

2013

Board of Directors

Chair

THEODORE NOVELLI
Amador LAFCo

Vice Chair

MARY JANE GRIEGO
Yuba LAFCo

Secretary

JOHN LEOPOLD
Santa Cruz LAFCo

Treasurer

STEPHEN TOMANELLI
Riverside LAFCo

JULIE ALLEN
Tulare LAFCo

MATTHEW BEEKMAN
Stanislaus LAFCo

ROBTER BERGMAN
Nevada LAFCo

LOUIS CUNNINGHAM
Ventura LAFCo

LARRY R. DUNCAN
Butte LAFCo

JERRY GLADBACH
Los Angeles LAFCo

JULIANA INMAN
Napa LAFCo

GAY JONES
Sacramento LAFCo

MICHAEL KELLEY
Imperial LAFCo

MICHAEL R. MCGILL
Contra Costa LAFCo

EUGENE MONTANEZ
Riverside LAFCo

JOSH SUSMAN
Nevada LAFCo

Staff

PAMELA MILLER
Executive Director

LOU ANN TEXEIRA
Executive Officer

CLARK ALSOP
Legal Counsel

MARJORIE BLOM
Deputy Executive Officer

STEPHEN LUCAS
Deputy Executive Officer

SAMUEL MARTINEZ
Deputy Executive Officer

November 14, 2012

Ms. Magda Arguelles
Mr. Ben Rubin
Governor's Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

Dear Ms. Arguelles and Mr. Rubin:

Thank you for the opportunity to comment on the Public Review Draft of the SB 244 Technical Advisory. We appreciate the extensive work staff has done to pull together all the information into a single, helpful document, and for considering our initial feedback of June 20, 2012. One significant comment remains (unaddressed after the first round of comments) and a new one has arisen, as well as several technical comments we hope you find of value.

The California Association of Local Agency Formation Commissions is pleased to provide the enclosed comments for your consideration.

Yours sincerely,



Pamela Miller
Executive Director

Enclosure: CALAFCO comments on Public review Draft

Cc: Lou Ann Texeira, CALAFCO Executive Officer
CALAFCO Legislative Committee

1215 K Street, Suite 1650
Sacramento, CA 95814

Voice 916-442-6536
Fax 916-442-6535

www.calafco.org

Comments from CALAFCO on the Public Review Draft of the OPR Technical Advisory for SB 244

14 November 2012



Thank you for the opportunity to comment on the Public Review Draft of the SB 244 Technical Advisory. We appreciate the extensive work staff has done to pull together all the information into a single, helpful document, and for considering our initial feedback of June 20, 2012. One significant comment remains (unaddressed after the first round of comments) and a new one has arisen, as well as several technical comments we hope you find of value.

SIGNIFICANT ISSUES

1. ***OPR LAFCo Service Review Guidelines.*** References to the 2003 LAFCo Service Review Guidelines should be removed (page 14). These guidelines are now obsolete as the factors for LAFCo service reviews were changed in 2007 by AB 1744 (Assembly Committee on Local Government) and again in 2011 by AB 54 (Solario) and SB 244 (Wolk). Referring to them in the appendix is misleading and providing wrong information. Further, as part of AB 1744, OPR specifically requested that all references to the OPR guidelines and requirement to prepare guidelines be removed from state law. That was accomplished in AB 1744. Referencing them now will cause confusion. We respectfully ask that these references be removed. We also ask for the 2003 MSR guidelines to be removed from the OPR web site to avoid confusion with current law. (Also requested in the first set of comments on 6/20/12.)
2. ***OPR recommendation LAFCos survey in English and native languages as part of written evidence.*** The section on Page 3 in which written evidence is discussed has been added since the Initial Draft review. As OPR indicates, establishing a policy that defines written evidence is currently being done by the individual LAFCos throughout the state. Of particular concern is OPR's recommendation that "LAFCos conduct the survey in both English and the language that at least 5% of community members speak as their primary language". Many counties throughout the state have multiple populations (of registered voters) over five percent that speak a language other than English as their native language. To recommend that LAFCos conduct such surveys and petitions in multiple languages will have a significant impact on resources, including financially. Interpretation of this recommendation will likely occur as "state direction", creating unnecessary confusion and uncertainty. It is recommended that it be left to each LAFCo to define "written evidence" and respectfully ask that OPR's recommendation be removed.

TECHNICAL COMMENTS

1. ***OPR Resources.*** (Page 14, Numbers 5 and 6 – and Page 16 Municipal Level Services and Municipal Service reviews). The references to the LAFCo Municipal Service Review Guidelines and Appendices should be removed as they are incorrect and outdated. (This was also requested in the first set of comments on 6/20/12).

2. **References to residents rather than registered voters.** (Pages 3 and 4). CG Section 56375(a)(8)(B)(ii) has been amended to change “residents” to “registered voters” (Chaptered July 9, 2012). All references to residents should be changed to registered voters. To continue to reference residents is no longer consistent with the statute. This change makes the insert on page 4 titled “Residents and Registered Voters” obsolete and should be removed.
3. **Use of 2000 Census data as income data.** (Insert on Page 8.) Although page 7 points out potential limitations of using ACS (sample) income data, this inset seems to promote the use of data from the 2000 Census. There is concern in using income data well over a decade old as the data source. If the insert is intended only to highlight the general methodology rather than the 2000 Census as the data source, it should clearly state this intention.
4. **Inserts of “Residents and Registered Voters” and Spirit and Intent of SB244.** It has already been suggested that the insert “Residents and Registered Voters” be removed. The insert “Spirit and Intent of SB 244” (along with the other insert noted) both reference LAFCos. This information is more appropriately placed in the section “requirements for Local Agency Formation Commissions (LAFCos) rather than where they are currently located in the section “Requirements for Local Governments”.
5. **References to C-K-H Guide.** All references to the Guide should be made to the 2012 Guide, as the 2011 Guide has been updated. (Reference the Glossary, page 15.)
6. **Typos.** Suggestions on several typos:
 - a. **Page 2.** Top section should read “Municipal Service Reviews (MSR) determinations. [Remove the “s” after Services]
 - b. **Page 3.** Second full paragraph. Fourth sentence, there is an extra space between “surveys” and “both”.
 - c. **Page 3.** Fourth paragraph, second bullet, first line. Insert a space between “each” and “legacy”.
 - d. **Page 3.** Top section, number 2. Change “residents” to “registered voters”.
 - e. **Page 4.** Insert titled “Residents and Registered Voters”. First sentence. Change “residents” to “registered voters”.
 - f. **Page 5.** Insert at top. First line. Insert a space between “policies” and “such”.
 - g. **Page 14.** Number 1. LAFCO is misspelled. Should read LAFCo not LAFCO.
 - h. **Page 15.** Glossary. Disadvantaged Unincorporated Community. The CKH definition should be included in the main body of the Glossary not appear as a footnote. We also suggest you include Water Code Section 79505.5. (The latter can go as the footnote once the CKH definition is moved into the body of the document.)
 - i. **Throughout the document.** LAFCO should read LAFCo.

Twentynine Palms Cemetery District

Statement of Rev, Exp, & Changes in Fund Balance - Endowment Care Fund (Revised)

	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	5 yr Var
REVENUES										
Charges for services	-	4,038	3,710	5,630	4,060	4,090	2,720	1,530	2,450	-56%
Interest & investment	28,626	9,156	1,208	159	15,927	26,141	2,740	10,103	6,966	4281%
Total Revenue	\$ 28,626	\$ 13,194	\$ 4,918	\$ 5,789	\$ 19,987	\$ 30,231	\$ 5,460	\$ 11,633	\$ 9,416	63%
EXPENDITURES										
Total Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,981	\$ -	
Revenues less Expend.	28,626	13,194	4,918	5,789	19,987	30,231	5,460	652	9,416	63%
OTHER FINANCING										
Other			\$ 12,950							
Transfers Out	\$ -	\$ 10,706	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 21,000	
Fund Balance Begin	255,942	284,568	287,056	304,923	310,712	330,699	360,930	366,390	367,042	20%
Fund Balance End	\$ 284,568	\$ 287,056	\$ 304,923	\$ 310,712	\$ 330,699	\$ 360,930	\$ 366,390	\$ 367,042	\$ 355,458	14%
*Endowment Principal	\$144,114	\$141,023	\$304,923	\$310,712	\$154,423	\$158,513	\$161,233	\$160,043	\$159,978	-49%
* Endowment Principal obtained from Balance Sheets										

Information presented to
the Commission at the
11-21-12 LAFCO hearing.