



REGULAR MEETING OF THE BOARD OF DIRECTORS

District Office, 18966 Ferretti Road

Groveland, CA 95321

(209) 962-7161 www.gcsd.org

AGENDA

May 14, 2024

10:00 a.m.

MEMBERS OF THE PUBLIC MAY ATTEND IN PERSON AT DISTRICT OFFICE OR VIA VIDEO CONFERENCE AS DETAILED BELOW:

HOW TO OBSERVE AND PARTICIPATE IN THE MEETING:

Computer, tablet or smartphone: Watch the live streaming of the meeting from a computer by navigating to <https://us02web.zoom.us/j/7688070165> using a computer with internet access that meets Zoom's system requirements.

Telephone: Listen to the meeting live by calling Zoom at (253) 215-8782 or (301) 715-8592. Enter the Meeting ID# 279-281-953 followed by the pound (#) key. More phone numbers can be found on Zoom's website at <https://zoom.us/u/abb4GNs5xM> if the line is busy.

Mobile: Log in through the Zoom mobile app on a smartphone and enter Meeting ID# 279-281-953.

HOW TO SUBMIT PUBLIC COMMENTS:

Written/ Read Aloud: Please email your comments to board@gcsd.org, write "Public Comment" in the subject line. In the body of the email, include the agenda item number and title, as well as your comments. If you would like your comment to be read aloud at the meeting (not to exceed three minutes at staff's cadence), prominently write "Read Aloud at Meeting" at the top of the email.

Telephonic / Electronic Comments: During the meeting, the Board President or designee will announce the opportunity to make public comments by voice and in writing, and identify the cut off time for submission of written comments. Comments can be emailed in advance of the Board meeting and up to the time of Board consideration of the item during the meeting. Send email to board@gcsd.org, and write "Public Comment" in the subject line. Once you have joined the Board meeting online using Zoom, public comments can also be submitted using the Chat function while in the Zoom Meeting. In the body of the email or Chat, include the agenda item number and its title, as well as your comments. The Board President will also public comment to be made verbally prior to consideration of each agenda item, and will explain the procedure for making verbal comments during the meeting. Once the public comment period is closed, comments timely received in advance of consideration of the agenda item will be read aloud prior to Board action on the matter. Comments received after the close of the public comment period will be added to the record after the meeting.

ACCESSIBILITY INFORMATION:

Board Meetings are accessible to people with disabilities and others who need assistance. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to observe and/or participate in this meeting and access meeting-related materials should contact Rachel Pearlman, Board Secretary, at least 48 hours before a regular meeting at (209) 962-7161 or rpearlman@gcsd.org. Advanced notification will enable the District to swiftly resolve such requests to ensure accessibility.

AGENDA MATERIAL:

Physical copies of agenda material will not be available at the meeting. All agenda material can be accessed on the District Board Meeting Webpage at <https://www.gcsd.org/board-meetings-meeting-documents>. Physical copies can be obtained in advance of the meeting in the District office, once made available.

PUBLIC RECORDS:

Public records that relate to any item on the open session agenda for a meeting are available for public inspection. Those records that are distributed after the agenda posting deadline for the meeting are available for public inspection at the same time they are distributed to all or a majority of the members of the Board. The Board has designated the District's website located at <https://www.gcsd.org> as the place for making those public records available for inspection. The documents may also be obtained by calling the District office.

ALL AGENDA MATERIAL ARE AVAILABLE ON THE DISTRICT WEBSITE AT WWW.GCSD.ORG OR MAY BE INSPECTED IN THE GROVELAND COMMUNITY SERVICES DISTRICT OFFICE AT 18966 FERRETTI ROAD, GROVELAND, CALIFORNIA

Any person who has any questions concerning this agenda may contact the District Secretary. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the District at 209-962-7161. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting. (28FR35.102-35.104 ADA Title 11)



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AGENDA

May 14, 2024

10:00 a.m.

Location: 18966 Ferretti Road, Groveland
CA 95321

Call to Order

Pledge of Allegiance

Roll Call of Board Members

Nancy Mora, President

Janice Kwiatkowski, Vice President

John Armstrong, Director

Spencer Edwards, Director

Robert Swan, Director

1. Approve Order of Agenda

2. Public Comment

Members of the public are appreciated for taking the time to attend this meeting and provide comments on matters of District business. Public comments are subject to a 3-minute time limit; 10 minutes on an individual topic. Although no action can be taken on items not listed on the agenda, please know we are listening carefully to your comments.

3. Information Items

Brief reports may be provided by District staff and/or Board members as information on matters of general interest. No action will be taken by the Board during Reports, however items discussed may be recommended for discussion and action on a future agenda. Public comments will be taken after each report is provided.

A. Staff Reports

i. Fire Department Report

ii. CERT Report

iii. Operations Manager's Report

iv. Administrative Services Manager's Report

v. General Manager's Report

B. Proclamations

i. Recognition of Peter Kampa for his 5 Years of Service to the Groveland Community Services District

ii. Recognition of Meghan Orsetti for her 5 Years of Service to the Groveland Community Services District

4. Consent Calendar

Consent Calendar items are considered routine and will be acted upon by one motion. There will be no separate discussion on these items unless a member of the Board, Staff or a member of the Public requests specific items be set aside for separate discussion.

A. Approve Minutes from the April 9, 2024, Regular Meeting

B. Accept April 2024 Payables

C. Waive Reading of Ordinances and Resolutions Except by Title

5. Old Business

(Items tabled or carried forward from a previous meeting to be considered on this agenda. The Board of Directors intends to consider each of the following items and may take action at this meeting. Public comment is allowed on each individual agenda item listed below, and such comment will be considered in advance of each Board action)

- A. None

6. Discussion and Action Items

The Board of Directors intends to consider each of the following items and may take action at this meeting. Public comment is allowed on each individual agenda item listed below, and such comment will be considered in advance of each Board action.

- A. Presentation from the American Red Cross Regarding a Smoke Detector Program
- B. Board Update from the Yosemite Hwy 120 Chamber of Commerce Committee Regarding the Downtown Groveland Beatification Project
- C. Adoption of a Resolution Authorizing the General Manager to Submit an Application to the Department of Justice for the Implementation of Live Scan Background Checks for District Pre-Employment, and District Volunteers
- D. Adoption of a Resolution Authorizing the General Manager to Enter into a Letter of Agreement with SitelogiQ for the Evaluation of Facility Improvements, Energy Conservation, Energy Generation, and/or Energy Management Services
- E. Adoption of a Resolution Designating the Fire Department Kitchen Remodel and Related Expenditures Eligible for Reimbursement from Future Impact Fee Collections
- F. Discussion and Board Direction on Policy Regarding Public Access to District Owned Easements
- G. Adoption of a Resolution Accepting the Proposal Prepared by GREEN DOT to Develop a Competitive Application for the Active Transportation Program, Cycle 7 for Phase 2 of the Hetch Hetchy Railroad Trail Project
- H. Board Discussion and Direction Regarding LAFCo Matters Including the Potential for a Fully Independent Commission Staff, the 2024/25 Draft Workplan and Budget, and LAFCo Policies and Procedures

7. Adjournment

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**Groveland Community Services District
Fire Department / CALFIRE**
18966 Ferretti Road Groveland, CA 95321



Staff Report
May 1, 2024

To: Board of Directors
From: Andy Murphy, Assistant Chief
By: Travis Chunn, Fire Captain
Subject: Monthly Activity Report – April 1, 2024 – April 30, 2024

Operations:

On April 4, 2024, at approximately 2:24 PM, GCSD Engine 781 and TCFD Engine 631 were part of a dispatch to a vehicle accident on Highway 120 near Priest Coulterville Road. Upon arrival Engine 781 found one vehicle which had rolled over. All occupants were out of the vehicle and refused medical treatment.





**Groveland Community Services District
Fire Department / CALFIRE**
18966 Ferretti Road Groveland, CA 95321



Apparatus and Equipment:

Apparatus	Description	Status
Engine 781	2009 Pierce Contender	In Service
Engine 787	2000 Freightliner FL112	In Service
Engine 783	1997 International Model 15	In Service
Utility 786	2008 Chevrolet 2500	In Service

Training:

In addition to our monthly Emergency Medical Technician (EMT) curriculum and engine company performance standards, Battalion personnel received the following specialized training:

- FAE Rene Herrera attended Leadership I class in Natomas, CA
- FAE Santiago Martinez attended Hazmat Incident Commander class in Oakdale, CA
- Ladders
- Rope Rescue
- Vehicle Extrication
- Hose Deployments
- Ladders
- Lucas
- Narcan



**Groveland Community Services District
Fire Department / CAL FIRE**
18966 Ferretti Road Groveland, CA 95321



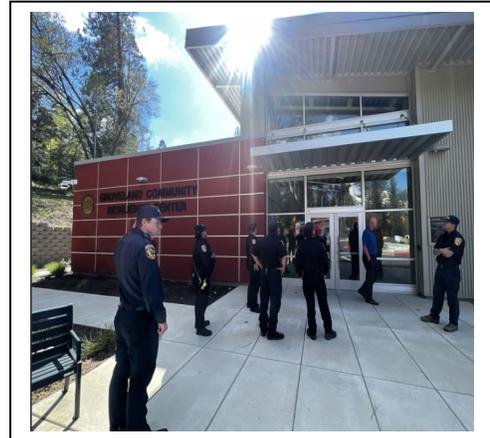
Training:



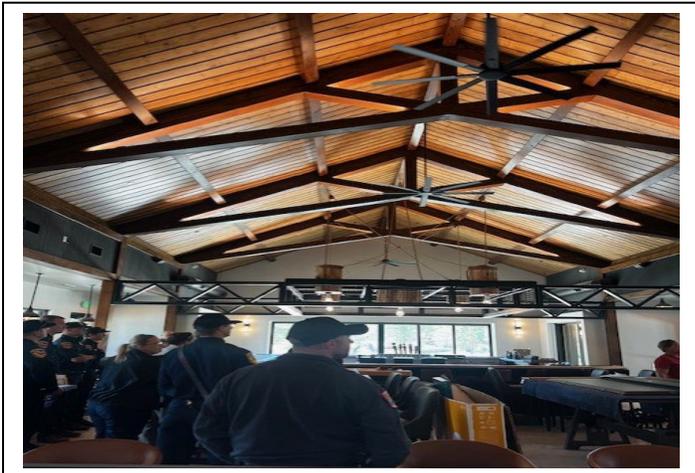
On April 29, 2024, GCSD Engine 781, TCFD Engine 631, and CAL FIRE Engine 4466 attended a tour of the Groveland Community Resilience Center. This allows us to preplan for all types of emergencies that could occur within this facility. It also allows us to become more familiar with the details of the building.

We were able to walk through all of the rooms and ask detailed questions about the facility. We discussed as a group, the best strategies and tactics for a possible fire at this building as well

On April 19 & 29, 2024, GCSD Engine 781, TCFD Engine 631, CAL FIRE Engine 4466, Battalion 4416, and Battalion 5



attended a tour of the Firefall Ranch Resort. We were able to get familiar with the new construction layout, and we were able to gather information for our preplan binder.





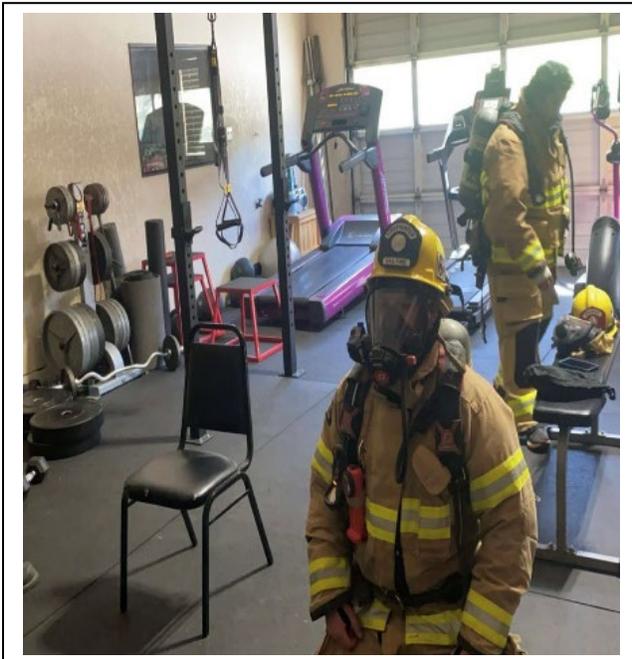
Groveland Community Services District Fire Department / CALFIRE

18966 Ferretti Road Groveland, CA 95321



Training:

Throughout the month of April, GCSD Engine 781 and TCFD Engine 631 conducted numerous training drills. We also completed some physical fitness training while in our structure fire turnouts. This allows us to get familiar with the limitations of our protective gear. It also allows us to get used to working physically while fully dressed in our protective gear.





Groveland Community Services District
Fire Department / CALFIRE
18966 Ferretti Road Groveland, CA 95321



Fire Department News:

On April 16, 2024, we submitted a claim with the Office of Traffic Safety to be reimbursed for our grant award extrication tool purchases. The claim has been processed, and Groveland Community Services District should be receiving a payment of \$23,900.05.

Apr-24

STATION 78

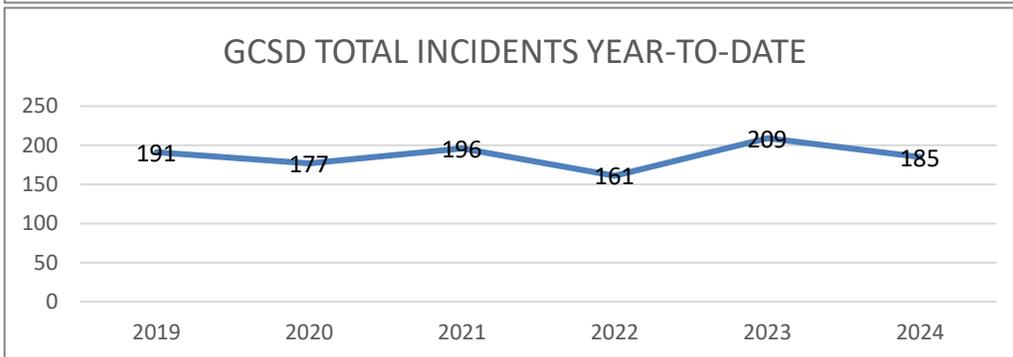
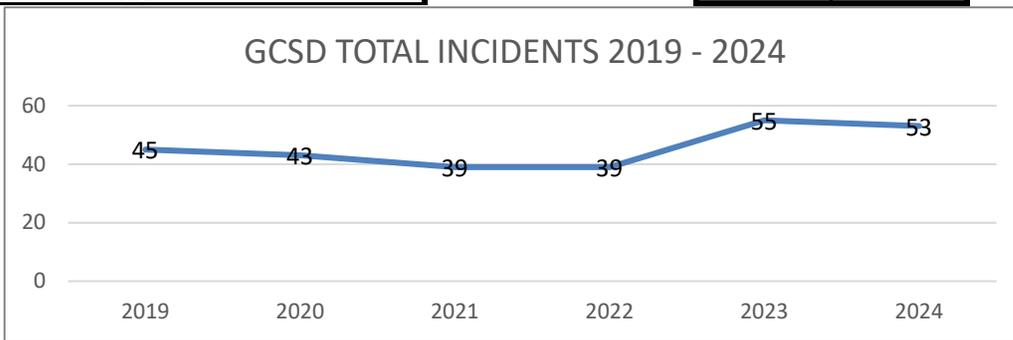


Alarm Sounding	3
Odor Investigation	0
Debris Fire	0
Medical Aid	36
Fire Menace Standby	3
Fire Other	0
Haz Mat	0
Landing Zone	0
Plane/Heli Crash	0
Public Assist	8
Smoke Check	0
Structure Fire	1
Commercial Structure Fire	0
Vegetation Fire	0
Vehicle Accident	2
Vehicle Accident/Pin in	0
Vehicle Fire	0
TOTAL	53

Auto Aid	Given
Tuolumne County	1
INC# 4197 MEDICAL AID FERRETTI RD.	
TCFD E-631: 23 Calls	

Last Call Logged Run # 5412

ALS	
Yes	No
20	16



CERT Groveland/Big Oak Flat/Moccasin

Groveland Community Services District • 18966 Ferretti Road, Groveland CA 95321



Groveland, California

Report to GCSO Board for May 2024

- GCERT proudly has 3 new members: Lydia Dugan, Jacqui Montero, Paul Purifoy
- GCERT is planning the following Team meetings in 2024.
Jun 29, Jul 27, Aug 31, Sep 28, Oct 26.
- GCERT will be meeting in May with CSU to discuss 49er Festival activities.
We are planning in advance of community preparations.
- GCERT will complete background checks for all certified members.
- GCERT will be partnering with PML S&SC for Community and Personal Preparedness Workshops in Q2.
- GCERT has 25 participants, 26 inquiring people and 15 fully certified members.
- GCERT has notified FD that our Firefighter Rehab vehicle is operational. It has been outfit with all the necessary equipment to Go Live. (Funded by Adventist Health Grant)
GCERT is also available for Traffic Control deployment.
- Tom Hernandez will be the GCERT Team Leader effective immediately.
- GCERT Len Otley is our Training Officer. Sam Park is the Logistics Officer. The next Basic CERT training will be in the Fall 2024.

5/9/2024 12:28 PM

GrovelandCERT@gmail.com

FB – CERT – Groveland Area Community Emergency Response Team
ND – CERT – Groveland Area Community Emergency Response Team



TO: GCS D Board of Directors

FROM: Peter Kampa, General Manager

DATE: May 14, 2024

SUBJECT: Agenda Item 3Av. General Managers Report

Overview

Highlights for the period of April 9, 2024, to May 14, 2024, include the following, with additional information provided verbally and in attachments:

ATP Grant: staff has spent a bit of time recently reviewing the active transportation program grant guidelines, securing a proposal from a technical grant writing consultant and submitting a request to the Tuolumne county transportation council for funding to cover the cost of the grant application preparation. The application is for the second phase of the Hetch Hetchy Trail, from Deer Flat Road to Wards Ferry Rd, and this item is on your agenda for discussion.

Tuolumne County Natural Resources Committee

On May 1, 2024 I attended the natural resources committee at the county offices, the meeting agenda is attached. The majority of the meeting was related to a proposal to form a biomass joint powers authority, which would provide opportunities to make fuels reduction projects more cost effective and also generate electrical power to offset costs. The presentation slides are attached.

Groveland Community Local Perspective

Attached to this report you will find the final Groveland Community Local Perspectives report prepared by County staff, with much input from GCS D and the community. The report contains several actions to be considered by GCS D in the future.

Lift Station #15 Access Road

Pine Mountain lake and GCS D staff met and discussed the concerns with the access road and our collective plan going forward. This item is also on your May 2024 meeting agenda for discussion.

Downtown Groveland to BOF Water Improvements – CDBG

We continue to work closely with County staff and providing information for the preparation of the CDBG funding agreement. We hope to have that agreement in our possession in the coming weeks.

Short Term Rental Outreach

Tuolumne County staff have been conducting community outreach meetings to gather input on community perception of the benefits and impacts of short term rentals. Following the initial meeting in Groveland, short term rentals. Following the initial meeting in Groveland, GCS D submitted a comment letter covering some of the impacts to the services we provide, and suggestions on how we may be able to further evaluate and offset impacts. There are over 400 STR in PML alone.

**TUOLUMNE COUNTY NATURAL RESOURCES ADVISORY COMMITTEE
REGULAR MEETING AGENDA**

2024 Strategic Priorities

- Support our local water utility partners in their effort to modernize and improve water supply infrastructure and mitigate risk.
- Maintain awareness of pertinent State and Federal legislation regarding natural resources, land use, water, and water rights.
- Maintain awareness of Tuolumne County Federal land use policy, planning, and implementation and provide recommendations and advocacy as appropriate.
- Promote landscape and watershed resilience through innovative solutions and capacity building.

Date/Time: Wednesday, May 1st, 2024 at 10:00 AM

Location: Board of Supervisors Chambers – 2 S. Green Street, 4th Floor, Sonoma, CA 95370

Contact: Sean Hembree at shembree@co.tuolumne.ca.us (209)533-5554

Chair/Vice Chair

Supervisor Anaiah Kirk

Supervisor Kathleen Haff

Agency Representatives

Tuolumne Me Wuk

Diana Beasley

Chicken Ranch Me Wuk

Stephanie Suess

Tuolumne Utilities District

Don Perkins

Groveland CSD

Pete Kampa

Hetch Hetchy

Adam Mazurkiewicz

Fish and Game Preserve Fund

Jim Maddox

Agricultural Advisor

Dick Gaiser

Tuolumne Co. RCD

Jim Phelan

At Large Member

Chris Trott

Staff

County Administrator

Tracie Riggs

Water & Natural Resource

Analyst (CAO)

Sean Hembree

I. CALL TO ORDER

II. ROLL CALL (5 minutes)

Introductions during roll call

Confirm quorum requirements are met (Quorum = 6 members)

III. PUBLIC FORUM (15 minutes)

The public may speak on any item, not on the agenda. No action may be taken by the Committee

Public Comment (limited to 3 minutes per person)

IV. APPROVAL OF MINUTES FOR MEETING March 6th, 2024 (5 minutes)

V. CONSIDERATION OF GIVING DIRECTION TO THE TUOLUMNE COUNTY BOARD OF SUPERVISORS REGARDING PROPOSED BIOMASS JPA

VI. CONSIDERATION OF CHANGING STATUS OF CHICKEN RANCH ME WUK TO ADVISORY MEMBER

VII. PARTNER AGENCY UPDATES (15 minutes)

a. Stanislaus National Forest:

b. CAL FIRE

VIII. COMMITTEE BUSINESS

a. Staff Reports and Recommendations

i. Drought Resilience Plan update

ii. Grants update:

1. CAL FIRE Forest Health – awarded

2. WaterSMART – pre-award notice

3. IFNF – submitted

iii. SWIFT Coordinator vacancy

b. Committee Member Reports

Public Comment (limited to three minutes per person)

IX. ADJOURNMENT

The Next meeting will be held on June 5th, 2024



Tuolumne County Natural Resources Advisory Committee Minutes

For the Meeting on April 3rd, 2024

2024 Natural Resource Members <i>(or assigned delegates)</i>	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24
Anaiah Kirk	✓	✓	✓	✓								
Kathleen Haff	✓	✓	✓	✓								
Don Perkins	✓	✓	✓	✓								
Pete Kampa		✓	✓	✓								
Adam Mazurkiewicz		✓	✓	E								
Stephanie Suess			A	E								
Dianna Beasley		✓	A	A								
Dick Gaiser	✓	✓	✓	✓								
Chris Trott		✓	✓	E								
Jim Maddox	✓	✓	✓	✓								
Jim Phelan	✓	✓	✓	✓								
Present = ✓ Absent = A Excused = E												

1. **CALL TO ORDER:** Chair Kirk called the meeting to order at 10:01 A.M. and confirmed a quorum was present.
2. **MEMBERS PRESENT:** Chair Anaiah Kirk, Vice-Chair Kathleen Haff, Jim Maddox, Jim Phelan, Dick Gaiser, Abby Parcon (TUD), Pete Kampa, Sean Hembree (staff)
3. **PUBLIC FORUM:** The public may speak on any item not on the printed agenda. No action may be taken by the Committee. The amount of time allocated for the public forum is limited to 15 minutes. – None
4. **APPROVAL OF MINUTES:** Consideration of approving the minutes of the meeting held on March 6th, 2023 Jim Maddox made a motion to approve the minutes. Jim Phelan seconded the motion. The minutes were approved unanimously.
5. **PARTNER AGENCIES UPDATES:**
 - a. Ben Cossel USFS Public Affairs Officer reported that:
 - i. There has been a significant comment on the SERAL DEIS regarding the use of herbicides. Interested parties should contact Mr. Cossel.
 - ii. Cossel also indicated that it appears that the USFS Office of Personal Management has determined that the Stanislaus Forest will be placed under

- the San Francisco salary rate allocation for staff salary adjustment.
- iii. Cossel indicated pile burns would soon cease to allow the transition to broadcast burning which is of more value in mitigating wildfire in the coming season.
- iv. CAL FIRE – none

6. COMMITTEE BUSINESS:

- a. Staff reports and recommendations:
 - i. SEC Natural Asset Company proposal was rescinded
 - ii. Board of Forestry Consideration of renaming Chinaman Creek as Chinese Miner Creek
- b. Committee member reports – There was a discussion about CAL FIRE project location near Priest Grade on BLM land. A request was made to reach out to BLM and encourage environmental permitting streamlining to facilitate the project.
- c. Pete Kampa gave a report on recent and ongoing GCSD projects including the completion of new wells as contingency water supply and 80 new fire hydrants which were installed from a County Grant with GCSD as a sub-recipient.
- d. Tony Diaz gave a report on recent and ongoing TUD projects. A discussion was held regarding water supply reliability.
 - i. Public comment: A comparison of wooden flume potable water supply currently under the jurisdiction of PG&E to the recent destruction of the PG&E penstock in Nevada County.

7. DISCUSSION OF the California Board of Forestry proposed update changes for utility vegetation management activities was held. Concerns were addressed. There was a consensus to track this issue and provide a recommended letter to the Board of Supervisors once the public comment period opens.

8. DISCUSSION OF endorsing the [Mountain Counties Water Resource Association - Forest Management Principle](#). There was a consensus to recommend that the Board of Supervisors formally support these principles. This will be brought before the next available Board of Supervisors meeting.

9. ADJOURNED: Chair Kirk adjourned the meeting at 11:03 A.M. The next meeting is scheduled for May 1st, 2024.

Forming a JPA to tackle Forest Biomass Management



CAL FRAME

SOUTH CENTRAL SIERRA

CALIFORNIA

Christiana Darlington
CLERE INC



Agenda

Topic one: update on member entity outreach

Topic Two: reports due

Topic three: New RFP / proposed project

Topic four: OPR Pilot budget and future



Potential Member Entity Outreach

UPPER MOKELUMNE RIVER WATERSHED AUTHORITY

- Update to group on 4/26
- Discussion about current state approach to biomass
- Discussion around USFS actions to support biomass removal

TUOLUMNE RCD

- Attended three hour meeting in March
- Project developers and CAL Fire attended
- Further meetings needed

Reports Due from team

COMPLETED REPORTS

- Feedstock Assessment
- Entity Exploration Report
- Sort Yard feasibility Report (imminent release)

REPORTS IN PROGRESS

- Financial Analysis
- Entity Action Plan
- Communication Plan
- Organizational Study

UPCOMING REPORTS

- Continued development of JPA and associated documents
- Technology and locational study of additional wood utilization concepts in study area

Current RFP in the Works

Mariposa RCD will be applying for the current RFP solicitation due May 20, 2024. The RCD will be looking to continue its work and develop new study on bioenergy locational analysis in the region with the new round of funds. Most critically, the Department of Conservation applied for federal funds to support the Pilots in the amount of 40 million dollars, which we should hear a response in July of this year.





Next Steps

- Complete Organizational study
- Finish Communication plan and set up meetings with important industry leaders, and with local State and Federal Partners
- Start new business locational study
- Develop foundational mission, then develop documents to form a JPA
- Develop documents to warrant Seed Money Round



Timeline



Thank you

Please Contact

Christiana Darlington

530-305-4433

christiana@clereinc.net



Local Perspective on Economic Development

Groveland/Big Oak Flat Community

Characteristics and Values of the Community

The location of Groveland/Big Oak Flat area is a rural community, adjacent to or within the forest, yet close to some conveniences. For many, the community reaches from the top of the two grades, past Buck Meadows, all the way up to the entrance to Yosemite on Highway 120.

It stands out as one of the 2% of communities in the country that house a national park within its borders, providing a “sense of arrival” to this popular destination. The region enjoys a rich history, including the development of Big Oak Flat due to gold mining and Groveland's growth linked to Hetch Hetchy and the establishment of Yosemite National Park.

The area is recognized for having a small-town charm with a great sense of community. It's argued that it is not over or under-developed, lending to its quaintness. The population is primarily a retirement community and considered a safe environment with a different feeling from the Bay Area. Historically, there has been robust volunteerism in the community, however, this declined greatly during the pandemic, and now is gradually returning.

An entrepreneurial spirit exists with a distinctive absence of chain businesses, the majority of businesses being privately owned. Notably, it achieved the highest number of female entrepreneurs in 2019. Tourism is a significant part of the economy, with various outdoor recreation activities and a substantial transient use of residential properties, often geared towards visiting the nearby national park. Most who visit arrive by car, and some arrive at the local airport. Many visitors become future neighbors. It's believed those from abroad form their opinions about the US based on their impressions here.

However, for the Groveland/Big Oak Flat area, there are challenges, including a 55% poverty level. It has an aging population and a declining youth demographic. There is a perceived separation between the Pine Mountain Lake (PML) community and the towns of Groveland and Big Oak Flat. In addition, there is a divergence of opinions on growth, with a strong desire to preserve the peace and quiet that attracted many residents to the area. A universal concern exists about fire risk and emergency preparedness.

Vision for the Future

The community's vision for the future of Groveland/Big Oak Flat includes developing the area to be a more enticing tourist destination, moving away from it being a pass-through location. Achieving this necessitates both infrastructure enhancements and the expansion of the business community and community relationships.

The overarching goal is to foster a cultural shift towards becoming an "outdoor" community that prioritizes preservation while promoting community engagement, leveraging existing recreational destinations, and highlighting the region's rich history tied to gold mining and the railroad.

An emphasis must be placed on developing a diversity of businesses, fostering a more permanent resident base to support local businesses. There's a keen interest in improving the availability of family-friendly dining options, managing overcrowding during peak summer months, and boosting business prospects in the winter season. One venture may be establishing a camping and RV facility near downtown.

There is a call for upgrades to infrastructure such as sidewalks, increased parking availability, and possible implementation of a shuttle service from the Community Resilience Center (CRC) to downtown. A more reliable electrical grid and the installation of generators at key locations like schools and the airport to ensure safety are critical. There is a recognized need for more affordable housing options to accommodate workers. However, all this requires a commitment to maintaining a billboard-free environment, and a focus on maintaining a small-town feel.

There is a strong desire for the County to listen to the community's input regarding development, as decisions are largely influenced by the County Board of Supervisors and the Groveland Community Service District (GCSD). Maintaining a small-scale, common-sense approach is emphasized, with a focus on preserving the community's intrinsic value. There's also a call for County policies to be updated to reflect current needs, and for improved education and communication between the County, residents, and visitors.

Needs of the Community

The Community needs encompass a wide range of areas, including affordable housing, affordable fire insurance, emergency and long-term medical care, affordable childcare and youth activities, acknowledging the challenges of staffing and sustainability. Also beneficial would be improved coordination between community groups, and a stronger presence by social services to address issues of poverty, drug use, and mental health. Currently they staff the CRC one day a week.

In terms of promoting business, improved signage, technology for visitor information (potentially through an app), winter attractions, and the establishment of a local recreation department. The community also seeks more businesses that actively engage with and integrate into the community, a more active Chamber of Commerce, more diverse events, and historical education opportunities.

Ongoing Projects

There are a number of ongoing infrastructure efforts within the community, such as initiatives by the Groveland Community Service District (GCSD) focusing on fuel reduction, recreation, and improvements in public facilities. These efforts include projects funded by "Clean California," grants from CalTrans for new restrooms, bus stops, picnic areas, and expanding our trail system, such as the Hetch Hetchy Railroad Trail. In addition, there is movement to develop an RV Park. GCSD and Chamber are looking into options to improve electrical reliability. The Chamber has requested Yonder Yosemite owner consider cleaning up "the Scar" property ahead of the development schedule. And Southside Community Connections and Tuolumne County Transportation Council (TCTC) are working to provide more transportation to the area by expanding services into the valley.

Recreation businesses are flourishing. There is a focus on accommodating visitors to Yosemite, especially those without reservations. Groveland Trail Heads is working to expand mountain biking trails which is beneficial for tourism. GCSD often holds "Movies in the Park." And the Tioga Baseball team, established since 2016, has also contributed to the community's vibrancy.

Emergency services are actively working on securing funding for expansion, while water projects that increase fire-flow for Big Oak Flat are in progress. CalTrans has also agreed to sidewalk projects for improvements of the downtown area. And PML has already started on their evacuation planning which can be expanded out into the community.

Action Items to Bring Progress

1. Create a More Inviting Destination for Visitors

Comprehensive planning and active engagement with visitors are essential components to increase our customer base. This initiative involves enhancing visitor experiences through improved signage, sidewalks, restrooms, and increased parking facilities while being cautious not to exacerbate overcrowding issues. Additionally, leveraging historical education opportunities can enrich the visitor's understanding of the area. This may also involve the establishment of a local recreation department and the integration of technology, such as a dedicated app, for streamlined visitor information.

2. Improve the Business Culture

A proactive dedicated approach is needed to bring potential investors here. This should also involve establishing objectives and metrics to evaluate if progress is being made. In a bid to diversify the local business landscape, the community may introduce an array of offerings. This includes expanding family-friendly dining options, increasing the variety of lodging facilities, such as the addition of an RV park, and enhancing the appeal of the destination during the winter season by introducing more reasons to visit and stay. Regular bus trips from the other parts of the county, such as Yosemite Area Regional Transportation System (YARTS) to the area will assist in bring people to the area.

3. Fostering Community Engagement

Fostering community engagement is a vital aspect of this endeavor. Establishing a dedicated community hub will serve as a catalyst for collaboration among local organizations and improve communication within this network. Key to this effort is identifying a representative who will play a pivotal role in ensuring that the community's voice is not only heard but also effectively addressed. Collaborative support from both the community and county government is crucial to shape future of this inviting tourist destination.

In general, STR at the level they are allowed today have not been determined to be a major impact on the **capacity** of GCSD water, sewer, fire and park services. Please understand that there has been no formal evaluation of specific STR service impact, as we have not found any source of accessible STR property data. They are, however, changing the water usage and wastewater discharge profiles to be higher and more consistent month to month, year round. In theory, the water and sewer rates charged by GCSD are supposed to cover the cost of providing the service, at whatever quantity is used. STR water and sewer rates will be considered once we can accurately identify that they exist.

We have not been able to capture an accurate data set related to fire department emergency responses to STR, and will be able to identify impacts from the increased, consistent population once STR are formally permitted through the county. Population increases do drive increases in emergency calls.

- An increase in customer service effort and time explaining higher than normal water use and associated high water and sewer bills. The increase in STR has strained our ability to provide the same/desired level of customer service (such as review and personal calls for high consumption)
- Difficult to impossible to communicate with and control water use in STR quickly in the event of a water emergency such as a major water leak or equipment failure
- No way to identify/confirm if the property is used as an STR, vacation home, rental or full time residence. This is important to understanding water consumption profiles by customer type, applying our regulations and state reporting
- Currently causing regulatory compliance issues in that we were required to reduce our water consumption by 20% by the year 2020, and were required to use water consumption data from 2000-2010, adjusted for population growth. Population has not grown since 2017 but consumption has by 15%, putting us on the verge of non-compliance which can lose us access to state grant funds.
- Significantly reduced housing inventory and rental properties, making job recruitment impossible
- The creation of over 400 STR in Groveland has contributed to an increased median household income profile, which has resulted in GCSD being disqualified from receiving the major source of grant funds from the California State Water Resources Control Board. A recent income survey revealed income variances of a low of \$20,000 outside PML to \$1.8 million within PML. The survey revealed that 48% of responding properties were owned by a transient population; vacation homes or STR, and state funds are not available to GCSD at all when over 50% transient.

Solutions could be:

1. A reliable system of documenting which properties are STR, kept updated and GCSD notified.
2. Require septic system testing and notification of GCSD on failures so that adequate engineering evaluations can be completed to take advantage of economies of scale and plans can be made for sewer wastewater treatment plant expansion
3. Require a new GCSD service application so we can document the use and monitor consumption, to determine if the meter is adequate and if different fees are required. Also provide contacts for the property owner and local property manager
4. Require flow and consumption monitoring, either by a personal device or paying the cost of a GCSD remote read meter, which would allow property owners to monitor water consumption daily through a GCSD portal.

**REGULAR MEETING OF THE BOARD OF
DIRECTORS GROVELAND COMMUNITY SERVICES
DISTRICT GROVELAND, CALIFORNIA
April 9, 2024
10:00 a.m.**

The Board of Directors of Groveland Community Services District met in regular session on the above mentioned date with Directors Mora President, Spencer Edwards and Robert Swan being present. Also present was Board Secretary Rachel Pearlman, Administrative Services Manager Jennifer Donabedian, Operations Manager Luis Melchor and General Manager Peter Kampa.

Call to Order

Director Mora called the meeting to order at 10:00am.

Directors Kwiatkowski and Armstrong Absent

Approve Order of Agenda

Motion

It was moved by Director Edwards and seconded by Director Swan and the motion passed by vote to approve the order of the Agenda.

Ayes: Directors Mora, Edwards, and Swan

Absent: Directors Kwiatkowski, and Armstrong

Public Comment

A member from the Highway 120 Chamber of Commerce thanked the Board of Directors and Staff for the support of the Downtown Beautification project.

Director Kwiatkowski arrived at the meeting at 10:16am.

Information Items

Brief reports may be provided by District staff and/or Board members as information on matters of general interest. No action will be taken by the Board during Reports, however items discussed may be recommended for discussion and action on a future agenda. Public comments will be taken after each report is provided.

Staff Reports

Fire Department Report

CERT Report

Operations Manager's Report

Administrative Services Manager's Report

General Manager's Report

Proclamations

Recognition of Steve Rogers for his 3 Years of Service to the Groveland Community Services District

Consent Calendar

Consent Calendar items are considered routine and will be acted upon by one motion. There will be no separate discussion on these items unless a member of the Board, Staff or a member of the Public requests specific items be set aside for separate discussion.

Approve Minutes from the March 12, 2024, Regular Meeting

Accept March 2024 Payables

Waive Reading of Ordinances and Resolutions Except by Title
Minutes 04 09 2024

Motion

It was moved by Director Swan and seconded by Director Kwiatkowski and the motion passed by vote to approve the Consent Calendar.

Ayes: Directors Mora, Kwiatkowski, Edwards, and Swan

Absent: Director Armstrong

Old Business

(Items tabled or carried forward from a previous meeting to be considered on this agenda. The Board of Directors intends to consider each of the following items and may take action at this meeting. Public comment is allowed on each individual agenda item listed below, and such comment will be considered in advance of each Board action)

None.

Discussion and Action Items

The Board of Directors intends to consider each of the following items and may take action at this meeting. Public comment is allowed on each individual agenda item listed below, and such comment will be considered in advance of each Board action.

Adoption of a Resolution Commending Chief Plant Operator Greg Dunn for his Exceptional Service and Accomplishments While Serving the Groveland Community Services District

Motion

It was moved by Director Swan and seconded by Director Edwards and the motion passed by vote to adopt Resolution 07-2024 Commending Chief Plant Operator Greg Dunn for his Exceptional Service and Accomplishments While Serving the Groveland Community Services District.

Ayes: Directors Mora, Kwiatkowski, Edwards, and Swan

Absent: Director Armstrong

Discussion and Board Direction Regarding the District's Position on the Orderly Extension of Water and/or Sewer Services to New Development Projects, to Properties with Failed Groundwater Wells and/or Failed Septic Systems

Motion

Consensus of the Board to direct the General Manager to work with the County for change in policy for New Development procedures and to bring this item to the LAFCo Commissioner.

Discussion and Update Regarding the Potential Application to the PG&E Microgrid Incentive Program and Other Potential Funding Sources for the Development of Electric Power Generation Facilities to Provide Locally Reliable Electric Service

Motion

Information item only, no action taken.

Discussion and Board Direction Regarding the Potential for Design and Implementation, on District Facilities, of Alternate Energy Equipment, Energy Conservation Facilities, Energy Conservation Measures and Related Contracts Including Consulting Services

Motion

Consensus of the Board for the General Manager to proceed with the design and implementation, on District Facilities, of alternate energy equipment, energy conservation facilities, energy conservation measures and related contracts including consulting services, and to bring back to the Board for approval.

Discussion and Board Direction Regarding District Employee Housing Options

Motion

Consensus of the Board to direct staff to immediately begin looking for and acquiring housing units and develop an employee housing program.

Adjournment

The meeting adjourned at 12:01pm.

APPROVED:

Nancy K. Mora, Board President

ATTEST:

Rachel Pearlman, Board Secretary

DRAFT



ACCOUNTS PAYABLE CHECK LISTING

April 2024
Fiscal Year 23/24
Board Approval Date _____

Accounts Payable Checks



User: mronning@gcsd.org
Printed: 5/1/2024 7:53:46 AM

Check	Vendor	Vendor Name	Check D	Void	Commit	Description	Amount	Reconcil	Clear Da
23723	UMP01	UMPQUA Bank Comm Card Ops	4/2/2024	False	True	Credit Card Purchases - Monthly	\$36,087.78	True	4/11/2024
23724	AIR01	Airgas USA, LLC	4/3/2024	False	True	Work gloves	\$147.49	True	4/11/2024
23725	Alp03	Alpha Analytical Labs, Inc.	4/3/2024	False	True	Operations Lab Testing for Water	\$2,230.00	True	4/11/2024
23726	UB*0331:	Burkart, John & Valerie	4/3/2024	False	True	Refund Check 013367-000, 20236 Lower Skyridge Drive 15/74	\$132.98	True	4/18/2024
23727	Cle03	CleanSmith Solutions	4/3/2024	False	True	Disinfection/Janitorial Services Monthly	\$5,500.00	True	4/11/2024
23728	DMV03	DMV Renewal	4/3/2024	False	True	Honda DMV renewal	\$54.00	True	4/18/2024
23729	UB*0331:	Dokter, Martin & JoAnn	4/3/2024	False	True	Refund Check 006551-000, 19991 DUNN CT 1/268	\$163.81	True	4/18/2024
23730	DRU01	Drugtech Toxicology Services, LLC	4/3/2024	False	True	Consortium DOT Tests	\$261.00	True	4/11/2024
23731	Fas02	Fastenal	4/3/2024	False	True	Janitorial supplies / battery charger with battery	\$1,083.62	True	4/11/2024
23732	FOO01	Foothill-Sierra Pest Control	4/3/2024	False	True	March winter weed control	\$1,231.00	False	
23733	GRA04	Grainger	4/3/2024	False	True	Employee Uniform - D Dalton	\$218.39	True	4/11/2024
23734	H&S	H & S Parts and Service	4/3/2024	False	True	Hydraulic hose - Bobcat T320 (ops)	\$127.53	True	4/11/2024
23735	Hun02	Hunt & Sons, Inc.	4/3/2024	False	True	Fuel & Oil	\$7,298.49	True	4/11/2024
23736	UB*0331:	Hunter, Linda	4/3/2024	False	True	Refund Check 015871-000, 12703 Mueller Dr 5/263	\$79.99	True	4/18/2024
23737	JSW02	J.S. West Propane Gas	4/3/2024	False	True	Propane	\$4,146.99	True	4/11/2024
23738	UB*0331:	King, Althea	4/3/2024	False	True	Refund Check 014537-000, 11680 MERRELL RD	\$93.17	True	4/11/2024
23739	Moo07	Moore Bros Property	4/3/2024	False	True	Clear trees and debris - clearing easments/driving paths	\$12,200.00	True	4/18/2024
23740	mvp01	MVP Repair Service Co.	4/3/2024	False	True	Water meter testing for accuracy - Field sample	\$240.00	True	4/11/2024
23741	UB*0331:	Pemberton, Rex	4/3/2024	False	True	Refund Check 013948-002, 11024 Ferretti Road 11/24	\$9.03	True	4/18/2024
23742	pot01	Potable Divers, Inc.	4/3/2024	False	True	BC & 2G Clearwell and cleaning/inspection	\$6,000.00	True	4/11/2024
23743	SUE01	Ray Suess Insurance & Invst	4/3/2024	False	True	Retired Members Medical	\$3,968.18	True	4/18/2024
23744	Rus01	Rush Advertising Specialties	4/3/2024	False	True	Employee Uniforms	\$150.00	True	4/18/2024
23745	Safety-K	Safety-Kleen Systems, Inc.	4/3/2024	False	True	Reimbursement Ck#2210510	\$620.90	True	4/18/2024
23746	Sprbrk	Springbrook Holding Company LLC	4/3/2024	False	True	Civicpay Mar 2024	\$1,659.55	True	4/18/2024
23747	Tir02	TireHub, LLC	4/3/2024	False	True	Tires - Truck #35	\$1,139.30	True	4/18/2024
23748	ELE	ELEMECH, INC.	4/10/2024	False	True	Portalogic Bulk Water Fill Station	\$58,433.00	False	
23749	GCS02	GCSO	4/10/2024	False	True	GCSO Water Bill Monthly	\$2,665.60	True	4/18/2024
23750	GEN01	General Plumbing Supply	4/10/2024	False	True	Big Creek OSG	\$519.82	True	4/18/2024
23751	GEN02	General Supply Co	4/10/2024	False	True	Electrical Box for LS13	\$145.36	True	4/29/2024
23752	gilb01	Gilbert Associates, Inc.	4/10/2024	False	True	Monthly CPA Services	\$3,800.00	False	
23753	MOT03	Mother Lode Answering Service	4/10/2024	False	True	Monthly Call Forward/Paging	\$691.14	True	4/29/2024
23754	MOU03	Mountain Oasis Water Systems	4/10/2024	False	True	Bottled Water	\$171.00	True	4/18/2024
23755	per04	Percoco, Ronald	4/10/2024	False	True	Monthly Uniform Laundering	\$2,015.00	True	4/29/2024

Check	Vendor	Vendor Name	Check D	Void	Commit	Description	Amount	Reconcil	Clear Da
23756	PGE01	PG&E	4/10/2024	False	True	Monthly Electric Charges	\$1,012.42	True	4/18/2024
23757	pml01	PML Hardware & Supply Inc.	4/10/2024	False	True	March hardware supplies	\$894.87	True	4/29/2024
23758	RLR01	R.L. Righetti Enterprises, Inc.	4/10/2024	False	True	Water pump - Trk #781	\$275.71	True	4/18/2024
23759	Ross	Ross' Ladder Service	4/10/2024	False	True	Annual ladder testing	\$466.50	True	4/18/2024
23760	Ron01	Rudy, Roni Lynn	4/10/2024	False	True	Social Media Management	\$2,784.92	True	4/18/2024
23761	SFPUC	San Francisco Public Utilities Commission	4/10/2024	False	True	Monthly Water Purchase	\$5,381.48	True	4/18/2024
23762	Syn02	Synapse Technologies Inc.	4/10/2024	False	True	Laserfiche project development	\$562.50	True	4/18/2024
23763	TUO01	Tuo. Co. Public Power Agency	4/10/2024	False	True	Monthly Public Power Purchase	\$20,336.62	True	4/18/2024
23764	Wells	Wells Fargo Vendor Financial Services, LLC	4/10/2024	False	True	Monthly Lease on Admin Copier	\$359.28	True	4/18/2024
23765	WHI03	White Brenner, LLP	4/10/2024	False	True	March Legal Fees	\$3,840.00	True	4/18/2024
23766	AIR01	Airgas USA, LLC	4/17/2024	False	True	Monthly Cylinder Rental-Helium	\$37.54	True	4/29/2024
23767	BLU01	Anthem Blue Cross	4/17/2024	False	True	Monthly Group Health Ins.	\$30,834.09	True	4/29/2024
23768	ATT03	AT&T	4/17/2024	False	True	Monthly Internet Uverse	\$206.89	False	
23769	CA Dept	CA Dept of Tax/Fee Administration	4/17/2024	False	True	Use Tax - January - March 2024 Q1	\$1,218.00	True	4/29/2024
23770	CA Dept	CA Dept of Tax/Fee Administration	4/17/2024	False	True	Diesel fuel taxes - January - March 2024 Q1	\$643.00	True	4/29/2024
23771	den01	De Nora, Water Technologies INC	4/17/2024	False	True	OSG Filters for WWTP	\$170.41	True	4/29/2024
23772	don02	Don Pedro Pump	4/17/2024	False	True	Big Creek Turbine Pump Repair - Emergency	\$73,914.33	False	
23773	EDIS01	E.D.I.S.	4/17/2024	False	True	Supplemental Health Insurance	\$5,683.55	False	
23774	Fas02	Fastenal	4/17/2024	False	True	Janitorial supplies	\$629.07	True	4/29/2024
23775	UNU01	First UNUM Life Insurance Co.	4/17/2024	False	True	Monthly insurance premium	\$120.00	True	4/29/2024
23776	FP Mail	FP Finance (Monthly pmt)	4/17/2024	False	True	Monthly Postage Machine Rental	\$107.24	True	4/29/2024
23777	gro10	Groveland Rotary	4/17/2024	False	True	Event Deposit Refund	\$50.00	False	
23778	UB*0330	Hippe Trust	4/17/2024	False	True	Refund Check 009197-000, 12670 Mount Jefferson Street 05/105	\$186.39	False	
23779	HIT01	Hi-Tech E V S, Inc	4/17/2024	False	True	Pump parts for Trk 783	\$190.85	True	4/29/2024
23780	Hun02	Hunt & Sons, Inc.	4/17/2024	False	True	Fuel & Oil	\$2,728.46	True	4/29/2024
23781	KAH01	Khan, Johnathon	4/17/2024	False	True	Mill/Flattening Fee - Clean CA Grant	\$250.00	True	4/29/2024
23782	LOW01	Lowe's Companies, Inc.	4/17/2024	False	True	March hardware supplies	\$674.91	False	
23783	Mar02	Marshall, Andrew	4/17/2024	False	True	CWEA Annual Conference - Travel Reimb	\$207.58	True	4/29/2024
23784	Met03	Metro Presort	4/17/2024	False	True	Monthly UB Statement Processing	\$2,099.67	False	
23785	Mof02	Moffitt, Nathan	4/17/2024	False	True	CWEA Annual Conf - Travel Reimb.	\$105.18	True	4/29/2024
23786	MOO01	Moore Bros. Scavenger Co., Inc.	4/17/2024	False	True	Monthly Debris Disposal	\$1,763.11	True	4/29/2024
23787	Oreil	O'Reilly Auto Parts	4/17/2024	False	True	Auto parts - March 2024	\$674.24	True	4/29/2024
23788	Pin07	Pine Mountain Auto	4/17/2024	False	True	Monthly auto parts - March 2024	\$296.12	False	
23789	Tuo14	Tuolumne County Recorder	4/17/2024	False	True	Monthly subscription to County Records	\$243.50	True	4/29/2024
115931	OE3	Operating Engineers Local #3	4/5/2024	False	True	PR Batch 00001.04.2024 Oper Engin Union Dues	\$414.05	False	
115934	OE3	Operating Engineers Local #3	4/19/2024	False	True	PR Batch 00002.04.2024 Oper Engin Union Dues	\$414.05	False	
902739	CAL09	CalPers 457 Plan Administrator	4/12/2024	False	True	PR Batch 00001.04.2024 CalPers Def Comp	\$1,176.57	False	
902740	EDD01	EDD - Electronic	4/12/2024	False	True	PR Batch 00001.04.2024 State Income Tax	\$3,650.39	False	
902741	FedEFTPS	Federal EFTPS	4/12/2024	False	True	PR Batch 00001.04.2024 Medicare Employer Portion	\$19,338.32	False	
902742	Orion	Orion Portfolio Solutions	4/12/2024	False	True	PR Batch 00001.04.2024 Orion 457	\$2,700.00	False	
902743	PER01	Pers - Electronic	4/12/2024	False	True	PR Batch 00001.04.2024 PERS Employee Deduct	\$12,895.68	False	
902744	CAL09	CalPers 457 Plan Administrator	4/26/2024	False	True	PR Batch 00002.04.2024 CalPers Def Comp	\$1,176.57	False	
902745	EDD01	EDD - Electronic	4/26/2024	False	True	PR Batch 00002.04.2024 State Income Tax	\$4,296.14	False	

Check	Vendor	Vendor Name	Check D	Void	Commit	Description	Amount	Reconcil	Clear Da
902746	FedEFTP	Federal EFTPS	4/26/2024	False	True	PR Batch 00002.04.2024 Medicare Employer Portion	\$21,973.04	False	
902747	Orion	Orion Portfolio Solutions	4/26/2024	False	True	PR Batch 00002.04.2024 Orion 457	\$2,700.00	False	
902748	PER01	Pers - Electronic	4/26/2024	False	True	PR Batch 00002.04.2024 PERS Employer Exp.	\$12,582.62	False	
902749	FedEFTP	Federal EFTPS	4/26/2024	False	True	PEPRA PR Batch 00003.04.2024 Federal Income Tax	\$97.60	False	
902750	PER01	Pers - Electronic	4/26/2024	False	True	PR Batch 00003.04.2024 PEPRA Employee	\$78.28	False	
						Payroll Direct Deposit	\$117,071.32		
						Total April Accounts Payables	\$512,797.18		

TO: GCSB Board of Directors

FROM: Peter Kampa, General Manager

DATE: May 14, 2024

SUBJECT: Agenda Item 6A: Presentation from the American Red Cross
Regarding a Smoke Detector Program

RECOMMENDED ACTION:

No action required.

BACKGROUND:

The American Red Cross has for many years distributed smoke detectors to those in need. As we all know, working smoke detectors are the best preventative measure one can employ to stay safe in the event of a home fire. Our CERT Program Manager, Bob Asquith, contacted the Red Cross after seeing the success of the recent smoke detector distribution program in Sonora and Jamestown. The Red Cross offered to provide the same program in the Groveland area.

The American Red Cross provides the smoke detectors, and they are installed by fire department staff or CERT members, as needed. A representative from the American Red Cross will be in attendance at this meeting to further discuss the program and answer any questions.

ATTACHMENTS:

1. <https://www.fema.gov/blog/partnerships-tactic-resilience>
2. <https://www.redcross.org/local/california/gold-country/about-us/our-work/home-fire-campaign.html>
3. American Red Cross Smoke Detector Training Guides
 - a. [Documenter Guide](#)
 - b. [Educator Guide](#)
 - c. [Installer Guide](#)

TO: GCSB Board of Directors

FROM: Peter Kampa, General Manager

DATE: May 14, 2024

**SUBJECT: Agenda Item 6B: Board Update from the Yosemite Hwy 120
Chamber of Commerce Committee Regarding the Downtown
Groveland Beautification Project**

RECOMMENDED ACTION:

No action required.

BACKGROUND:

The district partnered with the Yosemite Highway 120 Chamber of Commerce on a beautification project, the majority of which was funded by a Clean California grant offered by Caltrans. The project involves Park improvements including new restrooms, new walkways, a bus/ transit shelter, covered picnic tables, benches, signage, landscaping, a new trail and trash/recycling receptacles. The downtown beautification portion of the project involves the installation of benches, hanging and ground planters, as well as trash/recycling receptacles.

Members of the Chamber of Commerce have requested to provide an update to the board on the status of the project, the fixtures selected and beautiful artwork.

ATTACHMENTS:

1. Trash/Recycling Art Wrap Designs

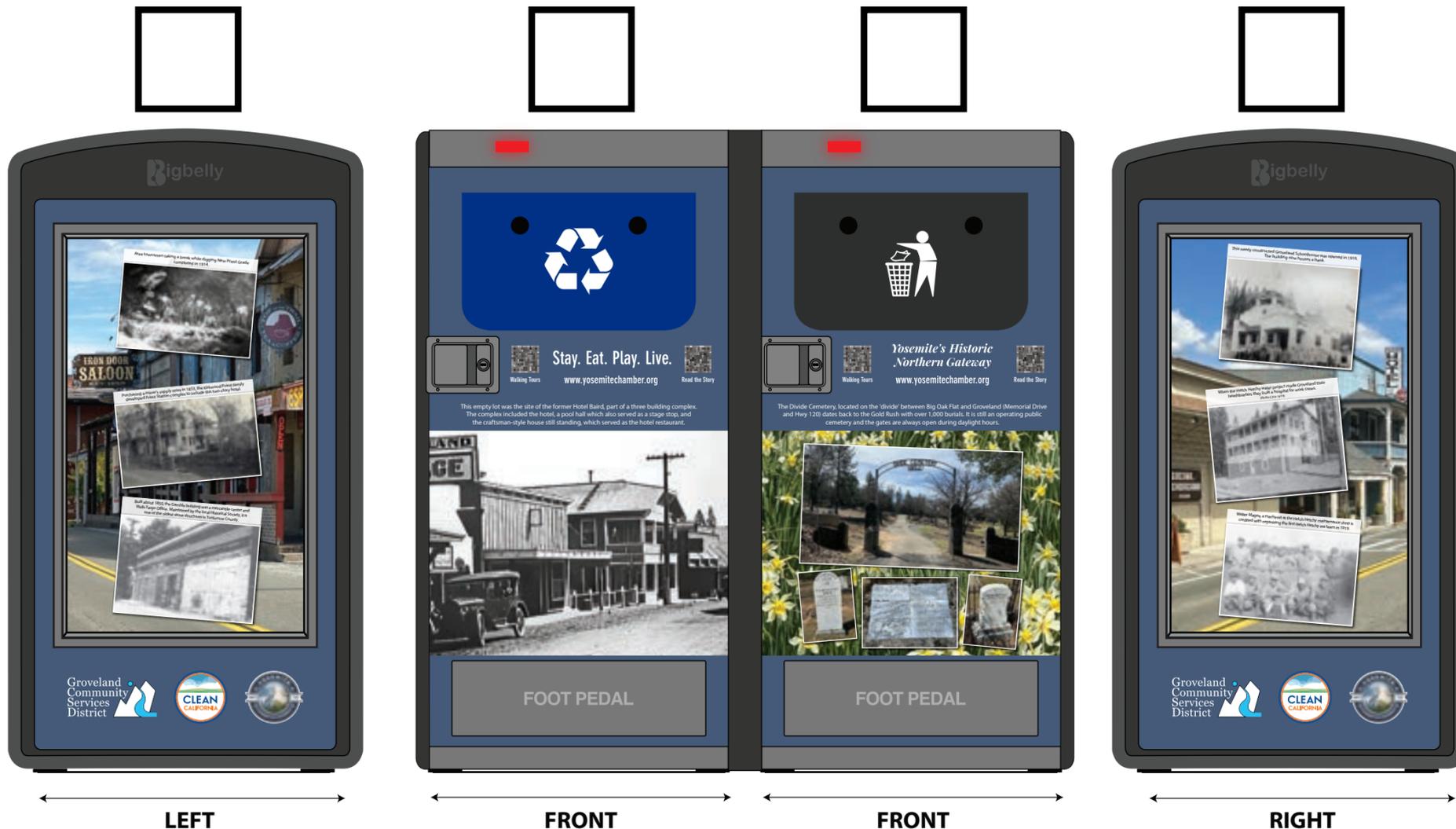
Double Sense Max : Yosemite/Hwy 120 Chamber (Shirley Horn - 13)



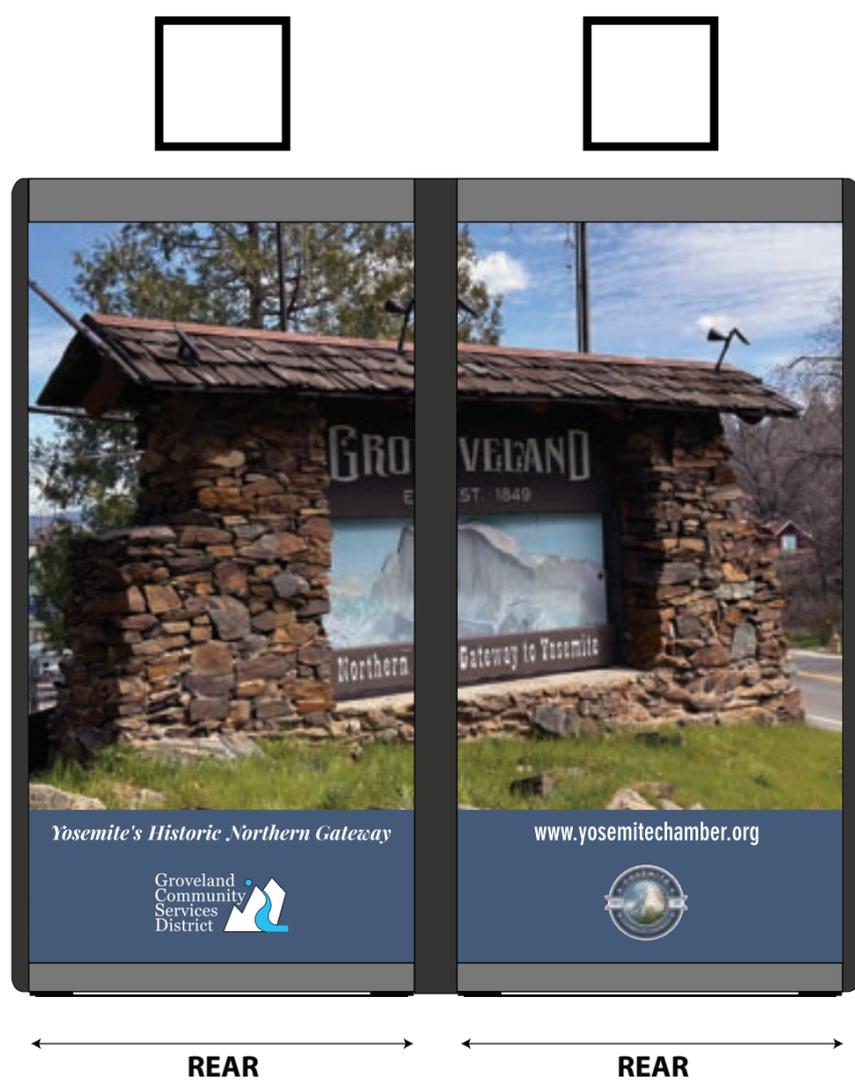
Client:	Bigbelly
Project:	Yosemite / Hwy 120 Chamber
Order #:	111014
Scale:	1:10
Designer:	CJ
Date:	04/02/24
File:	October 2023
Dimension:	
Usable Artwork:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Artwork Comments:	
Quantities:	
Approved By:	
Date:	

Please review all aspects of the attached layout. Please call, fax, or email us with any changes and questions. Once we have received your approval, we will proceed with the job as it appears in the layout, or make the requested changes.

Double Sense Max : Yosemite/Hwy 120 Chamber (Historical Photos 08)

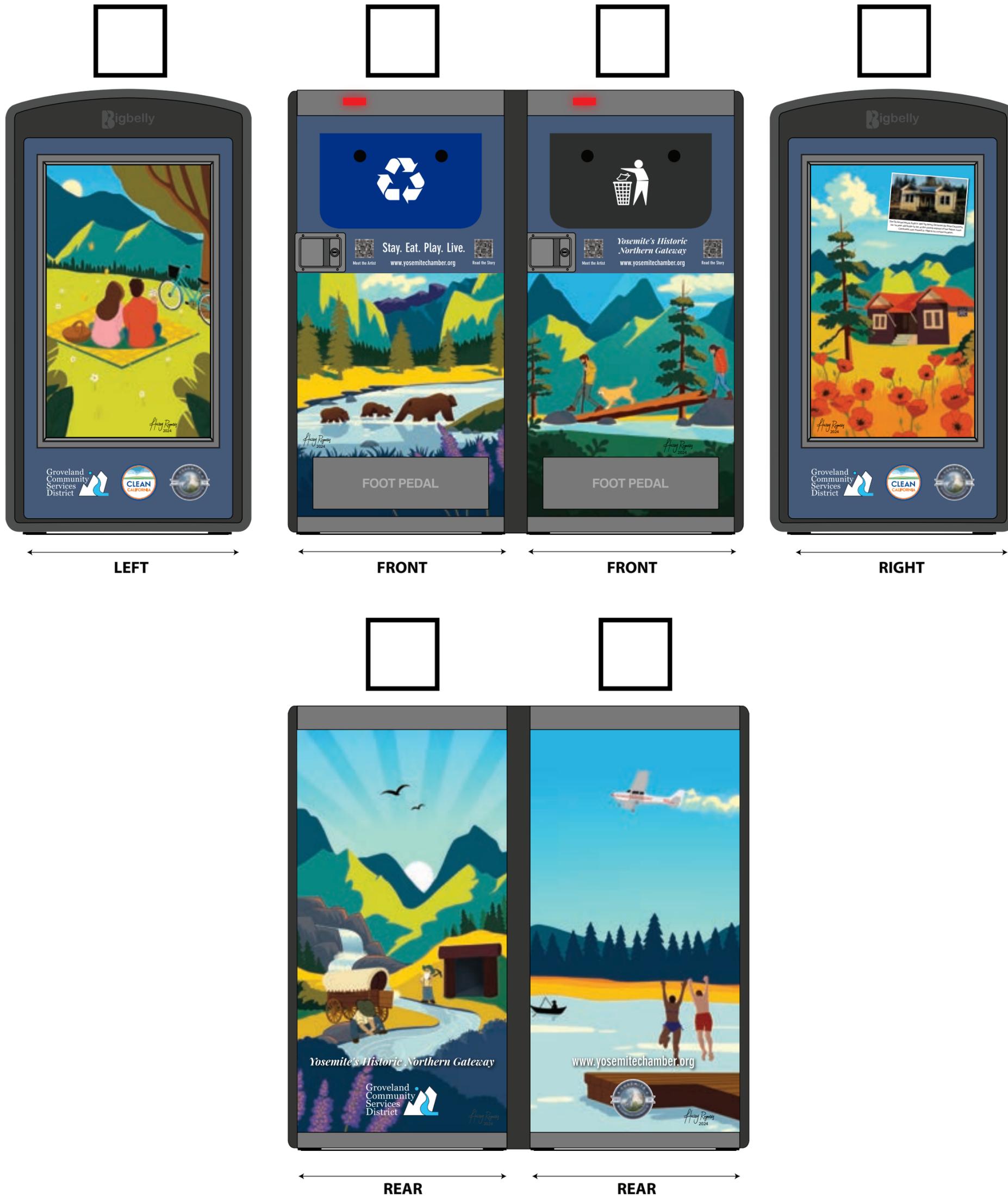


Client: Bigbelly
Project: Yosemite / Hwy 120 Chamber
Order #: 111014
Scale: 1:10
Designer: CJ
Date: 04/02/24
File: October 2023
Dimension:
Usable Artwork: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Artwork Comments:
Quantities:
Approved By:
Date:



Please review all aspects of the attached layout. Please call, fax, or email us with any changes and questions. Once we have received your approval, we will proceed with the job as it appears in the layout, or make the requested changes.

Double Sense Max : Yosemite/Hwy 120 Chamber (Hailey Reynolds v13)



Client: Bigbelly
Project: Yosemite / Hwy 120 Chamber
Order #: 111014
Scale: 1:10
Designer: CJ
Date: 04/02/24
File: October 2023
Dimension:
Usable Artwork: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Artwork Comments:
Quantities:
Approved By:
Date:

Please review all aspects of the attached layout. Please call, fax, or email us with any changes and questions. Once we have received your approval, we will proceed with the job as it appears in the layout, or make the requested changes.

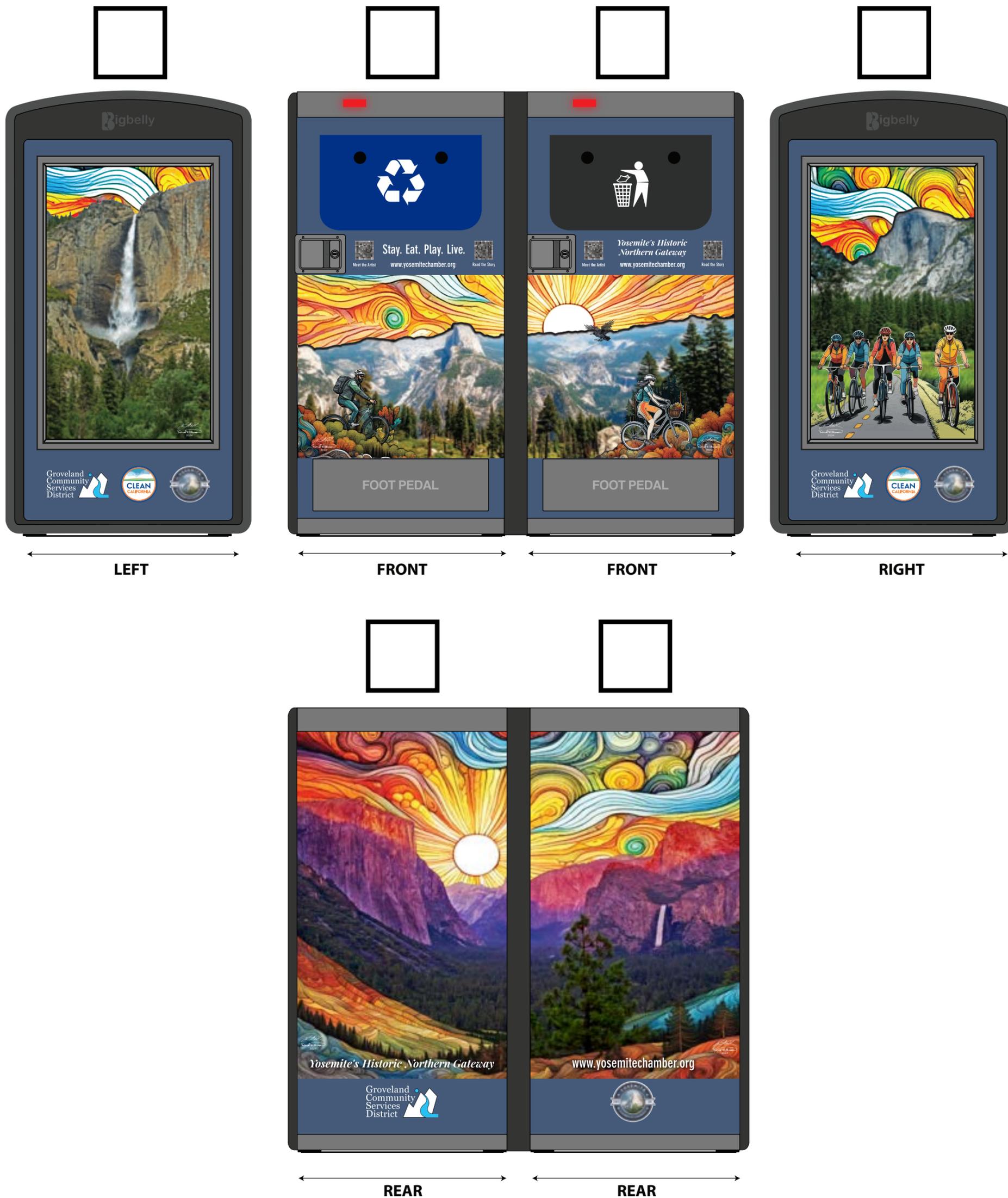
Double Sense Max : Yosemite/Hwy 120 Chamber (Dharma Barsotti v8)



Client:	Bigbelly
Project:	Yosemite / Hwy 120 Chamber
Order #:	111014
Scale:	1:10
Designer:	CJ
Date:	04/02/24
File:	October 2023
Dimension:	
Usable Artwork:	
Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>
Artwork Comments:	
Quantities:	
Approved By:	
Date:	

Please review all aspects of the attached layout. Please call, fax, or email us with any changes and questions. Once we have received your approval, we will proceed with the job as it appears in the layout, or make the requested changes.

Double Sense Max : Yosemite/Hwy 120 Chamber (Christina Wilkinson v9)



Client: Bigbelly
Project: Yosemite / Hwy 120 Chamber
Order #: 111014
Scale: 1:10
Designer: CJ
Date: 04/02/24
File: October 2023
Dimension:
Usable Artwork: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Artwork Comments:
Quantities:
Approved By:
Date:

Please review all aspects of the attached layout. Please call, fax, or email us with any changes and questions. Once we have received your approval, we will proceed with the job as it appears in the layout, or make the requested changes.

Double Sense Max : Yosemite/Hwy 120 Chamber (Birds of Prey v9)



Client: Bigbelly
Project: Yosemite / Hwy 120 Chamber
Order #: 111014
Scale: 1:10
Designer: CJ
Date: 04/02/24
File: October 2023
Dimension:
Usable Artwork: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Artwork Comments:
Quantities:
Approved By:
Date:

Please review all aspects of the attached layout. Please call, fax, or email us with any changes and questions. Once we have received your approval, we will proceed with the job as it appears in the layout, or make the requested changes.

TO: GCSB Board of Directors

FROM: Peter Kampa, General Manager

DATE: May 14, 2024

SUBJECT: Agenda Item 6C: Adoption of a Resolution Authorizing the General Manager to Submit an Application to the Department of Justice for the Implementation of Live Scan Background Checks for District Pre-Employment, and District Volunteers

RECOMMENDED ACTION:

I move to adopt Resolution 08-2024 authorizing staff to apply to the Department of Justice for the implementation of Live Scan background checks for District pre-employment, and District volunteers.

BACKGROUND:

Employers conduct background checks through the Department of Justice (DOJ) for pre-employment and volunteers for several crucial reasons:

1. **Safety and Security:** Employers have a responsibility to ensure a safe and secure work environment for their employees, customers, and clients. Background checks help identify any past criminal behavior or other red flags that could pose a risk to the workplace.
2. **Legal Compliance:** Many industries, especially those involving vulnerable populations such as children, the elderly, or individuals with disabilities, are required by law to conduct background checks on employees and volunteers. These legal requirements aim to protect these vulnerable groups from potential harm.
3. **Protecting Reputation:** Hiring individuals with criminal histories or other problematic backgrounds can damage an organization's reputation. Background checks help mitigate this risk by allowing employers to make informed decisions about whom they hire or allow to volunteer.
4. **Preventing Liability:** Employers can be held liable for the actions of their employees or volunteers, especially if those actions result in harm to others. Conducting thorough background checks can help identify any potential risks and prevent future liabilities.

5. Maintaining Trust: Background checks help build trust between employers, employees, volunteers, and the community. By demonstrating a commitment to safety and accountability, organizations can enhance trust and credibility in the eyes of stakeholders.

Overall, background checks through the Department of Justice are essential tools for employers to ensure the safety, security, and integrity of their workforce and operations. They not only help mitigate risks but also demonstrate a commitment to legal compliance, reputation management, and fostering trust within the community.

ATTACHMENTS:

1. Department of Justice Application Hyperlink
www.gcsd.org/files/0cd3b4ff2/Item+6C+Department+of+Justice+Application.pdf
2. Resolution 08-2024

RESOLUTION NO. 08-2024

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT AUTHORIZING THE GENERAL MANAGER TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF JUSTICE FOR THE IMPLEMENTATION OF LIVE SCAN BACKGROUND CHECKS FOR DISTRICT PRE-EMPLOYMENT, AND DISTRICT VOLUNTEERS

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties, districts and joint powers authorities to access state and local summary criminal history information for employment; and

WHEREAS, Penal Code Section 11105(b)(11) authorizes cities, counties, districts and joint powers authorities to access federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be a requirement or exclusion from employment based on specific criminal conduct on the part of the subject of the record; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require the city council, board of supervisors, governing body of a city, county or district or joint powers authority to specifically authorize access to summary criminal history information for employment.

NOW THEREFORE, BE IT RESOLVED, that the Groveland Community Services District is hereby authorized to access state and federal level summary criminal history information for employment with Groveland Community Services District and Groveland CERT (including volunteers and contract employees) and may not disseminate the information to a private entity; and

BE IT FURTHER RESOLVED that the Groveland Community Services District shall not consider a person who has been convicted of a violent or serious felony or misdemeanor eligible for employment (including volunteers and contract employees, if applicable).

The Board Secretary of the Groveland Community Services District shall certify as to the adoption of this Resolution.

AYES:

ABSENT:

APPROVED:

Nancy Mora, Board President

ATTEST:

Rachel Pearlman, Board secretary

CERTIFICATE OF SECRETARY

I, Rachel Pearlman, the duly appointed and acting Secretary of the Board of Directors of the Groveland Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Groveland Community Services District, duly called and held on May 14, 2024.

DATED: _____

TO: GCSB Board of Directors

FROM: Peter Kampa, General Manager

DATE: May 14, 2024

SUBJECT: Agenda Item 6D: Adoption of a Resolution Authorizing the General Manager to Enter into a Letter of Agreement with SitelogiQ for the Evaluation of Facility Improvements, Energy Conservation, Energy Generation, and/or Energy Management Services

RECOMMENDED ACTION:

I move to table this item until the June Board workshop or June Board meeting.

BACKGROUND:

This item was placed on the agenda as an action item, following Board direction at the last board meeting. Unfortunately, due to the complexity of arrangement between the parties and inability to meet with the appropriate staff and parties, the final letter agreement terms could not be reached in advance of publication of the agenda. If we are able to resolve the issues by our meeting date, our recommendation above may change.



BOARD MEETING AGENDA SUBMITTAL

TO: GCSB Board of Directors

FROM: Peter Kampa, General Manager

DATE: May 14, 2024

SUBJECT: Agenda Item 6E: Adoption of a Resolution Designating the Fire Department Kitchen Remodel and Related Expenditures Eligible for Reimbursement from Future Impact Fee Collections

RECOMMENDED ACTION:

I move to adopt Resolution 09-2024 designating the Fire Department Kitchen Remodel and Related Expenditures Eligible for Reimbursement from Future Impact Fee Collections.

BACKGROUND:

The district is in the process of adopting development impact fees related to its fire and park services. Once these fees are adopted by our board, and also adopted by the county Board of Supervisors, they will be charged by the county at the time each building permit is issued. The funds collected will then be transmitted from the county to the district, pursuant to a impact fee collection agreement.

The purpose of this resolution is to recognize that certain budgeted improvements for the 2023/24 fiscal year are intended to expand the fire station's kitchen common area, due partially to the increase in staffing by having the County Fire engine Co-located in our station. The increase of one additional engine and staffing was needed to offset the impact of new development, and to ensure that we could achieve our adopted emergency response time standards going forward. Therefore, the kitchen expansion project is related to new development, and its expense is eligible to be reimbursed with impact fees to be collected in the future. The attached resolution will document this financial plan.

ATTACHMENTS:

1. Resolution 09-2024

RESOLUTION NO. 09-2020

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT DESIGNATING THE FIRE DEPARTMENT KITCHEN REMODEL AND RELATED EXPENDITURES ELIGIBLE FOR REIMBURSEMENT FROM FUTURE IMPACT FEE COLLECTIONS

WHEREAS, the Groveland Community Services District (“District”) is a community services district duly organized and existing under the Community Services District Act (Government Code section 61000 et seq.); and

WHEREAS, the District plans to adopt a Fire Impact Fee to help offset and mitigate the impacts of new development, in accordance with the Mitigation Fee Act (Government Code, § 66000 et seq.) ("Fire Impact Fee"); and

WHEREAS, as a result of residential and commercial growth and development in the area, the District has contracted with Tuolumne County in the colocation of an additional fire engine and staff at its Station 78; and

WHEREAS, the increased occupancy at Station 78 exceeds that of the existing space and needs to be improved to accommodate the increased capacity need; and

WHEREAS, upgrades to Station 78, including the planned kitchen remodel project, are contemplated as eligible expenditures under the District’s Fire Impact Fee program; and

WHEREAS, the District intends to use the District’s Fire Fund to pay for the kitchen remodel project and reimburse the Fire Fund upon future receipt of Fire Impact Fees; and

WHEREAS, to accomplish and properly document the advance against future collections of the Fire Impact Fee, the District has prepared this Resolution.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT AS FOLLOWS:

1. Expenditures for the kitchen remodel project from the District’s Fire Fund shall be eligible for reimbursement from future receipt of Fire Impact Fees, subject to the requirements of the Mitigation Fee Act (Government Code, § 66000 et seq.). Expenditures for the kitchen remodel project shall be in accordance with the budget allocated for the project. Reimbursement to the Fire Fund shall occur at such time that there are sufficient funds in the Fire Impact Fee account.
2. The officers and staff of the District are hereby authorized and directed, for and in the name of the District, to take any and all actions which they, or any of them, may deem necessary or advisable in order to consummate the reimbursement described herein.

PASSED, APPROVED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT ON THE 14th DAY OF MAY 2024, BY THE FOLLOWING VOTE:

**AYES:
NOES:
ABSTAIN:
ABSENT:**

APPROVE:

Nancy Mora, Board President

ATTEST:

Rachel Pearlman, Board Secretary

CERTIFICATE OF SECRETARY

I, Rachel Pearlman, the duly appointed and acting Secretary of the Board of Directors of the Groveland Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Groveland Community Services District, duly called and held on May 14, 2024.

DATED: _____



BOARD MEETING AGENDA SUBMITTAL

TO: GCSO Board of Directors

FROM: Peter Kampa, General Manager

DATE: May 14, 2024

SUBJECT: Agenda Item 6F: Discussion and Board Direction on Policy
Regarding Public Access to District Owned Easements

RECOMMENDED ACTION:

Staff request that the board provide direction regarding clarification and potential modification of existing easement policies as follows:

I move to direct staff to prepare an updated easement policy that clarifies the process for members of the public to access district owned properties and easements.

BACKGROUND:

When the sewer system serving the Pine Mountain Lake development was being constructed, property owners were granting easements across their property for the district to construct, operate, maintain, and access its public sewer facilities. This is the case for location along Big Creek on Pine Mountain Lake, where an easement was dedicated across the back of twenty parcels of land, terminating at GCSO lift station 15 as shown in the attached image. In construction of the sewer and lift station, it was necessary to develop an access road to the lift station and then ultimately for construction of the sewer line. To maintain access to the lift station, the district has kept this access road in serviceable condition.

At some point in history, a property owner located near lift station 15, constructed their primary access and driveway originating from this sewer access road. There is no information in the board record or property files relating to how, from whom, or if this property owner was granted access to their property over the district's sewer easement. In 1972, the district adopted Resolution 14-72, attached, which conveyed a general policy statement related to the use of easements for construction and access, fencing and allowing the use of the easement by property owners adjacent to pump stations. The policy was not specific to an individual location or property, and the board meeting minutes for the meeting in which resolution 14-72 was adopted also referred to easement access in general and did not speak to particular parcels.

Normally, when an easement is granted and the property owner wishes to reserve the right to access the area granted to the district, the conveyance document, such as a grant deed, would include appropriate language to allow the access to occur. However, no such language was included in any of the grant deeds dedicating the sewer easement to the district. A gate was installed at the entrance to the sewer easement, presumably when the

lift station was constructed. There are currently four locks hooked Daisy chained to allow access to the easement by the district, Pine Mountain Lake staff, PG&E, and the property owner with the driveway near lift station 15.

The district recently received a request from a property owner for the potential to install a driveway originating from the district owned sewer access easement. The district responded that it did not have the legal right to grant access from the sewer easement. The property owner then approached the PML homeowners association with the same request. PML then sent the attached clarifying letter to the property owners along the easement and established a meeting date to discuss. This meeting was subsequently cancelled and a new meeting date of April 25, 2024, established. The District will not be participating in the meeting, under advice of legal counsel, as it does not have the ability to grant others access to the easement.

We were also made aware that the combination had been changed on the privately owned gate lock. This resulted in phone calls to our office wondering why property owners were being locked off the easement access road. The prior lock combination was routinely provided to real estate agents, contractors, and property owners along the easement. It is unknown who provided the combination to those entering the easement.

It is apparent that district resolution 14-72 is creating confusion regarding property owners' ability to use the easement to access their property. Because this easement is dedicated to the district exclusively for the purpose of construction, maintenance, and operation of the sewer system and lift station, the district has no authority to grant others the ability to use the easement.

The district has easement policies prescribing when easements are necessary, the process for their acquisition and the ability of others to access District owned property by easement or encroachment permit. Staff is recommending that our existing easement policies be amended to include the relevant policy statements contained in Resolution 14-72, and the provisions for public access clarified as they relate to property owner access on pump station roads. Specifically, for access needs unrelated to the sewer system, the District cannot grant legal right to cross the property of others. Once our policy is amended, resolution 14-72 can be rescinded.

ATTACHMENTS:

- Google Earth Image of the Lift Station 15 Access Easement area
- District Resolution 14-72
- PML Letter Regarding Sewer Easement



**Sewer Lift Station,
End Road**

**Easement Road
Alignment with sewer
to Lift Station**

Begin Easement Road

RESOLUTION NO. 14 -72

A RESOLUTION OF THE GROVELAND COMMUNITY SERVICES DISTRICT EXPRESSING THE POLICY OF SAID DISTRICT
RE: SEWER PIPELINE EASEMENTS.

WHEREAS, the GROVELAND COMMUNITY SERVICES DISTRICT is installing or acquiring sanitary sewer collection and treatment systems within portions of said District; and

WHEREAS, it becomes necessary from time to time to acquire easements in real property for sewer pipeline purposes; and

WHEREAS, it is desirable that property owners be informed of district policy with regard to sewer construction;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Groveland Community Services District as follows:

1. The plans and specifications for sewer pipeline construction will provide:

A. That the property utilized will be returned, insofar as it is reasonably possible, to its original condition after construction.

B. The contractor will be required to have public liability and property damage insurance to protect property owners.

2. The District will not, save in an exceptional situation to avoid a dangerous condition, fence along pipeline easements.

3. Owners of lots adjacent to pump stations will be allowed to use pump station access roads for ingress and egress to their lots, but no parking will be allowed on pump station access roads.

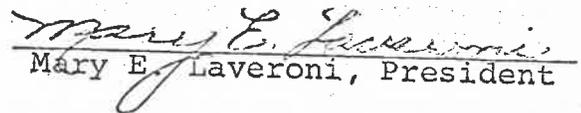
4. Pump stations will normally be fenced by the District.
5. In the event a temporary working easement is acquired, it shall be quitclaimed to the property owner after construction is completed and accepted.

PASSED AND ADOPTED November 14, 1972 by the following vote:

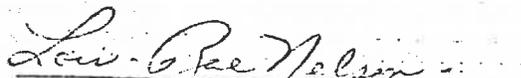
AYES: Directors: Cassaretto, Dickens, Mitchell and
President Laveroni

NOES: Directors: None

ABSENT: Directors: Harris


Mary E. Laveroni, President

ATTEST:


Lois Rae Nelson, Secretary

*PINE MOUNTAIN LAKE
ASSOCIATION*



March 27, 2024

Owners of PML Unit No. 4, Lots 124 to 139 and
Unit 13, Lots 275 to 279
Pine Mountain Lake Association

Re: Pine Mountain Lake Association
Unit No. 4, Lot 129,

Dear Members,

The purpose of this letter is to notify you of an issue that has arisen regarding the unpaved road that traverses your Lot and an upcoming meeting facilitated by the Association to address that issue. The Association has been approached by one of your neighbors requesting access to the unpaved road in order to use it as the primary entrance to a new driveway they wish to construct on their Lot. The Association will be facilitating the following meeting to discuss the effected Lot owners' property rights and you are encouraged to attend:

Date: April 27, 2024
Time: 10:00 am to 12:00 pm
Location: PML Lake Lodge
20270 Pine Mountain Drive
Groveland, CA 95321

Below is some background and information on the road and issue that will be discussed at the meeting.

A. Creation of and Rights to Use Easement Road

The road at issue is an unpaved road constructed on or around 1975 for the Groveland Community Services District (the "GCSD") to access its "lift station" (the "Road"). The Road was constructed atop the GCSD's sewer laterals between Pine Mountain Drive and the lift station. The Road passes over individually owned Lots (i.e., Unit No. 4/Lots 124 to 139, and Unit 13/Lots 275 to 279, inclusive). No part of the Road is on or traverses Association property other than the apron where the Road intersects with the Association's common area road, Pine Mountain Drive.

It is the Association's understanding that in the 1970s, prior to constructing the Easement Road, GCSD entered into individual easement agreements with the owners of

each Lot over which the Road now traverses and recorded grant deeds giving GCSD the right to construct and use the Road for the limited purpose of "ingress and egress and for sewer purposes...". (See, Grant Deed, Volume 395, page 684 in the official records of Tuolumne County, recorded October 18, 1973.) GCSD's easement over the Lots was granted by each individual Lot owner, and not the Association. The Association is unaware of any document granting easement rights over the entire Easement Road to all of the servient Lot owners or to the Association's membership generally.

B. Application for Second Driveway

The owners of one of the servient Lots, has informed the Association that they desire to use the Road to access a proposed second driveway they wish to build on the lake side of their Lot. They intend to use the Road and proposed second driveway as their primary access route rather than the existing driveway off of Pine Mountain Drive. Again, the Road was created by GCSD pursuant to individual easement agreements with the servient Lot owners, and is not Association property; therefore, the Association is not in a position to grant easement rights over your Lot. The Association is unable to move forward with the owners' application to construct a second driveway until the issue of their right to use the Road is resolved.

C. Access Through Gate to Use Road

These same owners have also asked for access to the gate at the foot of the Road. As explained above, since the Road is not on Association property, but rather exists pursuant to an easement agreement with almost two dozen individual Lot owners, the Association is not in a position to deny or grant permission to use the Road. While the Association has an easement right over the lakefront Lots for the purpose of maintaining the lake, it does not control others' access through the gate. (CC&Rs Art. 10, Sec. 3.) As such, the Association does not control the locks on the gate and they presumably belong to individuals and/or entities who have easement rights over the effected Lots such as the GCSD and PG&E.

The Association is hoping that by facilitating a meeting among the effected owners, these issues can be addressed and resolved efficiently and amicably. Note that the Association's role in this meeting is only one of facilitator and it is not advocating on behalf of the applicants or the effected Lot owners.

Very truly yours,



Joseph M. Powell PCAM, CCAM-LS, CMCA, AMS
General Manager



BOARD MEETING AGENDA SUBMITTAL

TO: GCSB Board of Directors

FROM: Peter Kampa, General Manager

DATE: May 14, 2024

SUBJECT: Agenda Item 6G: Adoption of a Resolution Accepting the Proposal Prepared by GREEN DOT to Develop a Competitive Application for the Active Transportation Program, Cycle 7 for Phase 2 of the Hetch Hetchy Railroad Trail Project

RECOMMENDED ACTION:

I move to adopt Resolution 10-2024 accepting the proposal prepared by GREEN DOT to develop a competitive application for the Active Transportation Program, Cycle 7 for Phase 2 of the Hetch Hetchy Railroad Trail Project.

BACKGROUND:

The Active Transportation Program (ATP) is a competitive statewide program created to encourage increased use of active modes of transportation, such as biking and walking. Senate Bill 99 (Committee on Budget and Fiscal Review, Chapter 359, Statutes of 2013) and Assembly Bill 101 (Committee on Budget, Chapter 354, Statutes of 2013) created the ATP, and Senate Bill 1 (SB 1) (Beall, Chapter 5, Statutes of 2017) directs additional funding from the Road Maintenance and Rehabilitation Account to the ATP.

Pursuant to statute, the purpose of the program is to encourage increased use of active modes of transportation, such as biking and walking. The goals of the ATP are to:

- Increase the proportion of trips accomplished by biking and walking.
- Increase the safety and mobility of nonmotorized users.
- Advance the active transportation efforts of regional agencies to achieve greenhouse gas reduction goals as established pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) and Senate Bill 391 (Chapter 585, Statutes of 2009).
- Enhance public health, including reduction of childhood obesity through the use of programs including, but not limited to, projects eligible for Safe Routes to School Program funding.
- Ensure that disadvantaged communities fully share in the benefits of the program.
- Provide a broad spectrum of projects to benefit many types of active transportation users.

This funding is administered by Caltrans, and the district was awarded funds in the ATP Cycle 6 funding last year for the Phase 1 project. On May 1, 2024, GCSB staff submitted a request to Green DOT for assistance with developing and submitting an application for

ATP Cycle 7 for Phase 2 of the Hetch Hetchy Railroad Trail Project, which extends from Deer Flat Road to Wards Ferry Road along the railroad alignment. An image showing the Phase 2 alignment is attached. The Phase 2 project connects the communities of Groveland to Big Oak Flat and its post office, hardware store, brewery, auto shop and auto parts store.

Tuolumne County Transportation Council (TCTC) held their regular board meeting on May 8th and TCTC voted unanimously to allocate \$31,000 in Bic/Ped LTF to GCSD to pay for the consultant Green DOT in preparing the grant application for ATP Cycle 7 funding. Staff is recommending adoption of the resolution accepting this funding from TCTC and authorize and agreement with Green DOT to develop and to submit an application for funding for the Phase 2 project. The application deadline is June 17, 2024.

ATTACHMENTS:

1. ATP Grant Program Hyperlink [California Transportation Commission \(CATC\) Submission Manager \(submittable.com\)](#)
2. GreenDot Proposal
3. Hetch Hetchy ATP Budget
4. TCTC Resolution Allocating Funds
5. Resolution 10-2024

Laura Shinn

To: Darin Grossi; Shannon Thaggard
Subject: ATP Grant Cycle 7

From: Rachel Pearlman <rpearlman@gcsd.org>
Sent: Wednesday, May 1, 2024 4:00 PM
To: Shannon Thaggard <sthaggard@co.tuolumne.ca.us>; Darin Grossi <DGROSSI@co.tuolumne.ca.us>
Subject: ATP Grant Cycle 7

Hi guys,

We engaged with Green Dot to see if they would assist the District in applying for ATP Cycle 7 for the Hetch Hetchy Trail (Phase 2) project. I have attached their proposal for review; is there any funding that may be able to support this application that we could take advantage of? I know we are struggling with (Phase 1) but we are getting things together now and we are so excited that these new funds are available. Reading the guidelines of Cycle 7 we are a perfect match!

Rachel Pearlman

Board Secretary
Administrative Services Technician III



Phone: 209-962-7161 ext. 1011

Fax: 209-962-4943

rpearlman@gcsd.org

www.gcsd.org

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Resolution of the Tuolumne County Transportation Council

*Allocation of \$31,000 in Bicycle/Pedestrian Local Transportation Fund Reserves (Bic/Ped LTF)
to the Groveland Community Service District (GCSD) for consultant grant application writing
assistance for the Active Transportation Program (ATP) Cycle 7*

- Whereas,** on May 1, 2024, GCSD submitted a request for funding for \$31,000 in Bic/Ped LTF;
and
- Whereas,** the funds are to be used for the consultant Green DOT to assist GCSD in writing a grant
application for Cycle 7 Active Transportation funds; and
- Whereas,** the grant application will focus on Phase 2 of the Hetch Hetchy Railroad Trail Project;
and
- Whereas,** the TCTC desires to allocate \$31,000 in Bic/Ped LTF to GCSD to pay for the consultant
Green DOT in preparing the grant application for ATP Cycle 7 funding for Phase 2 of
the Hetch Hetchy Railroad Trail; and
- Whereas,** the current balance in the Bic/Ped LTF Fund Reserves is \$116,000; and
- Whereas,** this project is an eligible use of the TCTC's Bic/Ped LTF Fund Reserves; and

Now, Therefore, Be It Resolved that the Tuolumne County Transportation Council hereby allocates
\$31,000 in Bic/Ped LTF Fund Reserves to GCSD to pay for their consultant Green DOT to assist in
preparing the grant application for ATP Cycle 7 funding for Phase 2 of the Hetch Hetchy Railroad
Trail.

Passed and Adopted by the Tuolumne County Transportation Council, the Regional Transportation
Planning Agency for the Tuolumne County Region, State of California, at a regular meeting of the
TCTC held on the 8th day of May 2024 by the following vote:

Ayes:

Noes:

Absent:

Attest:

Richard S. York Chair

Darin Grossi, Executive Director



5/1/2024

Groveland Community Services District
Attn: Pete Kampa
18966 Ferretti Road
Groveland, CA 95321

***RE: CYCLE 7 ACTIVE TRANSPORTATION PROGRAM
GRANT APPLICATION DEVELOPMENT PROPOSAL FOR THE HETCH HETCHY RAILROAD TRAIL PROJECT –
PHASE 2***

Dear Pete,

Green DOT is pleased to assist in an Active Transportation Program application development for Phase 2 of the Hetch Hetchy Railroad Trail. We propose the following scope of work and cost to develop a competitive application for the Active Transportation Program, Cycle 7. Please find the attached scope outline and budget not to exceed \$31,000.

We look forward to working with you on this project! Please let me know how you want to proceed.

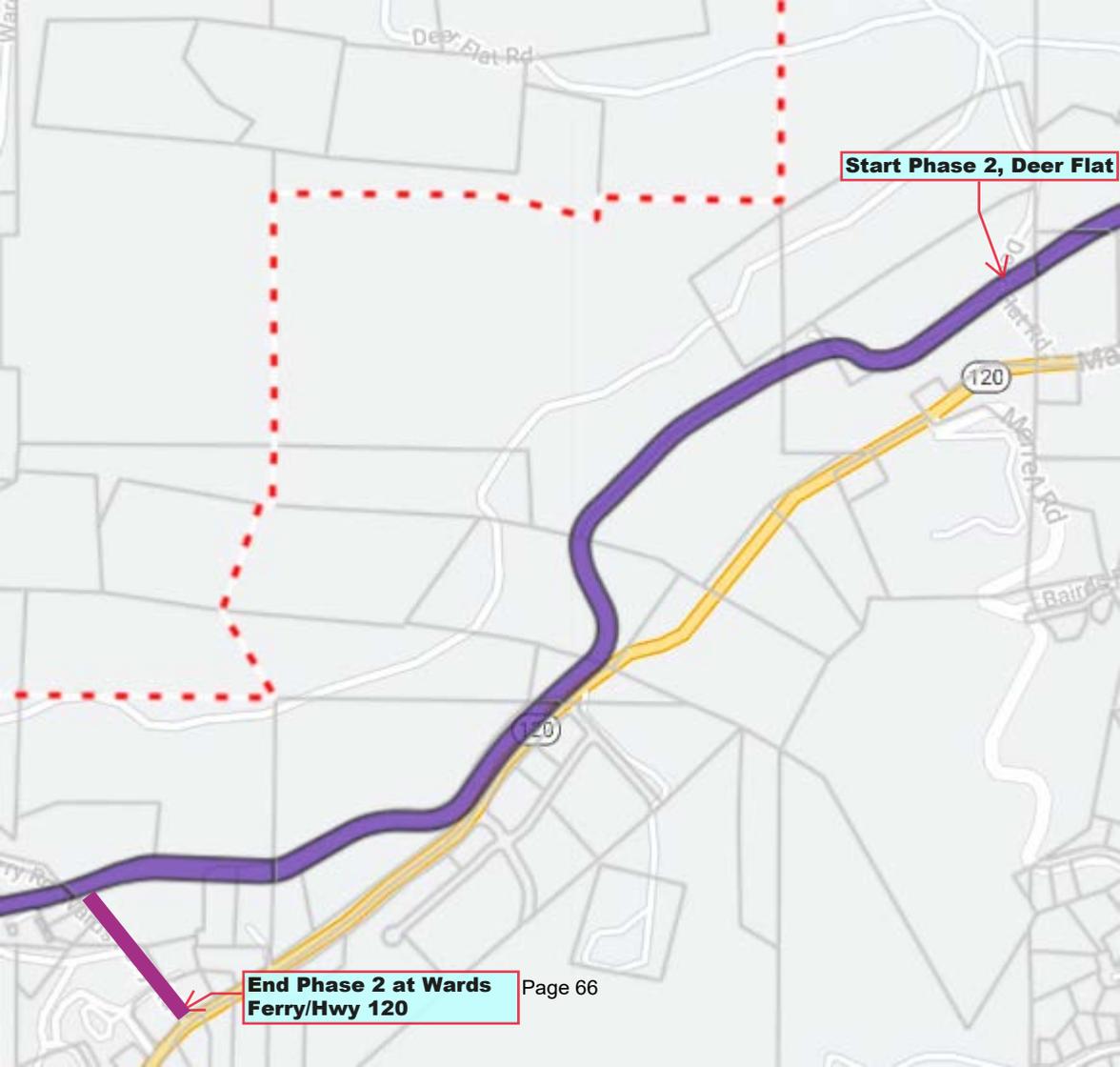
Sincerely,

A handwritten signature in black ink that reads "Jeff Schwein".

Jeff Schwein, AICP CTP
President
Green DOT Transportation Solutions

Hetch Hetchy ATP

TASK HOURS	GREEN DOT				
	Principal	Senior	Associate	Assistant	Total GD
	\$252.00	\$194.00	\$171.00	\$155.00	
1.0 Project Development / Existing Conditions					
1.1 Coordination & Meetings	10	17	0	0	
1.2 Existing Conditions	0	1	6	0	
1.4 Summary	0	1	2	0	
Total	10	19	8	0	36.5
	\$2,520	\$3,589	\$1,368	\$0	\$7,477
2.0 Program Objectives					
2.1 Mobility Analysis	0	2	0	0	
2.2 Safety Improvements	0	0	2	0	
2.3 GHG Reduction Analysis	0	2	2	0	
2.4 Health Benefits	0	0	1	0	
2.5 DAC Analysis	0	4	2	0	
2.6 User Analysis	0	0	1	0	
Total	0	8	8	0	16
	\$0	\$1,552	\$1,368	\$0	\$2,920
3.0 Application Development					
3.1 Narrative Development	2	18	30	0	
3.2 Cost Estimate	2	8	0	0	
3.3 Plans and Maps	0	0	12	0	
3.4 Letters of Support	0	2	8	0	
3.5 Supporting Materials	0	0	6	0	
3.6 Application Reviews	4	6	0	0	
3.7 Package and Submit	1	2	6	0	
Total	9	36	62	0	107
	\$2,268	\$6,984	\$10,602	\$0	\$19,854
Total Hours	19	63	78	0	159.5
Total Cost	\$4,788	\$12,125	\$13,338	\$0	\$30,251



Start Phase 2, Deer Flat

End Phase 2 at Wards Ferry/Hwy 120

RESOLUTION 10-2024

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT ACCEPTING THE PROPOSAL PREPARED BY GREEN DOT TO DEVELOP A COMPETITIVE APPLICATION FOR THE ACTIVE TRANSPORTATION PROGRAM, CYCLE 7 FOR PHASE 2 OF THE HETCH HETCHY RAILROAD TRAIL PROJECT

WHEREAS, the Groveland Community Services District (herein referred to as District) is a local government agency formed and operating in accordance with Section §61000 et seq. of the California Government Code; and

WHEREAS, the district is in the process of planning, funding, and implementing the Hetch Hetchy Railroad Trail project in several phases; and

WHEREAS, the Phase 1 trail project was approved for funding through the Caltrans active transportation program, cycle 6; and

WHEREAS, the district is committed to connecting the communities of Groveland and Big Oak Flat, and the Phase 2 Hetch Hetchy Railroad Trail project extends the Phase 1 trail from Deer Flat Road to Wards Ferry Road and Hwy. 120; and

WHEREAS, the Tuolumne County Transportation Council has approved funding in an amount to pay the cost of a consultant to prepare the technical grant application for the ATP Cycle 7, which is due on June 17th, 2024; and

WHEREAS, the district has received an acceptable proposal from GREEN DOT Consulting for the preparation of the grant application materials necessary, which is attached to this Resolution.

NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT DOES hereby approve Resolution 10-2024 Accepting the Proposal Prepared by GREEN DOT to Develop a Competitive Application for the Active Transportation Program, Cycle 7 for Phase 2 of the Hetch Hetchy Railroad Trail Project.

BE IT FURTHER RESOLVED:

1. The general manager is hereby authorized to execute a consulting services agreement with GREEN DOT for this project
2. The general manager is authorized to submit the application to the Active Transportation Program, Cycle 7

WHEREFORE, this Resolution is passed and adopted by the Board of Directors of the Groveland Community Services District on May 14, 2024, by the following vote:

AYES:

ABSENT:

APPROVED:

Nancy Mora, Board President

ATTEST:

Rachel Pearlman, Board secretary

CERTIFICATE OF SECRETARY

I, Rachel Pearlman, the duly appointed and acting Secretary of the Board of Directors of the Groveland Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Groveland Community Services District, duly called and held on May 14, 2024.

DATED: _____



BOARD MEETING AGENDA SUBMITTAL

TO: GCSB Board of Directors

FROM: Peter Kampa, General Manager

DATE: May 14, 2024

SUBJECT: Agenda Item 6H: Board Discussion and Direction Regarding LAFCo Matters Including the Potential for a Fully Independent Commission Staff, the 2024/25 Draft Workplan and Budget, and LAFCo Policies and Procedures

RECOMMENDED ACTION:

No specific action is recommended related to this item. The purpose for this discussion is for the board to have a solid understanding of the matters that are immediately before the Commission in the coming year and to give direction to staff and the district's appointed Commissioner, where appropriate.

BACKGROUND:

In the year 2020, we were successful in securing majority support from the special districts in the county to seat two commissioners, representing special districts on the Tuolumne County Local Agency Formation Commission (LAFCo). It is very important for the special districts to actively participate in LAFCo, as they are the most affected service providers when growth occurs in the county and city. The learning curve has been huge for not only the special districts joining LAFCo, but also the transition and learning to work together with the other commissioners from the city and County, as well as the public member.

This item is timely on our agenda, as our board remember Janice Kwiatkowski sat in on her first LAFCo meeting as a commissioner on May 13, 2024, yesterday. GCSB has the LAFCo seat from the first Monday in May of 2024, through the first Monday in May of 2028, when it will then rotate to the Twain Harte Community Services District.

Commissioners are charged with making decisions in consideration of the county as a whole and its communities, rather than making decisions considering only their home districts' interests. Special district commissioners will have a better understanding of the focused services provided by special districts, which will play in their decision making. They will also want to consider the impacts of their decisions on their home district.

Currently, our LAFCo is staffed by the County Community Development Director, Quincy Yaley, as Executive Officer for the Commission. Quincy is a full time County department head and charges a portion of her time to be reimbursed (back to the County) by LAFCo. Other staff in the community development department serve in a support role, and their time is proportionately billed to LAFCo. County council's office serves as legal counsel for the Commission, and county is reimbursed for any time they perform LAFCo work.

The independent special districts accept the default LAFCO budget apportionment of one-third share of costs. The special districts agreed to fund their one-third share of the 2019/20 LAFCO costs as follows:

Tuolumne Utilities District -\$8500

Groveland Community Services District -\$4,200

Twain Harte Community Services District -\$2,200

Jamestown and Tuolumne City Sanitary Districts -\$1000 each

Fire Districts -\$500 each

Cemetery Districts and Tuolumne County Resource Conservation District - at the percentage of district revenue to total special district revenue countywide

The budget has not actually changed much in the last four years, and all years we were billed the actual cost, which has been much less than the amount listed above primarily due to cancellation of meetings and not producing much work product.

The following section provides discussion of three topic areas where we would like to focus our Board's attention:

- A fully independent LAFCo
- LAFCo Workplan and Budget
- Local LAFCo Policies and Procedures

DISCUSSION:

Independent LAFCo

LAFCo is by law established to act as an independent body to make decisions about jurisdictional boundaries, spheres of influence and services to be provided. Our LAFCo is staffed part time by County staff, and the Commission has directed staff to secure proposals from consultants to serve as LAFCo staff and therefore become independent of the County.

The thought behind becoming independent is to have an Executive Officer very experienced in LAFCo matters, and who can dedicate the time to think strategically and provide solid guidance to the Commission. With all that is going on with the county and the number of major project applications processed by the community development department, it has been difficult for the executive officer to dedicate much time to LAFCo matters over the past four years. Below is the status of the independence effort:

1. On January 8, 2024, LAFCO Commissioners voted to direct the Executive Officer to prepare and release a Request for Proposals (RFP) for an Executive Officer and Legal Counsel for Tuolumne County LAFCO.
2. The RFQ was released on January 26, 2024 and was posted on the County's Bid/RFQ/RFP availability page. After being available to the public till February 19, 2024, no responses to the RFP were submitted to LAFCO for review.
3. At the March 11, 2024 LAFCO meeting, the Commission agreed to form an ad-hoc committee to rewrite the RFP. This committee met and included Commissioners

John Feriani, Mark Plummer, and Steve Arreguin. The City of Sonora's legal counsel was also present at the initial meeting.

4. At the April 8th LAFCO meeting, legal counsel indicated that they needed to review the RFP prior to its release. The ad hoc committee met again the week of April 22 and the RFP was approved by LAFCo for release on April 29, 2024, and proposals are due later this month.

There is certainly a shortage of consultants currently available who specialize in LAFCo. It is possible that we will once again see no proposals submitted. In addition, the cost of operating an independent LAFCo is estimated to be more expensive than the cost of using county staff.

- How committed is our board to pursuing an independent LAFCo, as alternatives may be costly?
- Any other thoughts on independence?

2024/25 Workplan and Budget

Attached is the Draft LAFCo budget and work plan for the upcoming 2024 - 2025 fiscal year. At its April 29, 2024 meeting, the commissioners voted in favor of advancing the budget for a vote of the Commission on May 13 2024, using the executive officers alternative budget as proposed in the attachment.

If this budget is adopted by the Commission, it would provide for the general office expense, on site training in the amount of \$5000, completion of the municipal service reviews (MSR) for the Tuolumne Utilities District and Jamestown Sanitary District, both of which were started in this fiscal year. The budget also includes MSRs for the Tuolumne Recreation and Park district and Tuolumne City Sanitary District, to be completed by LAFCo staff rather than an outside consultant. This puts the total proposed LAFCo budget at \$125,748, an increase of over \$50,000 from this fiscal year. The special district portion would be \$41,916, and GCSD's portion is estimated at approximately \$9,300.

- Do we support the budget and work plan as it is drafted, or as it was approved on May 13?
- Do you support on site training versus traveling to the LAFCo conference? Do we think training should be increased?
- Do we think more or less municipal service reviews should be completed?
- Do we think any other specialized studies should be included, such as a countrywide or south county fire MSR?

Policies and Procedures for Tuolumne County LAFCo

Included with this agenda item are the current Tuolumne County LAFCo procedures, last adopted in 2011. The current fiscal year work plan includes the update of these procedures, however they have not yet been thoroughly discussed by the Commission. The procedures do need to be updated to include special districts being on the Commission and other important items as listed below:

- Include in the procedures the specific process for selection of the special district at large and alternate commissioners, as it is currently somewhat ambiguous.

- Recommend the term for the city and county commissioners be included as four-year appointments. They are required to be four-year terms, and we believe both the city and County rotate their commissioners yearly or every other year. This leaves their commissioners relatively inexperienced and requiring training each year.
- At 43 pages, we certainly want a table of contents.
- Update and correct the MSR section and recommend adding specific procedures on how MSRs will be conducted. We want to make sure that urban type growth has the appropriate service providers identified and annexations or out-of-area agreements executed.

ATTACHMENTS:

- Draft 2024/25 Budget and Workplan
- 2011 LAFCo procedures

Tuolumne County LAFCO

LOCAL AGENCY FORMATION COMMISSION OF TUOLUMNE COUNTY

April 26, 2024

TO: LAFCO Commissioners

FROM: Quincy Yaley, AICP, Executive Officer

RE: Follow up Discussion and Direction on the Workplan and Budget for FY 2024-2025

Commissioners
Steve Arreguin
Glen Jacobs
John Feriani
David Goldemberg
Ryan Campbell
Matt Hawkins
Mark Plummer

Alternates
Adam Artzer
Kathleen Haff
Suzanne Cruz

Executive Officer
Quincy Yaley, AICP

REQUESTED ACTION

LAFCO Commissioners to discuss and provide direction to the Executive Officer on how to draft the Fiscal Year 2024-2025 Budget and Workplan.

Background

Pursuant to Section 56381 of the California Government Code, LAFCO must adopt a final budget by June 15th of each year for the next fiscal year, which begins on July 1st. The Executive Officer brings the draft budget to the Commission at the May meeting, and the final budget will be heard at the June meeting. After approving the draft budget, the statute requires that it be sent to LAFCO members (the City of Sonora, County of Tuolumne, and all the Special Districts) in Tuolumne County for review and comment before adoption of final budget in June.

At the April 8, 2024 meeting, the Commission directed to have the Executive Officer bring a Staff to schedule a special meeting and bring a workplan that would fit within a \$80,000 budget. It was also requested to have a schedule with estimated costs of completing Municipal Service Reviews.

Attachments from the April 8, 2024 meeting, and additional information on Municipal Service Reviews are found in the agenda packet here: <https://www.tuolumnecounty.ca.gov/AgendaCenter/ViewFile/Agenda/04082024-2295>.

Preliminary Workplan and Draft Budget

With a budget of \$80,000, the following workplan is proposed, in addition to working on any property owner/agency submitted applications (ie annexation for Groveland Community Services District):

- Complete Tuolumne Utilities District (TUD) and Jamestown Sanitary District (JSD) Municipal Service Review

Because the Commission decided to not amend the 23-24 Fiscal Year budget to include the full cost of the TUD and JSD MSR, those costs will need to be covered by the FY 2024-25 budget. Therefore, in order to achieve the direction from the April 8 meeting, the MSR for Tuolumne City Sanitary District (TCSD) and Tuolumne Park and Recreation District (TPRD) will need to be delayed until after FY 2024-25, unless funding is expanded beyond \$80,000.

With an \$80,000 annual budget, no new MSR would be completed next fiscal year; only the TUD and JSD MSR would be completed. Additionally, meetings will be reduced to match historical frequency prior to the FY 2023-25. Travel and training is recommended to be eliminated and staff and Commissioners would only receive free training (or training could be paid by Commissioner districts).

Due to the limited amount of MSR able to be completed with an \$80,000 budget and the reduction in training and meeting frequency, the Executive Officer has proposed an alternative budget for consideration. The workplan for the alternative budget includes the items above as well as having staff complete the TCSD and TPRD MSR. Additional meetings are proposed, as well as bringing in LAFCO Subject Matter Experts for in-house training in lieu of attending the CALAFCO conferences. Funding saved from not attending the conferences would be reallocated to completing the TCSD and TPRD MSR.

LAFCO BUDGET			
Cost Center	FY 2023-24	FY 24-25 LAFCO 4/8 MOTION (\$80K)	FY 24-25 EO ALTERNATIVE
Dues and Memberships	\$1,965	\$2,000	\$2,000
Office Expenses	\$500	\$500	\$500
Publications/Legal Notices	\$1,000	\$1,000	\$1,000
Travel and Training	\$16,350	\$0	\$5,000
Personnel and Consultants	\$58,000	\$76,624	\$117,248
TOTAL	\$76,915	\$80,124	\$125,748

Conclusion

Attachment A lists anticipated costs the April 8 Approved Motion from the Commission and an alternative proposal. The Executive Officer is requesting direction on the 2024-25 Fiscal Year Workplan and Budget. Formal approval of the draft budget is scheduled for May 13, 2024.

S:\Commissions\LAFCO\Budget\2024-2025\LAFCO prelim budget report special meeting.docx

Attachment A. Budget Details and Municipal Service Review Schedule

A. Staff Time

<i>General Staff Time Annual Costs (Not meeting or project related, includes RFP work)</i>	
Executive Officer	\$ 10,000
Legal Counsel	\$ 4,000
Administrative/Fiscal	\$6,000
Total	\$ 20,000

B. Monthly Meeting Time/Costs

<i>Staff</i>	<i>Hours</i>	<i>Rate</i>	<i>Total</i>
EO Prep	8	\$ 180	\$ 1,440
EO Attend	4	\$ 180	\$ 720
Clerk	12	\$ 83	\$ 996
Counsel	8	\$ 125	\$ 1,000
TOTAL	Per meeting		\$ 4,156

April 8 Budget Direction		EO Alternative Budget	
4 meetings	\$16,624	8 meetings	\$33,248

C. Annual Travel/Training Costs

<i>Training</i>	<i>Registration</i>	<i>Hotel (3 nts)</i>	<i>Travel/Meals</i>	<i>Cost per person</i>	<i>TOTALS</i>
Annual Conference (3 Commissioners, 2 Staff members)	\$650 per attendee	\$250 per night	\$500 per person	\$1,900	\$9,500 plus \$7K staff time
Annual Staff Training (2 Staff Members)	\$400 per attendee	\$250 per night	\$500 per person	\$1,650	\$3,300 plus \$7K staff time
TOTAL					\$26,800

April 8 Budget Direction	\$0	EO Alternative Budget	\$5,000
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D. Workplan/Municipal Service Reviews FY 2024-25

<i>District/Agency</i>	<i>Consultant (c)</i>	<i>LAFCO Staff (s)</i>
Tuolumne Utilities District	Finish Report: \$20,000	n/a
Jamestown Sanitary District	Finish Report: \$20,000	n/a
Tuolumne Park and Recreation	\$24,000	\$12,000
Tuolumne City Sanitary District	\$24,000	\$12,000

April 8 Budget Direction	TUD (c), JSD (c)	\$40,000
EO Alternative Budget	TUD (c), JSD (c), TPRD (s), TCSD (s)	\$64,000

Estimated Costs and Schedule for Municipal Service Reviews				
Municipal Service Review	Year Completed	Estimated Cost by Consultant (avg rate estimated)	Estimated Cost by Staff (average rate)	Estimated Completion Date
Jamestown Sanitary	2013	\$49,000	n/a	In Process-Complete FY 2024-25
Tuolumne Utilities District	2013	\$49,000	n/a	In Process-Complete FY 2024-25
Tuolumne Park and Recreation	2013	100 hours @ \$225 \$22,500	100 hours @ \$120 \$12,000	In Process-Complete FY 2024-25 w/Alternative Budget
Tuolumne Sanitary	2013	100 hours @ \$225 \$22,500	100 hours @ \$120 \$12,000	In Process-Complete FY 2024-25 w/Alternative Budget
Twain Harte CSD	2013	150 hours @ \$225 \$33,750	150 hours @ \$120 \$18,000	Complete FY 2024-25 w/Alternative Budget
City of Sonora	2018	200 hours @ \$225 \$45,000	200 hours @ \$120 \$24,000	Complete FY 2025-26
Groveland CSD	2020	200 hours @ \$225 \$45,000	200 hours @ \$120 \$24,000	Complete FY 2025-26
Tuolumne Fire Protection District	2018	150 hours @ \$225 \$33,750	150 hours @ \$120 \$18,000	Complete FY 2026-27
Combined Fire Districts Columbia Mi Wuk/Sugar Pine Jamestown Strawberry	2018	200 hours @ \$225 \$45,000	200 hours @ \$120 \$24,000	Complete FY 2026-27
Leland Meadows	2013	50 hours @ \$225 \$11,250	50 hours @ \$120 \$6,000	Complete FY 2026-27
Lighting Districts Groveland Tuolumne Rolling Hills Valle Vista Volponi Acres Columbia	2013	100 hours @ \$225 \$22,500	100 hours @ \$120 \$12,000	Complete FY 2027-28
Cemetery Districts Carter's Cemetery District Columbia Cemetery District Jamestown Cemetery District Oak Grove Cemetery District Shaws Flat-Springfield	2013	100 hours @ \$225 \$22,500	100 hours @ \$120 \$12,000	Complete FY 2027-28

TUOLUMNE COUNTY
LOCAL AGENCY FORMATION
COMMISSION

**POLICY AND PROCEDURE
MANUAL**

Adopted 11/16/01
Amendments Noted In Text
6/27/05
3/23/09
8/9/10
3/14/11

PREFACE

Since the establishment of Local Agency Formation Commissions in 1963, various acts of the State Legislature have defined, amended, and expanded the role of LAFCOs in the State of California. This manual is, therefore, a dynamic document which must change as State directions, State mandates, and local needs change.

This manual is divided into five sections: Section One presents, a background of statewide problems which led to the creation of LAFCOs in every county in the State (except the city and county of San Francisco) to place the current LAFCO role within an historical context. This section includes an outline of the current organization, structure, and processing procedures of the Tuolumne County LAFCO.

Section Two provides an overview of the statutes that govern and provide direction to LAFCOs. The statutes outlined herein are not exhaustive, but they reflect the scope of LAFCO responsibilities and the elements of LAFCO decision-making.

Section Three lists the locally adopted Rules of Order by which the Commission conducts its hearings. Rules, which are not directly required by State law, are subject to change by a majority vote of the Commission members.

Section Four lists the adopted policies of the Tuolumne County LAFCO. Recognizing that the needs of one county may be substantially different from another county, the State allows significant flexibility to each Commission, authorizing the LAFCO in many cases to apply the statutes "based on local conditions and circumstances". These local policies are therefore the catalyst for implementation of State laws designed to "discourage urban sprawl and encourage the logical and orderly formation and development of local agencies".

SECTION 1: BACKGROUND

During the postwar 1940s and 1950s, California experienced a tremendous population increase. Along with this came land speculation and a development boom never before witnessed any place in the nation. Prime agricultural, ranch, and orchard lands were converted into sprawling residential tracts almost overnight.

As a result of this era of growth, the traditional purpose and structure of local government in California also underwent significant change. The demand for housing and municipal services mushroomed and the speculative nature of development caused developers to seek the most expeditious and economical means of providing basic services such as water, roads, fire protection, and sewers. During this period special district after special district was formed - many of them overlapping each other and providing like services to whoever asked for them without consideration of future development, land use, and long-range service financing.

Special districts became the local government of suburbia and municipalities suffered. With development moving away, cities experienced a deteriorating revenue base and a residual population of lower income residents. To counteract this, cities began annexing whatever territory they could. However, because of existing annexation statutes, cities were able to annex only the undeveloped land beyond or around developing suburbia. This type of annexation led to premature, unplanned development and irregular city boundaries.

By the late 1950s, California's agricultural industry dwindled and cities began seeking State assistance to correct their blighted conditions. In 1958, Governor Edmund G. Brown, Sr., appointed a blue-ribbon Commission to look into the cause and effect of these related happenings and to formulate solutions for restraining and correcting the situation.

As a result of these studies, the Legislature formed the California Boundary Commission. This Commission was organized at the State level and given review and comment authority over the boundaries of city annexations and incorporations.

The functioning of the Boundary Commission proved unsatisfactory from the beginning. It could offer no controlling solution to the creation of multiple special districts, and it did not have the authority to change the trend.

During 1961 and 1962, the Assembly Committee on Municipal and County Government held several lengthy hearings. All elements of local government participated. It was decided that the problems facing the areas had to be dealt with on a local county level; that whatever institution was formed had to have decisive regulatory power. Local answers to problems of urban sprawl and growth of local agencies required equal participation by the county and the cities to arrive at practical, workable solutions.

These principles became the cornerstone of the Knox-Nisbet Act, enacted in 1963, which created a local agency formation Commission in each county in the State and charged them with the responsibility to discourage urban sprawl and encourage orderly growth and development of cities, districts, and communities. It is the regulatory body which sits between the citizens and various governmental agencies that provide municipal services.

In 2000, the Cortese-Knox-Hertzberg Reorganization Act was enacted. This Act was a comprehensive revision of the Cortese-Knox Local Government Reorganization act of 1985. This 1985 act was a consolidation of the following three laws:

- The Knox-Nisbet Act of 1963, which established local agency formation Commissions (LAFCOs) with regulatory authority over local agency boundary changes.
- The District Reorganization Act of 1965 (DRA), which combined separate laws governing special district boundaries into a single law.
- The Municipal Organization Act of 1977 (MORAGA), which consolidated laws on city incorporation and annexation into one law.

Assembly Speaker Robert M. Hertzberg introduced AB 2838 in 2000 to comprehensively revise the Cortese-Knox Act. His bill incorporated many of the recommendations made by the Commission on Local Governance for the 21st Century in its report. "Growth Within Bounds." The extent of the revisions resulting from AB 2838 is reflected in the Act's title, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. This act provided LAFCO with more authority over special districts, by transferring the conducting authority proceedings to LAFCO and granting the authority to LAFCOs to initiate various changes in organization of special districts. (Amended 8/9/10)

LAFCO STRUCTURE AND ORGANIZATION

The Tuolumne County Local Agency Formation Commission consists of the following members:

- Two members of the County Board of Supervisors and one alternate, appointed by the Board from its own members;
- Two City Council members and one alternate, appointed by the City of Sonora;

- One Public Member and one alternate, appointed by the other four Commission members after review of applications.
- There is no independent special district representation on Tuolumne County LAFCO as the districts have not chosen to be represented on LAFCO.

The Tuolumne County LAFCO is an independent body responsible for selecting its staff and establishing personnel rules and regulations. LAFCO staffing is provided by the County of Tuolumne Staff who serve as:

- An Executive Officer, who is required by State law to administer the day by-day activities of the Commission and the staff, prepare the annual budget, prepare and/or approve the staff reports which are circulated in advance for all items being considered by the Commission, and represent LAFCO in most matters in relationship with the public and other governmental bodies;
- An Assistant Executive Officer, who assists by processing applications, prepares draft reports for proposals submitted to the Commission for consideration, provides information to the public and attends LAFCO related meetings.
- A Legal Counsel, who interprets the law and gives legal advice to the Commission and staff on matters relating to LAFCO proceedings and decisions; and
- A Department Support Technician who prepares LAFCO agendas, and minutes, publishes legal notices, maintains records of proposals submitted, maintains the record of the official proceedings of the Commission, sends information and notices to people and agencies and performs other clerical and secretarial duties.

In addition, the County Assessor, Registrar of Voters, Surveyor, Planning staff, other County staff members, and when appropriate many independent special districts and the City of Sonora, contribute to make up the background information contained in LAFCO staff reports.

BUDGET REQUIREMENTS AND PROCEDURES

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 establishes the funding relationships between the County, the cities, the independent special districts, and LAFCO. As there is no independent special district representation on Tuolumne County LAFCO, the funding for LAFCO is shared by the City of Sonora and the County of Tuolumne, pursuant to the

provisions for LAFCO funding in Government Code Section 56381, summarized as follows:

- Annually in the month of April, the Commission will adopt a “preliminary” budget and will forward that document to the County, City and to each independent special district. (Amended 8/9/10)
- The County, City and each independent special district will have an opportunity to review and comment on the preliminary budget, and they may present their recommendations to the Commission at its public hearing scheduled in May or June. At the conclusion of this public hearing process, the Commission adopts a budget. Pursuant to Section 56381, “the proposed and final budget shall be equal to the budget adopted for the previous fiscal year, unless the Commission finds that reduced staffing or program costs will nevertheless allow the Commission to fulfill the purposes and programs of this chapter.” (Amended 8/9/10)
- By law, the Commission is required to adopt its final budget annually by June 15th, and then the budget is forwarded to the County, City, each independent special district and County Auditor/Controller. The County Auditor/ Controller divides the cost between the City and County. The County and City negotiated what share of the budget the City and County are responsible to fund. Pursuant to a Memorandum of Understanding (MOU) between the City and the County, the Local Transportation Fund (LTF) per capita percentage is used to determine the City’s and the County’s respective share of the LAFCO budget. Tuolumne County pays for LAFCO expenses and then the County Auditor/Controller bills the City on a quarterly basis for its share of the costs. (Amended 8/9/10)

GENERAL PROCEDURES FOR CHANGES IN BOUNDARIES
OR ORGANIZATION TO BE PROCESSED BY THE
LOCAL AGENCY FORMATION COMMISSION

The procedures for proposals considered by the Local Agency Formation Commission (LAFCO) are guided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.), and any proposal submitted must conform to the requirements outlined in the Act. The procedures outlined below represent broad guidelines as to the steps required:

1. INITIATION:

Generally, proposals for changes in boundaries, formations, or changes of organization can be submitted for the consideration of LAFCO by petition of the registered voters or affected landowners; however, prior to the circulation of any petition, a "Notice of Intent to Circulate" must be presented to the LAFCO Executive Officer. A proposal may also be initiated by a resolution adopted by the governing body of any related public body (county, city, or special district). The proposal must be submitted on forms available from the LAFCO staff office, or on the LAFCO website along with the applicable number of maps, and filing fees to cover the proposal submitted. (Amended 8/9/10)

2. LAFCO REVIEW PROCESS:

Upon receipt of a completed application, the LAFCO staff processes the application as follows:

a. Notice of Filing:

Prepares a "Notice of Filing" and mails this to all affected and interested public bodies, including school districts, and sends a copy to the County Assessor and County Auditor/Controller.

This notice alerts the affected agencies of the item proposed, and requests from the Assessor and Auditor/Controller the ad valorem tax information pertinent to the proposal.

When the LAFCO office receives the tax information related to the proposal, staff mails this information to the County Administrative Office and each affected special district, and/or the City of Sonora if it is affected, to negotiate any tax transfer. (Amended 8/9/10)

NOTE: The proposal cannot be considered by the Commission until LAFCO receives from the County Board of Supervisors for itself and affected districts and the City of Sonora if affected, a resolution approving any change in ad valorem tax distribution which is caused by the proposed change.

b. Environmental Review Under The California Environmental Quality Act (CEQA).

The LAFCO review process cannot continue until: (1) a determination is made that the proposal qualifies for an exemption as defined within the California Environmental Quality Act (CEQA) and the Commission's environmental guidelines attached at the end of this section; or (2) a Negative Declaration is provided by the applicant which indicates that, if approved, the project will have no adverse effects; or (3) there is a completed Environmental Impact Report submitted by the applicant for the project. (Amended 8/9/10)

Environmental documents are reviewed and considered by the Commission in conjunction with the Commission's acting on the proposal. The Commission determines if the environmental documents are adequate prior to making a decision on the proposal.

c. Departmental Review Process:

Basic information related to each proposal is mailed to every agency affected by the item and to the County Assessor, Auditor/Controller, County Clerk, Planning, Surveyor, and Public Works Departments.

Each department or agency is requested to comment on the proposal and submit information relating to it. Then all information and concerns are reviewed.

3. The Assistant Executive Officer prepares the Commission meeting legal notice for posting, mailing, publishing in the newspaper and posting on the website at least 21 days prior to the meeting. The Assistant Executive Officer also prepares a draft report making a recommendation to the Commission relating to the proposal. (Amended 8/9/10)
4. The LAFCO Executive Officer reviews, edits, and distributes the report making a recommendation to the Commission.
5. The item is considered by the Commission, and it either approves or denies the proposal.
 - a. If the Commission denies the proposal, then it is legally terminated.
 - b. If the Commission approves the proposal, LAFCO staff will provide a published Notice of Protest Proceeding announcing the date for consideration of protest and the procedure and requirements for a valid written protest to the proposal. The hearing date shall be set for a date following the 30 day request for reconsideration period.

6. After the protest hearing, if protests have been filed, the LAFCO Executive Officer will make a determination of the level of protest submitted. A recommendation for action to approve, deny, or submit the proposal to an election based on the amount of written protest received shall be submitted to the Commission at its next available hearing date.
7. If the proposal is ultimately approved, the Department Support Technician prepares a "Certificate of Completion" for the Executive Officer to sign and date. The date of this Certificate is the effective date of the proposal. Once the "Certificate of Completion" is signed, the Department Support Technician files this Certificate with appropriate bodies.

TUOLUMNE COUNTY LOCAL AGENCY FORMATION COMMISSION

ADOPTING COUNTY GUIDELINES FOR IMPLEMENTATION
OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE
GUIDELINES TO IMPLEMENT SAID ACT

RESOLUTION NO. 98

WHEREAS, on May 10, 1980, the State Secretary for Resources adopted Amendments to the State Guidelines for Implementation of the CEQA Guidelines, and

WHEREAS, said Amendments require local agencies to amend their Guidelines accordingly, and

WHEREAS, the Board of Supervisors of the County of Tuolumne adopted Amended County Guidelines for Implementation of CEQA on September 16, 1980, and

WHEREAS, the State Guidelines provide that a local agency may adopt by Resolution another agency's Guidelines when the boundaries of said local agency's jurisdiction fall within, or are coterminous with said other agency.

NOW, THEREFORE BE IT RESOLVED, that the Local Agency Formation Commission of the County of Tuolumne does hereby adopt said County Guidelines for Implementation of CEQA, attached hereto as Exhibit "A", and

BE IT FURTHER RESOLVED that the Commission finds said Guidelines to be in compliance with CEQA and State Guidelines to Implement CEQA, and

BE IT FURTHER RESOLVED that the following terms found within Exhibit "A" are redefined as follows:

1. "County" shall mean LAFCO
2. "Environmental Coordinator" shall mean the LAFCO Executive Officer or his appointed representative.

PASSED AND ADOPTED on the 31 day of August, 1981, by the following vote:

AYES: Commissioners *May, Gerber, Bryant, Matt Rotelli*

NOES: *None*

ABSENT: *None*

Larry A. Rotelli
Larry A. Rotelli, Chairman
Tuolumne County LAFCO

ATTEST: *Steven C. Szalay*
Steven C. Szalay
Executive Officer

INTRODUCTION

Exhibit "A"

In accordance with Title 14, Article 5, Sections 15050 (c) and 15050 (e) of the California Administrative Code, Tuolumne County has adopted the State CEQA Guidelines as amended May 10, 1980, in addition to the following specific provisions:

Section 1. Tuolumne County will be responsible for implementing CEQA and the State Guidelines for projects which the County has jurisdiction by law and/or for which the County is Lead Agency.

Section 2. ENVIRONMENTAL COORDINATOR

- a. The Planning Director (Director of the Community Development Department) shall serve as Environmental Coordinator and may assign specific functions to staff. (Amended 8/9/10)
- b. The Environmental Coordinator is responsible for administering CEQA, the State Guidelines, and these Guidelines for projects the County of Tuolumne is either Lead Agency for or for which the County otherwise has jurisdiction by law.
- c. The Environmental Coordinator shall maintain a list of persons, firms, and organizations qualified to prepare all or portions of environmental documents.
- d. The Environmental Coordinator is responsible for the following tasks on projects for which the County is Lead Agency.
 1. Consultation with reasonable agencies.
 2. Determination of whether a project is exempt from CEQA.
 3. Initial determination of the need for a Negative Declaration or Draft Environmental Impact Report.
 4. Preparation of environmental documents, either directly or by contract.
 5. Conducting of meetings and public hearings regarding environmental documents.
 6. Preparation of responses to public comments.

7. Filing of Notices
 8. Certification that the decision-making body had reviewed and considered an Environmental Impact report or Negative Declaration.
- e. The Environmental Coordinator shall perform the following tasks on projects for which the County is a Responsible Agency or for which the County otherwise has jurisdiction by law:
1. Consultation with Lead Agencies.
 2. Reviewing and commenting on Draft Environmental Impact Reports and Negative Declarations.
 3. Making recommendations in the decision making body on alternatives or mitigation measures delineated in the environmental document.
 4. Filing of notices.
 5. Certification that the decision making body has reviewed and considered an Environmental Impact Report of Negative Declaration.

Section 3. ENVIRONMENTAL IMPACT REPORTS (EIR)

- a. Determination. If a reviewing body determines that the project may have a significant effect on the environment, the Environmental Coordinator shall cause and EIR to be prepared.
1. Upon reaching such a determination, the Environmental Coordinator shall notify the applicant in writing of the reasons for such determination.
 2. The applicant or property owner involved with the project may appeal such determination to the Board of Supervisors unless said Board made the determination. The appeal must be submitted in writing, with the reasons for the appeal specified, to the County Clerk within 10 days of the determination of significant effect by the reviewing body. If the appeal is successful, the Environmental Coordinator shall prepare, and the Reviewing Body shall approve a Negative Declaration, with the specific reasons why the appeal was granted by the Board of Supervisors listed in detail.

Section 4. EIR PREPARATION

- a. Following the determination that an EIR is required, the Environmental Coordinator shall determine whether said Coordinator's staff will conduct the analyses and inventory work necessary to prepare the EIR or whether the EIR will be contracted to an Environmental Consultant.
- b. The Environmental Coordinator will prepare the EIR, if the following findings are made:
 - 1. The proposed project would be of primary benefit to the general public.
 - 2. The Environmental Coordinator has on staff the necessary expertise to adequately prepare the EIR.
 - 3. The preparation of the EIR will not conflict with the progress of other projects which are of primary benefit to the general public.
- c. If any of the above findings cannot be made, or if the project prefers, the applicant shall select an individual or firm to prepare the EIR, who is on the County's approved list of Environmental Consultants and whose particular expertise is relevant to the information required for the EIR, provided, that said individual or firm is not otherwise engaged in the design, construction, sale, or use of the proposed project.
- d. The applicant's Consultant shall contract directly with the County to prepare the EIR.
- e. The applicant shall pay the total cost of the EIR preparation, including consultant fees, reproduction and distribution of Draft, and Final EIR's, and County processing fees, by depositing a Certified Check equal to such costs with the Environmental Coordinator, made payable to the County of Tuolumne, prior to the County's entering into any contract with the Consultant for EIR preparation.

Section 5. APPEAL

- a. Within 10 days of the filing of the Notice of Determination any person who is not satisfied that the EIR complies with the requirements of CEQA may appeal to the Board of Supervisors unless said Board was the Decision making Body on the project. The appeal shall be submitted in writing to the County Clerk and will state the reason(s) why the EIR is not felt to be in compliance with CEQA.

SECTION 2: CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT

The statutes governing the activities of the Local Agency Formation Commission are found under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The declared State policy for LAFCO is found in Section 56301 of the Government Code:

"Among the purposes of a Local Agency Formation Commission are the discouragement of urban sprawl and the encouragement of the orderly formation and development of local agencies based upon local conditions and circumstances."

"One of the objectives of the Local Agency Formation Commission is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local governments in each county and to shape the development of local governmental agencies so as to advantageously provide for present and future needs of each county and its communities."

The Cortese-Knox-Hertzberg Act gives LAFCO the authority to "approve or disapprove, with or without amendment, wholly, partially, or conditionally" a wide variety of proposals for jurisdictional change. These include, but are not limited to, proposals for:

- Annexation of territory to cities or special districts.
- Exclusion of land from cities or special districts.
- the consolidation of two or more cities or two or more special districts formed under the same principal act.
- The formation of new special districts and the incorporation of new cities.
- The dissolution of special districts and disincorporation of cities.
- The merger of cities and special districts.
- Reorganizations which involve boundary changes to two or more cities or special districts as part of one proceeding.
- Review and approval or denial of city or special district contracts for service outside their boundaries.

In addition to these review powers, the Commission has the authority to initiate and make studies of existing governmental agencies, which may include inventorying such agencies.

The Act provides the following powers and duties, among others, to LAFCO:

1. To review and approve or disapprove with or without amendment, wholly, partially, or conditionally, proposals for the incorporation of cities, for changes of organization of cities, and municipal reorganizations, consistent with written policies, procedures, and guidelines adopted by the Commission.
2. To determine whether territory proposed for annexation or detachment, or municipal reorganization is inhabited or uninhabited. "Inhabited" means an area that contains twelve (12) or more registered voters.
3. To approve the annexation of unincorporated, noncontiguous territory not exceeding 300 acres in area, located in the same county as that in which the city is located, and which is owned by a city and used for municipal purpose and to authorize the annexation of such territory without notice or hearing. In addition, the Commission has the authority to approve the annexation of noncontiguous territory that is used as a State correctional facility, with no acreage limitation.
4. To determine the successor district or city.
5. To establish spheres of influence for all cities and special districts within the County, and to review those spheres of influence at least once every five years, or as necessary, as determined by the Commission. (Amended 8/9/10)
6. To conduct "service reviews" on a regional or subregional basis, evaluating infrastructure needs or deficiencies, growth and population projections, financing constraints and opportunities, and other issues. These reviews can occur in conjunction with sphere of influence studies, and must be conducted at least once every five years or as necessary, as determined by the Commission. (Amended 8/9/10)

FACTORS LAFCO MUST CONSIDER:

State law provides a wide variety of factors that the Commission must consider in the review of a proposal. These are specified in Government Code Section 56668, and include, but are not limited to the following:

- Land area and land use.
- Topography, natural boundaries, and drainage basins.

- Population, population density, proximity to other populated areas, and per capita assessed valuation.
- The likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next ten years.
- The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the County.
- The need for organized community services.
- The present cost and adequacy of governmental services and controls in the area, and probable future needs for such services and controls.
- The probable effects of the proposal and of alternatives on the cost and adequacy of services and controls in the area and adjacent areas. As used, "services" refers to governmental services, including necessary public facilities, whether or not the services would be provided by local agencies under LAFCO's jurisdiction, such as, educational services.
- Conformity with appropriate city or county general and specific plans.
- The "sphere of influence" of any local agency which may be applicable to the proposal being reviewed.
- The effect of the proposal on maintaining the physical and economic integrity of agricultural lands.
- The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory and other similar matters affecting the proposed boundary.
- The conformity of the proposal and its anticipated effects with adopted Commission policies on providing planned, orderly, efficient patterns of urban development.
- The ability of the newly formed or annexing agency to provide the services which are identified in the application and consideration of whether the revenues for those services will be sufficient.
- The timely availability of water supplies adequate for projected needs.
- The extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by

the appropriate council of governments.

- Any information or comments from the landowner or owners, and residents of the study area.

CONDITIONS WHICH MAY BE IMPOSED:

In the approval of boundary change proposals, LAFCOs have strong powers to attach conditions. Government Code Section 56885.5 through Section 56890 provides a broad range of conditions that the Commission may impose in approving an application. Those conditions range from the authority to impose special assessments to the transfer of employees among districts in a consolidation. The reader is referred to the specific Code Sections for the complete conditions authorized by statute.

The following are a few examples of LAFCO's authority to impose conditions:

- Require as a condition of approval, that the territory being annexed shall be responsible for payment of existing fees, charges, or assessments currently in place by the annexing agency.
- Require as a condition of its approval that another change of organization for a related or overlapping agency be initiated, conducted, and completed. For example, if a proposal is for annexation of territory to a city, LAFCO can require that the territory also be annexed to or detached from special districts.
- Require establishment of special assessment or improvement districts to finance capital facilities or improvements needed in affected territory.
- Impose conditions related to the distribution of assets, financial contracts or obligations among affected agencies.
- Impose conditions related to a local agency's employee salaries, benefits, and other personnel rights.
- Impose a condition designating the method for selection of the Board of Directors and the number of Directors for a consolidated district.
- Impose a condition that establishes the effective date for a change of organization.
- Impose a condition that designates the agency to succeed to the rights,

duties and obligations of an agency that is dissolved.

POWERS AND DUTIES OF THE
COMMISSION IN CONDUCTING PROTEST PROCEEDINGS

Government Code Section 57000 requires the Commission or the Executive Officer, through delegation of responsibility to conduct “protest proceedings” to determine (1) whether the proposal can be ultimately approved without an election, (2) whether an election should be held, (3) whether the proposal must be terminated due to majority protest. This is purely a ministerial process, where the Commission simply counts the submitted written protest to an action, determines the percentage that the landowner or voter protest bears to the total number of landowners and/or voters, and takes action based on that level of protest.

The purpose of the protest proceedings is to provide a forum wherein the popularity of the issue is tested. Depending on the results of that test, the proposal is either approved or denied, as shown in the following outline:

1. INITIATION OF PROCEEDINGS:

Within thirty-five (35) days of the adoption of a resolution of approval by LAFCO, the formal protest proceedings must be initiated by providing legal notices of the protest hearing. The final protest hearing must be set for a date not less than fifteen (15) or more than sixty (60) days after the notice is given. The Commission may waive protest proceedings if the proposal contains 100% landowner consent, is uninhabited, and the affected agencies who would gain or lose territory as a result of the proposed jurisdictional change have provided written consent to the waiver of these proceedings, as authorized by Government Code Section 56663. That section also authorizes the Commission to waive protest proceedings for inhabited areas if none of the registered voters and none of the landowners have indicated opposition to the proposed annexation.

2. NOTICE:

The LAFCO Executive Officer must publish the notice of hearing to be held on the proposal in a newspaper of general circulation. It must send individual notices to everyone who has formally requested such notice, and to other local agencies as outlined by statute.

3. FINAL HEARING:

The following is an example of the voter threshold to approve or require an election: (Amended 8/9/10)

The LAFCO Executive Officer shall conduct the final hearing and make findings related to the level of written protest received. A recommendation shall be made to the Commission to take one of the following actions:

- a. Approval. If less than 25% of the voters in an "inhabited" proposal (legally defined as an area containing 12 or more voters), or if less than 50% of the landowners in an "uninhabited" proposal submitted written protest to the action, then the proposal must be approved, without an election.
- b. Call for Election. If written protests are filed by at least 25% and less than 50% of the voters, or 25% - 100% of the landowners in an inhabited area, then an election must be called and held, so the voters may decide the issue.
- c. Denial. If written protests are filed by 50% or more of the voters in an inhabited area, or if landowners representing 50% or more of the assessed value of an uninhabited annexation area have filed written protest, then the proposal must be denied.

NOTE: If the proposal is for city detachment or district annexation, the proposal shall be terminated if the detaching city or annexing district files an objection to that action, regardless of the level of consent or protest from affected landowners and voters.

4. COMPLETION:

If the proposal is approved, LAFCO issues a Certificate of Completion and notifies the State and other agencies of the successful jurisdictional change. If LAFCO has waived the protest proceedings, the resolution adopted by LAFCO is considered the final resolution and becomes part of the completion package.

VALUE OF WRITTEN PROTEST

Briefly outlined below are examples of the levels of protest which require the Commission or the Executive Officer, through delegation of responsibility, to call an election or terminate proceedings. (Amended 8/9/10)

At the conclusion of the protest period, the written protest received will be counted, and one of the following actions will be taken:

1. For **uninhabited** annexations (defined in Government Code Section 56046 as those annexations which contain less than 12 registered voters):
 - (a) Terminate the annexation if protest is received from landowners who

represent 50% or more of the assessed value of land (improvement values are not counted) within the annexation area; or

- (b) Approve the annexation if written protest is submitted by landowners who own less than 50% of the assessed value of the annexation area. NOTE: In uninhabited annexations, the issue is decided solely on the basis of landowner protest.

2. For **inhabited** annexations (those annexations which contain 12 or more registered voters):

- (a) Terminate the annexation if protest is received from 50% or more of the registered voters in the annexation area;
- (b) Call an election on the annexation issue if protest is received from at least 25% but less than 50% of the total number of voters in the annexation area, or if 25% to 100% of the number of landowners--representing at least 25% of the total land value--submit written protest; or,
- (c) Approve the annexation without an election if written protest is received from less than 25% of the voters and less than 25% of the landowners (who represent less than 25% of the land value).

NOTE: Although both landowners and registered voters may submit a protest against annexation, the ultimate outcome of an inhabited annexation is decided on the basis of registered voter protest or votes in a special annexation election. Thus, the most that can be accomplished through landowner protest in an inhabited annexation is the scheduling of an election wherein the voters, whether they own land or not, will decide the issue.

Further information concerning the annexation protest procedures can be obtained through review of the Cortese-Knox-Hertzberg Local Government Reorganization Act (Government Code Section 56000 et seq.). Specifically, Sections 57025, 57051, and 57075 will be the most relevant to review.

SECTION 3: COMMISSION RULES OF ORDER

The Rules of Order were adopted on March 30, 1981 for the conduct of business by the Local Agency Formation Commission of Tuolumne County and the holding of regular meetings by such Commission. Said Rules of Order are hereby repealed and superseded by the following:

RULE 1 - REGULAR MEETING DATE

Regular meetings of the Local Agency Formation Commission shall be held on the second Monday of each month when there are matters to consider. Whenever a

legal holiday falls on a regular meeting date, an alternate meeting date will be selected. All regular meetings of the Local Agency Formation Commission shall be called to order at four o'clock p.m., unless advertised differently. (Amended 8/9/10, 4/11/05)

RULE 2 - CALLING OF EMERGENCY OR SPECIAL MEETINGS

An emergency or special meeting may be called at any time by the Chairman of the Commission, or by a majority of the members of the Commission. Notice of such meeting must be delivered personally or by mail at least twenty-four (24) hours before the time of such meeting. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such special meeting.

RULE 3 - PUBLIC MEETINGS

All meetings of the Local Agency Formation Commission shall be open to the public, and all persons shall be permitted to attend any meeting of the Commission, except as otherwise provided herein.

RULE 4 – AGENDAS

An agenda shall be prepared by the Commission staff for each meeting of the Commission and shall be distributed in accordance with the Government Code.

RULE 5 - ORDER OF BUSINESS

The regular order of business of the Local Agency Formation Commission shall be:

- a. Call to Order by the Chairman
- b. Salute to the Flag
- c. Approve Minutes of Previous Meeting
- d. Approve Resolutions of Previous Actions, As Necessary
- e. Presentation of Consent Items
- f. Public Hearing on Continued Items
- g. Public Hearing on New Items
- h. Reports,
Staff,
Commission (Amended 3/23/09)
- i. Adjournment

RULE 6 - ELECTION OF CHAIR AND VICE CHAIR (Amended 8/9/10)

The Chair shall be elected each year, during the meeting in the month of May, or the next meeting held if there is no meeting in May. The Chair shall be elected by a majority of the Commission. The Vice Chair is also elected at this meeting. (Amended 8/9/10)

RULE 7 - CHAIR'S ROLE (Amended 8/9/10)

The Chair, or in the Chair's absence, the Vice Chair shall be the presiding officer of the Commission at all meetings and shall: (Amended 8/9/10)

- a. Preserve order and decorum.
- b. Determine the order of business to be transacted at a meeting including establishing a time limit for speakers when deemed appropriate.
- c. State the questions coming before the Commission.
- d. Call the vote on all questions.
- e. Announce the Commission's decisions.
- f. Decide all questions of order, subject however, to appeals to the Commission as a whole, in which event a majority vote shall govern.
- g. Sign all resolutions, directives and contracts approved by the Commission, which signature shall be attested by the Executive Officer or the Assistant Executive Officer.

RULE 8 - CHAIR'S VOTING PRIVILEGES (Amended 8/9/10)

The Chair of the Commission shall, in voting procedures, have all the rights and obligations of other members. (Amended 8/9/10)

RULE 9 - PARTICIPATION OF ALTERNATE MEMBERS IN OPEN AND CLOSED SESSIONS AND DISCUSSIONS OF PROPOSALS

Only regular members of the Commission may participate in the discussion and vote on a proposal before the Commission. Alternates may vote only when sitting in the place of a regular member who is absent or is disqualified for a particular action. (Amended 8/9/10)

RULE 10 - REFERRAL TO COMMITTEES

Any matter coming before the Commission may, if deemed necessary, be referred to staff or a committee of the Commission for additional information. The Commission shall appoint standing and special committees, as it may deem necessary.

RULE 11 - CONTINUATION OF PROPOSALS

Actions pending before the Commission may not be continued beyond seventy (70) days from the date specified in the original Notice of Hearing except under special circumstances as determined by the Commission.

RULE 12 - CONTINUANCE OF COMMISSION MEETINGS

The Commission may continue a meeting to a time and place specified if an insufficient number of Commissioners are present to constitute a quorum. A majority of the members of the Commission (three) constitutes a quorum.

If all members are absent from any regular or continued regular meeting, the Executive Officer or Assistant Executive Officer may declare the meeting continued to a stated time and place, without additional written notice of the continuance.

RULE 13 - CLOSED SESSIONS OF COMMISSION

The Commission may hold Closed Sessions during a regular or special meeting to consider pending or potential litigation. (Amended 8/9/10)

RULE 14 - QUORUM AND VOTING (Amended 8/9/10)

A majority of all members of the Commission (three) shall constitute a quorum for the conduct of business, No action of the Commission shall be valid unless it receives the affirmative vote of not less than three members of the Commission. (Amended 8/9/10)

RULE 15 - DISQUALIFICATION OF MEMBERS ON VOTING

The representation by a member or alternate of the City of Sonora shall not disqualify, or be cause for disqualification of, the member or alternate from acting on a proposal affecting the City, as provided by Government Code Section 56336.

RULE 16 - ABSTENTION OF VOTING

The determination by a Commissioner to abstain from voting on any action before the Commission does not indicate, and shall not be counted as, either an "aye" or "no" vote on that count.

RULE 17 – ROLL CALL

The roll need not be called upon the vote on any motion, unless requested by a Commissioner. Any Commissioner not voting in an audible voice shall be recorded as voting "aye". Any roll call of the Commission shall be in alphabetical order by last name, except that the Chairman shall be called last.

RULE 18 - TIE VOTES OF COMMISSION

Three votes are necessary to approve a proposal or a motion. A proposal which receives a tie vote may be discussed further and then a second vote taken. If the tie is not broken, the proposal or motion shall automatically be continued to the next Commission hearing. A subsequent tie vote at the next hearing of the proposal

indicates automatic denial without prejudice.

RULE 19 – DISQUALIFICATION OF MEMBERS FROM VOTING

No member of the Commission is disqualified from voting on any item being considered by the Commission, except in those instances in which the member has a financial conflict of interest. In any situation in which the member disqualifies himself or herself for whatever reason or is absent, the Alternate member will vote.

RULE 20 – PUBLIC COMMENT PORTION OF THE COMMISSION'S AGENDA

The Commission encourages the public to attend its hearings and address the Commission during the “public comment” item on the agenda. Comments must be limited to issues which are under the jurisdiction of the Commission. Oral and written comments may be presented; however, the length of oral comments may be limited by the Chair.

RULE 21 – RETENTION OF MATERIALS UTILIZED DURING COMMISSION HEARINGS

Any person utilizing or presenting any audio, visual, or written materials at the LAFCO public hearing must be prepared to provide a copy of every item to the staff of the Commission at the time the presentation is made.

RULE 22 - SUSPENSION OR CHANGE TO RULES OF ORDER

Subject first to posting notice and following the Commission's discussion at a regular meeting, any of the within rules not required by law may be suspended or changed by a majority of the members of the Commission. (Amended 8/9/10)

RULE 23 - QUESTIONS OF LAW

Questions of law may be referred to Commission Counsel for opinion.

RULE 24 – FORMS AND APPLICATIONS

The Executive Officer is delegated to create and add forms and applications to the Policy and Procedure Manual.

SECTION 4: GENERAL POWERS AND POLICY GUIDELINES

The Local Agency Formation Commission is a State-mandated entity, established for each county in the State and is independent of local county, city or district governmental jurisdiction. Recognizing that the needs of one county may be

substantially different from another county, the State allows significant flexibility to each Commission, authorizing the LAFCO in many cases to apply the statutes “based on local conditions and circumstances”. These local policies are therefore the catalyst for implementation of State laws designed to “discourage urban sprawl and encourage the logical and orderly development of local agencies.

POLICY # 1 - PURPOSE

The purposes of the Local Agency Formation Commission are provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and include the following:

- Discourage urban sprawl;
- Encourage orderly formation and development of local governmental agencies, based on local conditions and circumstances;
- Initiate and make studies of governmental agencies;
- Develop spheres of influence for each local governmental agency.

POLICY # 2 - ENCOURAGE ORDERLY URBAN DEVELOPMENT AND PRESERVATION OF OPEN SPACE

1. The Commission encourages will planned, orderly, and efficient urban development patterns for all developing areas. Also, the county, cities, and those districts providing urban services, are encouraged to develop and implement plans and policies which will provided for well-planned, orderly and efficient urban development patterns, with consideration of preserving permanent open space lands within those urban patterns.
2. Development of existing vacant non open space, and nonprime agricultural land within an agency's boundaries is encouraged prior to further annexation and development. However, where open land adjacent to the agencies are of low agricultural, scenic, or biological value, annexation of those lands may be considered over development of prime agricultural land already existing within an agency's jurisdiction.
3. Proposals to annex undeveloped or agricultural parcels to cities or districts providing urban services shall demonstrate that urban development is imminent for all or a substantial portion of the proposal area; that urban development will be contiguous with existing or proposed development; and that a planned, orderly, and efficient urban development pattern will result. Proposals resulting in a leapfrog, non-contiguous urban pattern will be discouraged.

Consideration shall be given to permitting sufficient vacant land within each city and/or agency in order to encourage economic development, reduce the cost of housing, and allow timing options for physical and orderly development.

POLICY # 3 - ENCOURAGE CONSERVATION OF PRIME AGRICULTURAL LANDS AND OPEN SPACE AREAS

1. Proposals which would conflict with the goals of maintaining the physical and economic integrity of open space lands, agricultural lands, or agricultural preserve areas in open space uses, as indicated on the city or county general plan, shall be discouraged.
2. Annexation and development of existing vacant non-open space lands, and nonprime agricultural land within an agency's sphere of influence is encouraged to occur prior to development outside of an existing sphere of influence.
3. A sphere of influence revision or update for an agency providing urban services where the revision includes prior agricultural land shall be discouraged. Development shall be guided towards areas containing nonprime agricultural lands, unless such action will promote disorderly, inefficient development of the community or area.

Loss of agricultural lands should not be a primary issue for annexation where city and county general plans both indicate that urban development is appropriate and where there is consistency with the agency's sphere of influence. However, the loss of any primer agricultural soils should be balanced against other LAFCO policies and a LAFCO goal of conserving such lands.

POLICY #4 - PRIORITIES FOR ANNEXATION AND FORMATION

The Commission will consider the following priorities or guidelines for annexation and formation with the provision that overriding circumstances must be stated in exceptions:

- a. Annexation to the City of Sonora or district instead of formation of a new agency.
- b. Annexation to a multi-purpose district in preference to annexation to a single purpose district.
- c. Formation of a new political entity as the last and least desirable alternative.
- d. Boundaries should follow existing political boundaries, and natural or man-made features such as rivers, lakes, railroad tracks and highways. Where boundaries do not meet this standard, the proponent shall justify the reason for non-conformance.

- e. Boundaries should not be drawn so as to create an island, corridor, or strip either within the proposed territory or immediately adjacent to it. Where boundaries do not meet this standard, the proponent shall justify the reason for non-conformance.
- f. Whenever practicable, boundary lines of areas to be annexed to the City of Sonora and/or special districts shall be so located that all streets and rights-of-ways will be placed within the same jurisdiction as the properties which abut thereon and/or for the benefit of which such streets and right-of-ways are intended.
- g. The creation of boundaries that divide assessment parcels should be avoided, whenever possible. Where boundaries do not meet this standard, the proponent shall justify the reason for non-conformance.

Boundaries should avoid dividing an existing identifiable community, commercial district, or any other area having social or economic homogeneity. Where boundaries do not meet this standard, the proponent shall justify the reason for non-conformance

POLICY #5 – CONCURRENT DISTRICT ANNEXATION

For any annexation within a community served by a variety of community-based local agencies, the Commission shall require concurrent annexation to all of the local agencies serving the community (concurrent district annexations) with the provision that overriding circumstances must be stated in any exception.

POLICY # 6– PRE-ZONING FOR CITY OF SONORA ANNEXATIONS

- a. No City of Sonora annexation application will be deemed complete unless the pre-zoning process has been completed.
- b. Such pre-zoning shall also require that the City of Sonora become the lead agency for environmental review for the proposed change and shall prepare and submit to LAFCO the environmental analysis document in sufficient time for LAFCO’s staff to comment before a determination of environmental effects is made.

POLICY # 7 - INCORPORATION POLICIES

The following are the policy statements to assist in the guidance of unincorporated communities in their review of governmental options.

- a. Incorporation proposals involving land within the existing City of Sonora sphere of influence will not be accepted for filing. If a city incorporation proposal would conflict with an established City of Sonora sphere of

influence, the incorporation proponents must first initiate, and the Commission must approve, a sphere of influence amendment to exclude the study area from that sphere prior to circulation of formal incorporation petitions.

- b. The Commission defines "financial feasibility" to mean the ability of a new city to maintain pre-incorporation service levels, with sufficient resources to provide a municipal-level law enforcement service consistent with the recommendations of the County Sheriff.
- c. In determining feasibility, the Commission will consider only those revenues that are currently available to all general law cities. It will not consider revenues derived through special taxes or assessments, nor will it consider hypothetical revenues available through possible actions of a future city council, such as utility users taxes in the determination of financial feasibility.
- d. In determining feasibility, the Commission requires that proposed staff salary costs shall be based on an average of similar-sized cities or those cities which have the most comparable population within Tuolumne, Stanislaus and Calaveras Counties.
- e. In determining compliance with Government Code Section 56720, the Commission finds that a "reasonable reserve" is a contingency fund equal to 10% of the projected general and special funds of the new city.
- f. The Commission requires that a new city shall assume jurisdiction over all community-based special districts serving the incorporation area. A clear and compelling rationale must be provided if the continued overlay of a community-based district is proposed.
- g. In order to qualify for incorporation such as the sales tax revenues attributable to the study area must at least cover the expected administrative and legislative costs of the new city.

POLICY # 8 - REQUESTS FOR RECONSIDERATION

Requests for reconsideration will be granted only when the petitioner can present some compelling new evidence, or show that significant factors relative to the situation were overlooked or have changed. The request shall be submitted in writing to the Executive Officer within thirty (30) days of the Commission's decision.

No request shall be deemed filed unless appropriate filing fees if in effect, are submitted. In the event multiple requests for reconsideration are filed, the Executive Officer will divide a single reconsideration fee among the various petitioners for reconsideration.

The procedure for reconsideration requests is as follows:

Upon receipt of a legally filed request for reconsideration, the Executive Officer shall place the request on the agenda of the next Commission meeting for which notice can be provided. At the hearing, the Executive Officer will present the staff report and recommendations to the Commission and respond to questions. The Commission will then allow submission of any oral or written testimony on the issue; however, at the Chair's discretion, time limits may be placed on those wishing to provide an oral presentation. At the close of the hearing, the Commission may take one of the following actions:

1. The Commission may approve the request, and adopt a resolution superseding the resolution previously issued;
2. The Commission may deny the request; or
3. The Commission may continue the hearing for a maximum of seventy (70) days.

POLICY # 9 - PROTEST HEARINGS

The Commission has authorized the Executive Officer to conduct Protest Hearing, if needed, is as follows:

Upon completion of the request for reconsideration process, the Executive Officer will set the hearing date, provide notice and solicit protests. At the hearing, the Executive Officer will summarize the resolution making determinations to persons in attendance and respond to questions. The Executive Officer will then allow submission of any oral or written protests on the issue; however, at the Executive Officer's discretion, time limits may be placed on those wishing to provide an oral presentation. After the hearing is closed, the Executive Officer shall determine the value of the protests. The Executive Officer shall submit a recommendation for action to approve, deny or submit the proposal for election to the Commission at its next available hearing to adopt the final resolution that completes the action based upon the level of protest.

POLICY #10 - SUFFICIENCY OF SIGNATURES ON PETITIONS AND NUMBER OF REGISTERED VOTERS

The Commission recognizes that through the review and approval process for many proposals, the boundaries may be changed, and the number of registered voters affected:

- a. For proposals which require petitions to be circulated after LAFCO approval, the number of registered voters residing in an area on the date of LAFCO approval is the number of registered voters on which the sufficiency of any

petition is based.

- b. For proposals in which petitions are circulated prior to LAFCO approval and for the determination of inhabited or uninhabited actions, the date of the Notice of Filing issued by LAFCO shall be the determining date for the number of registered voters residing within the affected area.

POLICY #11 - EFFECTIVE DATE AS A FUNCTION OF THE CERTIFICATE OF COMPLETION

Unless otherwise specified by the Commission, the effective date for all proposals shall be the date of issuance of the Certificate of Completion for any proposal.

POLICY # 12 – CONFLICT WITH PRINCIPAL ACT

In the event that the proceedings for the formation of a district as authorized by the principal act of the district conflicts with the procedural requirements of Government Code Section 56000 et. seq., the procedural requirements of the Government Code 56000 et. seq. shall be followed by LAFCO.

POLICY #13 - OUT-OF-AGENCY SERVICE CONTRACTS OR AGREEMENTS

The Commission has determined that the Executive Officer shall have the authority to approve, or conditionally approve, proposals to extend services outside jurisdictional boundaries in cases where the service extension is proposed to remedy a clear health and safety concern. In addition, the Executive Officer shall have the authority to approve or conditionally approve service extensions where the services in question will not facilitate development, such as an inter-agency contract for fire protection services. In cases where the Executive Officer recommends denial of a proposed service extension, that proposal shall be placed on the next Commission agenda for which notice can be provided. After the public hearing, the Commission may approve, conditionally approve, or deny the contract.

POLICY #14 - POWERS

The powers of LAFCO include the following:

- a. Review and Approve or Disapprove Proposals with or without amendment, wholly, partially, or conditionally:
 - Annexation of territory to cities or special districts.
 - Exclusion of land from cities or special districts.
 - The consolidation of two or more cities, or two or more special districts

formed under the same principal act.

- The formation of new special districts and the incorporation of new cities.
 - The dissolution of special districts and disincorporation of cities.
 - The merger of cities and special districts.
 - □ Reorganizations which involve boundary changes to two or more cities or special districts as part of one proceeding.
 - Review of city or special district contracts for service outside of their boundaries.
 - Review and approve proposals that would extend services into previously unserved territory within unincorporated areas.
 - Conduct service reviews of the municipal services provided in the county on a regional or subregional basis, and provide written Statements with respect to infrastructure needs, growth and population projections, financing constraints, cost avoidance opportunities, opportunities for shared facilities, and other factors in Government Code Section 56430.
 - □ Initiate and make studies of existing governmental agencies, which may include inventorying such agencies.
 - Initiate proposals for consolidation of special districts, the merger of a special district with a city, the dissolution of a special district, the establishment of a subsidiary special district, or a reorganization which includes any of these outlined changes.
- b. ADOPT EVALUATION STANDARDS and procedures for the evaluation of proposals which shall include, but are not limited to, the following factors identified in Government Code Section 56668:
- Conformity of the proposal and its anticipated effects on Commission policies on providing planned, orderly, efficient patterns of urban development and priorities.
 - Conformance with local city or county general plans.

- The sphere of influence of any local agency which might be affected.
 - Effect of the proposed action and of alternative actions on adjacent areas, mutual social and economic interests, and local governmental structure of the county.
 - Land area and land use.
 - Population and population density.
 - Determine if the area is inhabited or uninhabited.
 - Proximity to other populated areas.
 - Likelihood of significant growth during the next ten years.
 - Effect of proposal on maintaining physical and economic integrity of lands in agricultural preserves and open space uses.
 - The proposed boundaries in relation to lines of assessment or ownership; the creation of islands or corridors of unincorporated territory.
 - Natural boundaries and drainage basins.
 - Assessed value.
- c. PLAN FOR SERVICE : The plan for service shall be prepared and submitted by each local agency affected by a proposed change of organization, regardless whether that proposal is initiated by resolution or petition. In the case of a proposed annexation, the plan for service must demonstrate that the range and level of services currently available within the study area will, at least, be maintained by the annexing agency. For those proposals involving a reorganization consisting of annexations to multiple agencies, the plan for service shall also be required for each affected agency.
- d. SPHERES OF INFLUENCE: Government Code Section 56425 requires that LAFCO establish spheres of influence for each city and special district in the County.

(See Sphere of Influence Policy Statement and the Commission's Guidelines for Spheres of Influence at the end of this Section for further policy definition)

- e. TWO OR MORE PROPOSALS FOR THE SAME AREA: If two or more proposals pending before the Commission shall conflict or be inconsistent with each other, the Commission may determine the relative priority for conducting further proceedings on these proposals. In the absence of any such determination, priority shall be given to that action which was first filed with the Executive Officer.
- f. REORGANIZATION COMMITTEE: The Commission may require the establishment of a reorganization committee for reorganization proposals and to adopt standards and procedures for the evaluation of any plan of reorganization or alternate plan reported on by such committee.
- g. CONDUCT SPECIAL STUDIES: The Commission may initiate and make studies of existing governmental agencies including, but not limited to, inventorying such agencies and determining their maximum service area and service capacities.
- h. OPEN SPACE: It is the intent of the Legislature that Commissions establish policies and exercise their powers so as to encourage and provide planned, well ordered, efficient urban development patterns with appropriate consideration of preserving open space lands within such patterns.
- i. CONDUCTING AUTHORITY: The Commission has the responsibility of conducting protest hearings and may delegate this responsibility to the Executive Officer.
- j. NONCONTIGUOUS TERRITORY ANNEXATION: The Commission has the authority to approve the annexation of unincorporated noncontiguous territory, not exceeding 300 acres in area, located in the same County, and which is owned by the annexing city and used for municipal purposes and to authorize this annexation without notice or hearing.
- k. INHABITED ANNEXATION: In an inhabited annexation to a city, where the area to be annexed equals 50% or more of the assessed value of the city, or the number of registered voters in the area to be annexed is 50% or more than the number of registered voters in the city, the reorganization (annexation) shall be subject to the confirmation of the voters in the area to be annexed and the voters of the city.
- l. DISTRIBUTION OF ASSETS AND LIABILITIES: The Commission may determine the distribution of all assets and liabilities, including recommendations for retaining employees, for all consolidations, mergers, dissolutions, and creations of subsidiary districts, or any other proposal, and

shall note such distribution in its resolutions.

- m. SERVICE OUTSIDE BOUNDARIES: The Commission or the Executive Officer when authorized may authorize the City of Sonora or a district to provide new or extended services outside its jurisdictional boundaries pursuant to Government Code Section 56133.
- n. FINANCIAL ASSISTANCE: The Commission, or the Board of Supervisors or City of Sonora on behalf of and on approval of the Commission, is authorized to apply for or accept, or both, any financial assistance and grants-in-aid from public or private agencies or from the State and federal governments or from a local government.

POLICY #15 - COUNTY RULES AND REGULATIONS

In Tuolumne County, the Commission has determined that for purposes of economy and convenience it chooses to use the rules and regulations of the County as those relate to working rules of staff and to allocation of space and supporting equipment and facilities necessary to accomplish its purpose, except as the Commission may determine otherwise.

POLICY # 16 - STIPEND AND TRAVEL ALLOWANCE

The Commission has no meeting stipend or per diem. The Commission annually allocates funding for travel, training and seminars.

POLICY #17 – APPLICATION PROCESSING FEES

LAFCO shall establish a schedule of application processing fees through adoption of a resolution.

Unless otherwise authorized by LAFCO, application processing fees shall be established to recover their full cost of processing. Fees shall be established on a full cost recovery basis or based upon the average cost to process a specific type of application on a time and materials basis.

There shall be an automatic increase or decrease in the application processing fees adopted by LAFCO, based upon the “San Francisco Consumer Price Index, All Items, All Urban Consumers,” published by the U.S. Department of Labor, for the preceding 12-month period.

There shall be no waivers of application processing fees.

(Amended March 14, 2011)

POLICY #18 - NOTICE OF VACANCY FOR PUBLIC MEMBER

Upon announcement that a vacancy for the public member or alternate public member will exist, the Executive Officer shall:

- a. Post a vacancy notice inviting all interested citizens of Tuolumne County to apply within thirty (30) days of posting. The Notice shall be posted at the following locations:
 - 1) On the bulletin board in the foyer on the 4th floor in the A.N. Francisco Building;
 - 2) On the bulletin board in the foyer on the 2nd floor (main entry) of the County Administration building;
 - 3) Any other location as directed by the Commission;
 - 4) Provide a Notice of Vacancy to the City of Sonora Clerk and the Clerk of the Board of Supervisors; and,
 - 5) Issue a press release to local newspaper and radio stations for the purpose of further advertising the vacancy.
 - 6) Place an advertisement in the Union Democrat inviting applicants to apply for the vacant position.
 - 7) Provide a Notice of Vacancy to the clerk or secretary of each local agency within the County. (Amended 8/9/10)
- b. The Executive Officer shall accept no application after the expiration of the thirty (30) days, and shall forward all applications to the members of the Commission. Only applications received by the Executive Officer may be considered for appointment. A review period of not less than ten (10) days shall follow the thirty-day application period.
- c. The Commission may select a personnel committee from among its membership for the purpose of reviewing applications and bringing its recommendations to the full Commission.
- d. The Public and Alternate Public Member candidates receiving a majority of the votes cast by eligible Commission members will be appointed to the vacant position for either the unexpired or full term and/or until appointment and qualification of a successor. At such time as independent special districts are seated on the Commission, the Public and Alternate Public Member candidates must receive an affirmative vote from at least one County Member, one City Member, and one Special District member for appointment to that position.

POLICY #19 - SPECIAL DISTRICT REPRESENTATION

The Commission will initiate proceedings for representation of independent special districts on the Commission if requested pursuant to Section 56332.5 of the California Government Code

POLICY #20 - RESOLUTIONS OF APPRECIATION

The Commission authorizes expenditure for mounting and framing of resolutions of appreciation for retiring LAFCO Commissioners and LAFCO staff personnel who have rendered outstanding service.

In respect to retiring Commissioners, the public purpose being served by such expenditure is that through publicly adopted resolutions of appreciation, appropriately framed, other members of the public will also be encouraged to render public service by becoming members of various public agencies and Commissions.

The public purpose of the framed resolutions of appreciation for the LAFCO staff is to give recognition for outstanding services rendered, with the purpose of maintaining high morale while at the same time providing further incentive for efficiency and productivity.

POLICY #21 - LEGAL DEFENSE FEE RESPONSIBILITY

It is the policy of this Commission that the costs for legal defense of an issue which has been approved by the Commission, is the primary responsibility of the agency or person seeking that approval. Therefore, as a condition of approval for any action taken by the Local Agency Formation Commission, the Commission shall impose a condition within its resolution of approval that requires the applicant to defend, indemnify, hold harmless, and provide for reimbursement or assumption of all legal costs in connection with that approval.

The adopted procedure for the Legal Defense Policy is as follows:

1. The Commission shall impose a condition of approval which requires the applicant to defend, indemnify, and hold harmless the Commission, its agents, and its employees from any claim, action or proceedings against them to attack, set aside, void, or annul such approval.
2. The Executive Officer shall promptly notify the applicant and LAFCO Counsel of any legal action brought challenging the Commission's action, and the Commission, its agents, and employees shall cooperate fully in the defense of that action.
3. Commission Counsel shall have the absolute right to approve any and all counsel employed to defend the Commission. To the extent the Commission

uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the above described person or entity will reimburse the Commission upon demand. Such resources include, but are not limited to, staff time, court costs, Commission Counsel's time at its regular rate for non-County agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action, or proceedings. The Executive Officer may require a deposit of funds sufficient to cover the anticipated expenses of the litigation.

POLICY #22 – NOTICE TO ADJACENT LANDOWNERS

In addition to the notice requirements of the Cortese-Knox-Hertzberg Act of 2000, the LAFCO Staff shall notify landowners of applications for Changes of Organization as follows:

1. County Service Area

- a. Formation of a county service area

The provisions of the Cortese-Knox-Hertzberg Act of 2000 including amendments regarding notice for formations shall be adhered to.

- b. Annexation to county service area

<u>Total Area of Parcels Subject to Annexation</u>	<u>Distance for notification of landowners</u>
Less than 2 gross acres	300 feet
2 gross acres to less than 10 gross acres	500 feet
10 gross acres or larger	1,000 feet

2. All other special district and City of Sonora proposals

<u>Total Area of Parcels Subject to Entitlement</u>	<u>Distance for notification of landowners</u>
Less than 2 gross acres	300 feet
2 gross acres to less than 10 gross acres	500 feet
10 gross acres or larger	1,000 feet

(Amended 6/27/05)

SPHERE OF INFLUENCE

PURPOSE

Government Code Section 56076 defines a sphere of influence as “a plan for the probable physical boundaries and service area of a local agency, as determined by the Commission.” It is an area within which a city or district may expand, over an undefined period of time, through the annexation process. In simple terms, a sphere of influence is a planning boundary within which a city or district is expected to grow into over time.

The purpose of a sphere of influence is to encourage the “logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities.” The following enumerated items comprise the Statement of Purpose adopted by Tuolumne County LAFCO for spheres of influence:

1. To promote orderly growth of communities, whether or not services are provided by a city or district (board governed or independently governed);
2. To promote coordination of cooperative planning efforts among the county, City of Sonora, special districts, and identifiable communities by encouraging compatibility in their respective general plans;
3. To guide timely changes in jurisdiction by approving annexations, reorganizations, etc., within a sphere of influence only when reasonable and feasible provision of adequate services is assured;
4. To encourage economical use and extension of facilities by assisting governmental agencies in planning the logical and economical extension of governmental facilities and services, thereby avoiding duplication of services;
5. To provide assistance to property owners in relating to the proper agency to comprehensively plan for the use of their property;

6. To review, update, and/or change existing spheres of influence periodically to reflect planned, coordinated changes in factors which impact on spheres of influence; and
7. To encourage the establishment of urban-type services only within an adopted sphere of influence.

The Commission emphasizes that a sphere of influence is a planning tool and the establishment of a sphere of influence, or the inclusion of territory within a sphere of influence of an existing governmental entity, does not automatically mean that the area is being proposed for annexation or development.

Establishment of a Sphere:

As outlined under State law, the Commission is designated as the public body responsible for determining spheres of influence for each city and district within its jurisdiction.

As a function of incorporation and as outlined in Government Code Section 56426.5, the Commission must establish a sphere of influence for a newly-incorporated city within one year of its incorporation effective date. Usually within six months of a city's effective date, the LAFCO staff notifies the city of the requirement pursuant to State law. The sphere proposal may be initiated by the Commission, the city council, or the County Board of Supervisors, through adoption of a resolution of the governing body. State law also stipulates that a sphere of influence will not be established or changed without specific review and study independent of any action before the Commission at the time. Public hearings are held to review sphere of influence proposals such as establishment, amendment, or in connection with any proposed annexation, which may or may not involve another agency's sphere of influence.

Factors of Consideration:

As part of a sphere of influence review and as outlined in Government Code Section 56425, LAFCO is required to review four "factors of consideration" in connection with any sphere of influence proposal. The factors of consideration are as follows:

1. The present and probable land uses within the area, including agricultural and open space lands;
2. The present and probable need for public facilities and services in the study area;
3. The present capacity of public facilities and the adequacy of public services that the agency provides or is authorized to provide; and

4. The existence of any social or economic communities of interest in the study area.

In these categories of review, the City of Sonora or district must show that its planning activities can be beneficial to the area, and that the initiation of those activities is appropriate. None of the above factors by themselves shall be deemed to be a determining factor in the establishment or revision of a sphere of influence for the City of Sonora, district, or community area, but shall be reviewed as part of the total project.

The factors of consideration noted above are addressed individually within the staff's report for each sphere of influence proposal.

Government Code Section 56425 also requires the following for any sphere of influence or a sphere of influence that includes a special district:

1. Require existing districts to file written statements with the Commission specifying the functions or classes of services provided by those districts.
2. Establish the nature, location, and extent of any functions or classes of services provided by existing districts.

COMMISSION POLICY GUIDELINES FOR SPHERES OF INFLUENCE

The approaches and/or methods listed below are policies adopted by Tuolumne County LAFCO. The policies guide the Commission's review in its determination of spheres of influence, periodic reviews and/or updates, and any amendments of those sphere boundaries.

Concurrent Sphere Reviews:

The Commission may include additional agencies as part of its review of a sphere of influence proposal. In considering the sphere of influence of a community, the Commission will concurrently evaluate all agencies serving that community, and as a policy guideline, it will need to establish a single, coterminous sphere for all such agencies unless the Commission determines it is to the best interest of the area to have differing sphere boundaries.

Community-by-Community Approach:

The community approach includes the practice of looking at a total area, which could be considered a community, and defining its boundaries. This approach also considers the existence of inter-related economic, environmental, geographic, and social interests, and attempts to harmonize the conflicting plans and services of the

various service entities. Under this approach, an attempt is made to keep the spheres of influence of the various service districts as nearly the same as possible.

Coterminous Boundaries:

The Commission may establish a sphere of influence which is coterminous with existing City of Sonora/district boundaries when it is not feasible for the public agency to expand beyond its present boundaries. However, as outlined in State law, a sphere of influence must be established for each city and district, regardless of whether the sphere boundary is the same as the city or district boundary.

Environmental Review for a Sphere:

A sphere of influence proposal requires review of the environmental aspects of the proposed sphere. The environmental review process is a requirement outlined in the California Environmental Quality Act (CEQA) that applies to the review of sphere of influence proposals. In compliance with CEQA and the State CEQA Guidelines, Tuolumne County LAFCO adopted its own Guidelines and Policies Implementing CEQA.

Exclusion of Territory:

Under certain circumstances, a sphere of influence may exclude portions of the existing boundaries of a district. The Commission encourages reorganization and special studies in this situation to make final determination of which district should serve.

A sphere of influence study may be initiated to determine which public agency could better serve the area of review. The sphere of influence study would include a review of the possibility of excluding territory from one jurisdiction and the placement of the same territory in another jurisdiction's sphere of influence. The purpose of excluding territory would be an attempt to straighten irregular boundaries, and eliminate confusion arising from multiple jurisdictions.

Modification of a Sphere Review Area:

During the review of a sphere of influence proposal, the Commission may modify the area of review by expanding or reducing the area of review. The expansion or reduction of a sphere can be for several reasons, such as to include areas that may be better served by a public agency, or exclude areas that may be better served by another public agency.

Periodic Review/Update of a Sphere:

As a function of its duties and responsibilities, LAFCO is required to periodically

review and/or update spheres of influence. Government Code Section 56425 requires the Commission to review and update, if necessary, all spheres of influence for cities and special districts at least once every five years. The periodic sphere review does not preclude a public agency (city or district), or an individual from initiating a sphere proposal. The purpose of the periodic sphere review plan is to keep abreast of changes occurring within the public agencies under the jurisdiction of LAFCO.

Update If Necessary/Municipal Service Review: (Amended 8/9/10)

The spheres of influence of all of the special districts in Tuolumne County have been previously studied with no change to any district's sphere. It will be necessary to update a special districts sphere of influence upon LAFCO's receiving an application to do so, or at the direction of the Commission. Updating municipal service review information will be conducted once every five years. (Amended 8/9/10)

Requirement for a Sphere Review in Relationship to Annexation:

State law precludes the Commission from approving annexation proposals lying outside of current sphere of influence boundaries for the affected city or district. If an annexation proposal lies outside the sphere of influence of a city or district, the annexation proposal must also include a sphere review. The joint sphere and annexation review is to maintain consistency in city or district boundaries and their sphere boundaries, for the extension and provision of services as it relates to proposed annexation sites.

Responsibility/Obligation for a Sphere Area:

When a sphere of influence is assigned, a city or district is required to commence long rangeland use and service planning activities, thereby enabling it to respond to any annexation requests it might receive from landowners or residents within the sphere. By accepting a sphere of influence, a city, or district agrees to plan for the provision of services.

Urban Development within a City Sphere:

LAFCO takes the position that any new urban development which occurs within a city sphere of influence should take place as close to the city's urban area as possible. This position is emphasized for two reasons; first, so that contiguous areas may easily be annexed to the city; and secondly, so that the new urban area can be served by reasonable extension of the city's already developed municipal services.

