>Permits Issued (2015-2023)</b>	586	398	22	6,221	7,227
<b>Percentage Complete</b>	34.2%	43.0%	2.2%	338.6%	132.5%

### City of Hayward

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA (2015-2023)</b>	851	480	608	1,981	3,920
<b>Permits Issued (2015-2023)</b>	204	205	236	3,546	4,191
<b>Percentage Complete</b>	24.0%	42.7%	38.8%	179.0%	106.9%

### City of Livermore

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA (2015-2023)</b>	839	474	496	920	2,729
<b>Permits Issued (2015-2023)</b>	196	57	664	1,496	2,413
<b>Percentage Complete</b>	23.4%	12.0%	133.9%	162.1%	88.4%

### City of Newark

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA (2015-2023)</b>	330	167	158	423	1,078
<b>Permits Issued (2015-2023)</b>	139	59	36	2,182	2,416
<b>Percentage Complete</b>	42.1%	35.3%	22.8%	515.8%	224.1%



### City of Oakland

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA (2015-2023)</b>	2,059	2,075	2,815	7,816	14,765
<b>Permits Issued (2015-2023)</b>	1,473	885	118	16,404	18,880
<b>Percentage Complete</b>	71.5%	42.7%	4.2%	209.9%	127.9%

### City of Piedmont

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA (2015-2023)</b>	24	14	15	7	60
<b>Permits Issued (2015-2023)</b>	18	22	21	35	96
<b>Percentage Complete</b>	75.0%	157.1%	140.0%	500.0%	160.0%

### City of Pleasanton

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA (2015-2023)</b>	716	391	407	553	2,067
<b>Permits Issued (2015-2023)</b>	268	78	70	1,664	2,080
<b>Percentage Complete</b>	37.4%	19.9%	17.2%	300.9%	100.6%

### City of San Leandro

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA (2015-2023)</b>	504	270	352	1,161	2,287
<b>Permits Issued (2015-2023)</b>	132	126	0	136	394
<b>Percentage Complete</b>	26.2%	46.7%	0.0%	11.7%	17.2%

### City of Union City

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA (2015-2023)</b>	317	180	192	417	1,106
<b>Permits Issued (2015-2023)</b>	0	0	91	404	495
<b>Percentage Complete</b>	0.0%	0.0%	47.4%	96.9%	44.8%

Attachments: none



# LAFCO

*Alameda* Local Agency Formation Commission

## AGENDA REPORT

May 11, 2023

Item No. 14d

**TO:** Alameda Commissioners

**FROM:** Rachel Jones, Executive Officer

**SUBJECT: Legislative Update**

The Commission will receive an update from the California Association of Local Agency Formation Commissions (CALAFCO) as it relates to proposals impacting Local Agency Formation Commissions (LAFCOs). The report is being presented for discussion and feedback only.

### Information

This item is for Alameda LAFCO to receive a summary of bills that directly or indirectly impact LAFCO’s duties and or interests as identified by CALAFCO. This includes considering CALAFCO’s recommendations. The Commission is also invited to provide related direction on other legislative matters. The following is the status of bills that may be of interest to the Commission and other bills affecting local public agencies.

### SB 1637 | Internet Website and Email Addresses

This bill would require a local agency, as defined, that maintains an internet website for use by the public to ensure that the internet website utilizes a “.gov” top-level domain or a “.ca.gov” second-level domain and would require a local agency that is non-compliant to redirect that internet website to those domain names that either utilizes “.gov” or “.ca.gov”.

*Position:* Watch; *Status:* Referred to Committee on Appropriations

### AB 805 | Drinking Water Consolidation and Sewer Service

This bill would authorize the State Water Resources Control Board (SWRCB), if sufficient funds are available, to order consolidation of sewer service along with an order of consolidation of drinking water systems when both of the receiving and subsumed water systems provide sewer service and after the SWRCB engages in certain activities, such as consulting with the relevant regional water board and the receiving water system and conducting outreach to ratepayers and residents served by the receiving and subsumed systems, as provided.

*Position:* Watch With Concerns; *Status:* Assembly Local Government Committee

**Administrative Office**  
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**Nate Miley, Regular**  
County of Alameda

**David Haubert, Regular**  
County of Alameda

**Lena Tam, Alternate**  
County of Alameda

**Karla Brown, Regular**  
City of Pleasanton

**Melissa Hernandez, Reg**  
City of Dublin

**John Marchand, Alternate**  
City of Livermore

**Ralph Johnson, Regular**  
Castro Valley Sanitary District

**Vacant, Regular**  
Special District Member

**Georgan Vonheeder-Leopold, Alternate**  
Dublin San Ramon Services District

**Sblend Sblendorio, Chair**  
Public Member

**Vacant, Alternate**  
Public Member

## **AB 411 | Open Meetings**

Proposes to remove the sunset date of January 1, 2026, which would terminate the ability for members of a local agency to participate in meetings via teleconference under specific and limited circumstances.

*Position:* Watch; *Status:* Senate Governance and Finance Committee

This item is for informational purposes only. No formal action will be taken as part of this item.

### **Attachments:**

1. CALAFCO Tracking Report

## CALAFCO Daily Legislative Report as of Thursday, May 04, 2023

**AB 828 (Connolly D) Sustainable groundwater management: managed wetlands.**

**Current Text:** Amended: 4/17/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amended:** 4/17/2023

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/2/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. Current law defines various terms for purposes of the act. This bill would add various defined terms for purposes of the act, including the term "managed wetland."

**Position:** None at this time

**Subject:** Water

**CALAFCO Comments:** Adds definitions for Managed Wetlands, and Small community water system to Water Code Section 10721.

4/17/2023: Amended to define agencies and entities required or excluded from existing 10726.4 (a)(4). Amends Water Code section 10730.2 to add language regarding fees, and amends Water Code section 10733 to address groundwater sustainability plans.

**AB 930 (Friedman D) Local government: Reinvestment in Infrastructure for a Sustainable and Equitable California (RISE) districts.**

**Current Text:** Amended: 4/26/2023 [html](#) [pdf](#)

**Introduced:** 2/14/2023

**Last Amended:** 4/26/2023

**Status:** 4/27/2023-Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law authorizes certain local agencies to form a community revitalization authority within a community revitalization and investment area, as defined, and authorizes an authority to, among other things, provide for low- and moderate-income housing and issue bonds, as provided. Current law authorizes a community revitalization and investment plan to provide for the division of taxes within the plan area. This bill would authorize the legislative bodies of 2 or more cities or counties to jointly form a Reinvestment in Infrastructure for a Sustainable and Equitable California district (RISE district) in accordance with specified procedures. The bill would authorize a special district to join a RISE district, by resolution, as specified.

**Position:** Neutral

**Subject:** Special District Principle Acts

**CALAFCO Comments:** This bill has a similar overtone to SB 852 Dodd in 2022 regarding the formation of climate resilience districts outside of the LAFCo process.

As introduced, this bill (AB 930) is focused on the generation of funding and the governance of the expenditure of those funds. However, it should be carefully tracked in case that mission is expanded.

**AB 1460 (Bennett D) Local government.****Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)**Introduced:** 2/17/2023**Status:** 2/18/2023-From printer. May be heard in committee March 20.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. This bill would make a nonsubstantive change to the provision naming the act.

**Position:** Neutral**Subject:** CKH General Procedures, Other

**CALAFCO Comments:** As introduced, this bill makes only a minor nonsubstantive change to CKH in that it would merely add commas to Section 56000 so that it would read: "This division shall be known, and may be cited, as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000."

3/24/2023: No change since introduction.

**SB 768 (Caballero D) California Environmental Quality Act: vehicle miles traveled: statement of overriding consideration.****Current Text:** Amended: 3/22/2023 [html](#) [pdf](#)**Introduced:** 2/17/2023**Last Amended:** 3/22/2023**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/29/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA prohibits a public agency from approving or carrying out a project for which a certified EIR has identified one or more significant effects on the environment that would occur if the project is approved or carried out unless the public agency finds either (1) changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment, (2) those changes or alterations are within the jurisdiction of another public agency and have been, or can and should be, adopted by the other agency, or (3) specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR and the public agency finds that those specific considerations outweigh the significant effects on the environment, commonly known as a statement of overriding consideration. This bill would provide that a public agency, in approving or carrying out a housing development project, as defined, a commercial project, or an industrial project, is not required to issue a statement of overriding consideration for significant effects on the environment identified by a project's vehicle miles traveled or similar metrics if the lead agency has imposed all feasible mitigation measures on the project and it finds no feasible alternatives to the project..

**Position:** Neutral**Subject:** CEQA

**CALAFCO Comments:** Introduced as a spotholder bill that noted an intent to enact subsequent legislation that would create a new transportation impact analysis for rural areas for purposes of the California Environmental Quality Act.

3/22/2023: The bill was amended and would add language into the Public Resource Code to provide that a public agency, in approving or carrying out certain types of projects, is not required to issue a statement of overriding consideration for significant effects on the environment identified by a project's vehicle miles traveled if the lead agency has imposed all feasible mitigation measures on the project and it finds no feasible alternatives to the project.

**SB 865 (Laird D) Municipal water districts: automatic exclusion of cities.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 3/1/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law authorizes a governing body of a municipal water district to adopt an ordinance excluding any territory annexed to a metropolitan water district organized under the Metropolitan Water District Act, if the territory is annexed prior to the effective date of the formation of the municipal water district. Current law requires the Secretary of State to issue a certificate reciting the passage of the ordinance and the exclusion of the area from the municipal water district within 10 days of receiving a certified copy of the ordinance. This bill would extend the number of days the Secretary of State has to issue a certificate to 14 days.

**Position:** Neutral

**Subject:** Annexation Proceedings

**CALAFCO Comments:** Existing law authorizes a governing body of a municipal water district may adopt an ordinance excluding any territory annexed to a metropolitan water district organized under the Metropolitan Water District Act, providing that the territory is annexed prior to the effective date of the formation of the municipal water district. If that happens, the Secretary of State must, within 10 days of receiving a certified copy, issue a certificate reciting the passage of the ordinance that excludes the area from the municipal water district. This bill would extend the Secretary of State's window to issue that certificate from 10 to 14 days.

**2**

**AB 68 (Ward D) Land use: streamlined housing approvals: density, subdivision, and utility approvals.**

**Current Text:** Amended: 4/12/2023 [html](#) [pdf](#)

**Introduced:** 12/8/2022

**Last Amended:** 4/12/2023

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 3/16/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would require a local government to approve a proposed housing development pursuant to a streamlined, ministerial approval process if the development meets certain objective planning standards, including, but not limited to, a requirement that the proposed parcel for the development be a climate-smart parcel, as described, or be included in the applicable region's sustainable communities strategy as a priority development area. The bill would set forth procedures for approving these developments and would set forth various limitations for these developments. The bill would authorize the Department of Housing and Community Development to review, adopt, amend, and repeal guidelines, rules, and regulations to implement uniform standards or criteria that supplement or clarify the terms, references, or standards set forth by this process.

**Position:** Watch

**Subject:** Planning

**CALAFCO Comments:** This bill was introduced as a spot holder in December, 2022, then was gutted and amended on March 16, 2023.

It now seeks to set up ministerial approvals for developments and certain water and sewer service extensions for developments that meet certain parameters. Parameters include that the parcel must be in a high or moderate resource area as categorized by the opportunity maps maintained by the California Tax Credit Allocation Committee, be located within one-mile of transit but be in a very low vehicle travel area, and within one mile of assorted restaurants, bars, coffee shops, etc. Additionally, types of locations that do not qualify are also enumerated. Those include farmlands, wetlands, high fire hazard severity zones (as determined by Cal Fire), in proximity to a hazardous waste site, within a delineated earthquake fault zone, within a special flood hazard area or within a regulatory floodway, lands identified for conservation, protected habitat, and lands under a

conservation easement.

3/31/2023: Watch position taken by Leg Committee.

4/21/2023: CALAFCO received word from the Assembly Housing and Community Development Committee, that this bill will not be heard this year.

Under the procedure that would be established by this bill, a minimum of 30 days notice to LAFCo would be required for the public hearing should a county seek to amend its general plan to increase the planned density on climate resilient lands.

**AB 918 (Garcia D) Health care district: County of Imperial.**

**Current Text:** Amended: 5/1/2023 [html](#) [pdf](#)

**Introduced:** 2/14/2023

**Last Amended:** 5/1/2023

**Status:** 5/2/2023-Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would rename the Pioneers Memorial Healthcare District as the Imperial Valley Healthcare District. The bill would authorize the expansion of the district to include all of the County of Imperial. The bill would require the district to submit a resolution of application to the Imperial County Local Agency Formation Commission to initiate proceedings to expand the district. The bill would require the commission to order the expansion of the district subject to a vote of the registered voters residing within the territory to be annexed at an election following the completion of those proceedings. The bill would require the Board of Supervisors of the County of Imperial, upon direction by the commission, to place approval of district expansion on the ballot at the next countywide election following the completion of commission proceedings, including a public hearing. The bill would provide for expansion of the district upon voter approval, if a funding source sufficient to support the operations of the expanded district is, if required, approved, as specified. The bill would require the district to pay for election costs, as specified. The bill, following expansion, would dissolve the Heffernan Memorial Healthcare District and would transfer the assets, rights, and responsibilities of that district to the Imperial Valley Healthcare District. The bill would require the board of directors of the Imperial Valley Healthcare District, following expansion, to adopt a resolution to increase the number of members of the district’s board of directors from 5 to 7, and to appoint 2 members who are residents of the territory annexed by the district to fill the vacant positions, as specified. Following the expansion of the board of directors, the bill would require the board of directors to adopt a resolution to divide the Imperial Valley Healthcare District into voting districts for the purpose of electing members of the board of directors from and by the electors of those voting districts beginning with the next district election, as specified.

**Attachments:**

- [CALAFCO Letter in Opposition to 4-17-2023 bill amendment](#)
- [CALAFCO Oppose Letter](#)

**Position:** Oppose

**Subject:** Other

**CALAFCO Comments:** As introduced, this bill was merely a spotholder that stated an intent to create a countywide healthcare district in Imperial County.

March 23, 2023, the bill was amended with specifics. It now seeks to rename the Pioneer Memorial Healthcare District to the Imperial County Healthcare District (ICHD) and then sets up what, in essence, is a ministerial process for the countywide expansion of the ICHD. The expansion process is first initiated by the ICHD Resolution of Application, which is required to be filed with LAFCo no later than January 5, 2024. The LAFCo then has 150 days to complete the entire process, including the vote. Protest proceedings for that expansion would be waived under this bill. The bill also does not allow the LAFCo to deny the application. The bill also notes that future changes of organization or reorganization of the resulting districts would need to follow the normal provisions of CKH. A copy of CALAFCO's letter in opposition can be found in the attachments section.

4/17/2023: the bill was amended to entirely remove LAFCo involvement. CALAFCO's second letter of opposition that addresses this amended version can be found in the attachments section.

**SB 360 (Blakespear D) California Coastal Commission: member voting.**

**Current Text:** Amended: 4/18/2023 [html](#) [pdf](#)

**Introduced:** 2/8/2023



**Last Amended:** 4/18/2023**Status:** 4/18/2023-Read second time and amended. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

5/8/2023 #21 SENATE THIRD READING

**Summary:**

The California Coastal Act of 1976 establishes the California Coastal Commission and prescribes the membership and duties of the commission. The act provides that its provisions do not preclude or prevent any member or employee of the commission who is also an employee of another public agency, a county supervisor or city councilperson, or a member of specified associations or organizations, and who has in that designated capacity voted or acted upon a particular matter, from voting or otherwise acting upon that matter as a member or employee of the commission. This bill would apply the latter provision to members of a joint powers authority and members of the local agency formation commission.

**Attachments:**[SB 360 Fact Sheet](#)[SB 360 CALAFCO Letter of Support](#)**Position:** Support**Subject:** Other

**CALAFCO Comments:** PRC 30318 currently holds a provision that allows members or employees of certain entities to sit on the California Coastal Commission. This bill would add members or employees of JPAs and LAFcos into that list.

3/24/2023: No change since introduction.

3/31/2023: Position changed to support. The Fact Sheet and a copy of CALAFCO's Support letter can be found in the attachments.

3

**[AB 557](#) (Hart D) Open meetings: local agencies: teleconferences.****Current Text:** Introduced: 2/8/2023 [html](#) [pdf](#)**Introduced:** 2/8/2023**Status:** 5/1/2023-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

5/4/2023 #106 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Summary:**

The Ralph M. Brown Act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health, as specified. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, current law requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. Current law requires a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option. Current law prohibits a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures from requiring public comments to be submitted in advance of the

meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. This bill would extend the above-described abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** Similar in scope to SB 411, this bill is follow-on legislation to AB 361 (2022) and seeks to return some of the pandemic-era teleconferencing provisions to the Brown Act and would change the timeline for legislative bodies to reaffirm an emergency from the current 30 days to 45 days. This bill is sponsored by CSDA.

**AB 805 (Arambula D) Drinking water consolidation: sewer service.**

**Current Text:** Amended: 3/9/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amended:** 3/9/2023

**Status:** 4/19/2023-In committee: Set, first hearing. Referred to suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would authorize the State Water Resources Control Board, if sufficient funds are available, to order consolidation of sewer service along with an order of consolidation of drinking water systems when both of the receiving and subsumed water systems provide sewer service and after the state board engages in certain activities, including, but not limited to, consulting with the relevant regional water board and the receiving water system and conducting outreach to ratepayers and residents served by the receiving and subsumed water systems, as provided.

**Position:** Watch With Concerns

**Subject:** Water

**CALAFCO Comments:** This bill would authorize the state board, if sufficient funds are available, to order consolidation of sewer service along with an order of consolidation of drinking water systems when both of the receiving and subsumed water systems provide sewer service and after the state board engages in certain activities. Under existing section (b)(3) LAFcos must be consulted and their input considered in regards to the provision of water service but sewer systems seem to be lacking.

**AB 817 (Pacheco D) Open meetings: teleconferencing: subsidiary body.**

**Current Text:** Amended: 3/16/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amended:** 3/16/2023

**Status:** 4/25/2023-In committee: Hearing postponed by committee.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. In order to use teleconferencing pursuant to the Ralph M. Brown Act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** This bill appears to be a spot holder in that it currently only makes minor grammatical changes. The lack of substance raises concern regarding future changes to this bill.

3/16/2023: The bill was amended to speak specifically to teleconferenced meetings of subsidiary bodies, defined as a body that serves exclusively in an advisory capacity, and is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements. For qualifying bodies, this bill would remove the requirement to post an agenda at the location of the subsidiary body member who was participating from off site- providing that the legislative body that formed the subsidiary body has previously made findings noting that teleconferenced meetings of the subsidiary body would enhance public access, and would promote the attractions, retention and diversity of the subsidiary body. The superior legislative body would need to revisit the matter and repeat those finding every 12 months thereafter. This bill also reaffirms that other provisions of the Brown Act are applicable to subsidiary bodies.

**AB 1379 (Papan D) Open meetings: local agencies: teleconferences.**

**Current Text:** Amended: 3/23/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Last Amended:** 3/23/2023

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 3/23/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. This bill, with respect to those general provisions on teleconferencing, would require a legislative body electing to use teleconferencing to instead post agendas at a singular designated physical meeting location, as defined, rather than at all teleconference locations. The bill would remove the requirements for the legislative body of the local agency to identify each teleconference location in the notice and agenda, that each teleconference location be accessible to the public, and that at least a quorum of the members participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** Originally introduced as a spotholder to address "Local agencies: financial affairs", this bill was gutted and amended on March 23, 2023, and now seeks amendment of the Brown Act's teleconferencing provisions. If successful, GC Section 54953 (b)(3) would be amended to remove the requirement to post agendas for teleconferenced meetings at all locations, and would instead limit the posting to a newly defined "singular designated physical meeting location", which is required to have either two-way audiovisual capabilities, or two-way telephone service for the public to remotely hear and address the body. Additionally, the body would have to hold at least two meetings in person each year.

**AB 1637 (Irwin D) Local government: internet websites and email addresses.**

**Current Text:** Amended: 4/27/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Last Amended:** 4/27/2023

**Status:** 5/1/2023-Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would, no later than January 1, 2026, require a local agency, as defined, that maintains an internet website for use by the public to ensure that the internet website utilizes a ".gov" top-level domain or a ".ca.gov" second-level domain and would require a local agency that maintains an internet website that is noncompliant with that requirement to redirect that internet website to a domain name that does utilize a ".gov" or ".ca.gov" domain. This bill, no later than January 1, 2026, would

also require a local agency that maintains public email addresses to ensure that each email address provided to its employees utilizes a ".gov" domain name or a ".ca.gov" domain name. By adding to the duties of local officials, the bill would impose a state-mandated local program.

**Position:** Watch  
**Subject:** LAFCo Administration

**AB 1753 (Committee on Local Government) Local government: reorganization.**

**Current Text:** Introduced: 3/2/2023 [html](#) [pdf](#)

**Introduced:** 3/2/2023

**Status:** 4/27/2023-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. The act requires a petitioner or legislative body desiring to initiate proceedings for a change of organization or reorganization to submit an application to the executive officer of the principal county. The act specifies when an application is complete and acceptable for filing, and requires the executive officer to immediately issue a certificate of filing when an application is accepted for filing, as specified. Upon the filing of an application or a resolution pursuant to the act, but prior to the issuance of a certificate of filing, current law requires the executive officer to give notice of the filing to the assessor and auditor of each county within which the territory subject to the jurisdiction change is located, as specified. Current law prohibits the executive officer from issuing a certificate pursuant to the provisions described above until resolutions are adopted by specified counties and cities in which they agree to accept the exchange of property tax revenues. Current law authorizes a county and any local agency within the county to develop and adopt a master property tax transfer agreement, as specified. This bill would, if applicable, prohibit the executive officer from accepting for filing an application for change or organization or reorganization and issuing a certificate of filing pursuant to the provisions described above, and would provide that an application is not deemed accepted for filing pursuant to the provisions described above, if an agreement for the exchange of property tax revenues has not been adopted pursuant to the provisions described above.

**Attachments:**

[AB 1753 CALAFCO Letter of Support, 03-28-23](#)

**Position:** Support  
**Subject:** CKH General Procedures

**CALAFCO Comments:** This is CALAFCO's Omnibus bill. It seeks to add two new provisions to CKH. The first, would add section (d)(1) to Government Code Section 56658 and would note that R&T Section 99(d)(b)(6) requires an property tax agreement for an application to be considered complete. The second adds language to GC Sec. 56882 allowing transmission of commission determination by email, providing that the executive officer confirms receipt through an electronic read receipt of other means.

CALAFCO's letter of support can be found in the attachments.

**SB 411 (Portantino D) Open meetings: teleconferences: neighborhood councils.**

**Current Text:** Amended: 4/24/2023 [html](#) [pdf](#)

**Introduced:** 2/9/2023

**Last Amended:** 4/24/2023

**Status:** 5/3/2023-From committee: Do pass. (Ayes 9. Noes 1.) (May 2).

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

5/8/2023 #88 SENATE THIRD READING

**Summary:**

The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local

agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill, until January 1, 2028, would authorize an eligible legislative body to use alternate teleconferencing provisions related to notice, agenda, and public participation, as prescribed, if the city council has adopted an authorizing resolution and 2/3 of an eligible legislative body votes to use the alternate teleconferencing provisions. The bill would define "eligible legislative body" for this purpose to mean a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to the act.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** This bill would permanently add back provisions to Section 54953.4 of the Brown Act that had been temporarily enacted during the COVID-19 pandemic. The amendment would allow a legislative body to use teleconferencing provisions, and would define the proper procedure for conducting such a meeting, would require the legislative body to take no further action in the event of a broadcasting disruption within the local agency's control until the broadcast can be resumed, would require time public comment periods to remain open until the public comment time has elapsed, and would not only prevent requiring comments in advance but would also require that the public be afforded the chance to comment in real time.

**SB 537 (Becker D) **Open meetings: multijurisdictional, cross-county agencies: teleconferences.****

**Current Text:** Amended: 4/24/2023 [html](#) [pdf](#)

**Introduced:** 2/14/2023

**Last Amended:** 4/24/2023

**Status:** 5/3/2023-From committee: Do pass. (Ayes 9. Noes 2.) (May 2).

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

5/8/2023 #89 SENATE THIRD READING

**Summary:**

Current law, under the Ralph M. Brown Act, requires that, during a teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. These circumstances include if a member shows "just cause," including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of "just cause" to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** This is a spotholder bill that states an intent to expand local government's access to hold public meetings through teleconferencing and remote access.

3/22/2023: was amended and fleshed out to add teleconferencing provisions to allow legislative

bodies of multijurisdictional agencies to meet remotely. Multijurisdictional agencies are defined as boards, commissions, or advisory bodies of a multijurisdictional, cross county agency, which is composed of appointed representatives from more than one county, city, city and county, special district, or a joint powers entity.

The bill is sponsored by Peninsula Clean Energy, a community choice aggregator with a board comprised of local elected officials from the County of San Mateo and its 20 cities, as well as the City of Los Banos.

**SB 878 (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 4/17/2023-In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would enact the First Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

**Attachments:**

[Annual Validations Joint Letter of Support](#)

**Position:** Support

**Subject:** LAFCo Administration

**CALAFCO Comments:** This is the first of three annual validating acts. The joint letter of support is in the attachments section.

**SB 879 (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 4/17/2023-In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would enact the Second Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

**Attachments:**

[Annual Validations Joint Letter of Support](#)

**Position:** Support

**Subject:** LAFCo Administration

**CALAFCO Comments:** This is one of three annual validating acts. The joint letter of support is in the attachments section.

**SB 880 (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/17/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Status:** 4/17/2023-In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would enact the Third Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Attachments:**

[Annual Validations Joint Letter of Support](#)

**Position:** Support

**Subject:** LAFCo Administration

**CALAFCO Comments:** This is one of three annual validating acts. The joint letter of support is in the attachments section.

Total Measures: 19

Total Tracking Forms: 19

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