

LAFCO POLICIES & PROCEDURES

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Riverside Local Agency Formation Commission

August 26, 2004



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MISSION STATEMENT

The broad mission of the Local Agency Formation Commission of Riverside County is to implement the legislative direction and policies embodied in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 in a manner most appropriate to provide an orderly growth pattern that reconciles the varied needs of Riverside County. One of the fundamental principles of LAFCO is to ensure the establishment of an appropriate and logical municipal government structure for the distribution of efficient and appropriate public services. The Commission will encourage and promote communication among public agencies, property owners and residents of Riverside County. These policies shall be carried out in an efficient and courteous manner.

GOAL NO. 1: FACILITATE EFFICIENT URBAN FORM

Objective No. 1: Discourage Urban Sprawl.

1.1.1 Annexation proposals covering undeveloped or agricultural parcels to cities or districts providing urban services should demonstrate that:

- a. Urban development is likely to occur within the next ten years over a substantial portion of the proposal area, and;
- b. Urban development will be contiguous with existing or proposed development.

Consistent with *Objective No. 3* and legislative intent expressed in Cortese-Knox-Hertzberg, this Strategy shall be implemented with due consideration for preserving open space lands within urban development patterns.

1.1.2 Applicants for annexations or reorganizations should demonstrate that the services furnished by the affected agency will be provided in a timely manner and at a cost that is reflective of, or comparable to, other similar types of development.

1.1.3 LAFCO will encourage in-fill development in urban areas and the annexation of areas inside existing city spheres of influence to avoid further urban sprawl.

1.1.4 All proposals including annexation to a city shall have been rezoned by the annexing city. A certified copy of the city's rezoning ordinance shall accompany the application.

1.1.5 Each proposal must be consistent with the appropriate city or county general and specific plans.

Objective No. 2: *Preserve the physical and economic integrity of agricultural lands.*

1.2.1 City SOIs shall be directed away from substantial areas of prime agricultural land, unless:

- a. The result would not facilitate an orderly development pattern; and,
- b. The city's general plan allows for the continued operation of agricultural uses and provides guidelines for the ultimate development of agricultural land at the time the use is terminated or development is proposed.

1.2.2 LAFCO shall deny the annexation of agricultural lands unless they meet the criteria specified below:

- a. The annexation of land located within an agricultural preserve may be approved only when:
 1. A notice of non-renewal or cancellation has been filed on the affected property proposed for annexation, or,
 2. The jurisdiction's General Plan contains appropriate language:
 - a. To allow for the effective and continued operation of agricultural uses, and;
 - b. To provide guidelines for the ultimate development of agricultural land at the time the preserve is terminated or development is proposed.
- b. The loss of non-prime agricultural lands should not be a central issue for annexation where city or county general plans provide for urban development and the proposal would not impact the integrity of surrounding prime agricultural lands.

Objective No. 3: *Preserve open space within urban development patterns.*

1.3.1 The Commission shall consider the preservation of open space lands as a valid reason for the annexation of undeveloped land.

GOAL NO. 2: ENHANCE SERVICE PROVISION THROUGH LOCAL GOVERNMENT STRUCTURE

Objective No. 1: Encourage orderly formation and development of agencies by shaping local agency boundaries.

2.1.1 To achieve this goal, LAFCO shall encourage the reorganization of overlapping and competing agencies or illogical boundaries dividing agency service areas. In certain cases adjoining service agencies shall collaborate to ensure appropriate and adequate services are provided to the public even though it may be outside an agency's service area. In those unique instances where an adjoining agency has the best ability to serve a particular location outside of its service area and within another agency's service area, it must be demonstrated that the public need or benefit outweighs a particular jurisdictional authority. LAFCO shall encourage this type of interagency collaboration only on a limited geographical basis when appropriate and in the best interest of the public. This type of collaboration may take a variety of forms, including:

- a. The establishment of informal arrangements between agencies in which each understands the other's abilities and/or priorities and the action meets existing agency goals.
- b. The establishment of formal arrangements between agencies using agreements or Memorandums of Understanding that detail the administrative and operational relationship of each agency.

2.1.2 Where special district boundaries overlap city territory, LAFCO will support district detachments if the city provides similar services to the district and can demonstrate one of the following conditions is met:

- a. The subject city provides a higher level of service.
- b. The subject city provides equivalent service levels at a lower cost.

LAFCO shall also consider the impact of detachment on the ability of the district to provide services to the remainder of its service area.

2.1.3 LAFCO shall support annexation of all islands of unincorporated territory and areas substantially surrounded by a city located within that city's sphere of influence, as the local provider of services and controls. If an annexation is proposed for only a portion of an island of unincorporated territory, the proponent shall provide adequate justification as to why the entire island should not be annexed. Cities are expected to solicit the opinions of landowners and residents in island and substantially surrounded areas.

2.1.4 Agency 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 such an island, corridor or strip is created, the proponent shall justify the reasons for non-conformance with this Strategy. Such reasons could include, but are not limited to: a) creation of the island, corridor or strip will not affect the provision of services to the area, b) service impacts can be mitigated by terms and conditions imposed on the annexing city to provide services to all or a portion of the island, corridor or strip, c) implementation of the strategy would be detrimental to the orderly development of the community.

- 2.1.5** LAFCO shall support agency boundaries that include rather than split existing identifiable communities, commercial districts, or other areas having social or economic homogeneity which are located within the applicable sphere of influence.

Incorporation

- 2.1.6** The following local policies on incorporation supplement Incorporation Guidelines prepared by the Governor's Office of Planning & Research (OPR).

- 2.1.6.1** Preliminary Feasibility Assessment-A preliminary feasibility assessment should be completed at the earliest possible time and must be completed no later than the filing of a Notice of Intent to Circulate Petition. The value of this analysis is to let incorporation proponents and the community know whether additional effort and resources should be devoted to pursuing incorporation. Additionally, the preliminary assessment can identify revenue neutrality issues, allowing for early discussions between proponents and the County regarding mitigation. Failure to perform an early preliminary assessment could result in a community pursuing an incorporation that is subsequently shown to be fiscally infeasible. This could result in a tremendous waste of effort and set back future incorporation efforts (OPR Guidelines, p. 10). [This policy does not apply to incorporation proposals that filed a Notice of Intent to Circulate Petition prior to July 31, 2003.]

- 2.1.6.2** Additional Time To Complete Application Requirements-In consideration of the complex analyses required to be submitted with certain types of proposals, elements of a proposal that includes incorporation, disincorporation, city consolidation or district consolidation may be submitted up to 18 months after initiation. The date of initiation is the date of adoption of a resolution of application (for proposals initiated by a local agency) or the date of issuance of the Certificate of Sufficiency (for proposals initiated by petition).

2.1.6.3

Comprehensive Fiscal Analysis (CFA)-LAFCO must prepare, or cause to be prepared, a Comprehensive Fiscal Analysis (OPR Guidelines, pp. 10, 17). Management and preparation of the legally mandated CFA occurs in one of two ways:

- a. Incorporation proponents directly hire and manage a consultant to prepare the draft CFA. Proponents are directly responsible for consultant selection, payment, and the timing of the analysis.
- b. LAFCO retains a consultant to prepare the draft CFA with funds deposited by the proponents. LAFCO manages the consultants work as long as funds are on deposit.

The first model has traditionally been used in Riverside County. It demonstrates the existence of independence and leadership in the community. In both cases, the CFA is not considered final until all changes requested by the Commission or the Executive Officer have been completed. In either case, proponents are financially responsible for preparation of the CFA and all changes required. In either case, the consultant shall identify all past incorporation analyses performed within the affected area.

CFA Requirements-In order to minimize the likelihood of forming a city that cannot sustain itself, the following principles shall govern the preparation of the CFA:

- a. All assumptions shall be clearly identified at the beginning of the analysis.
- b. Costs of services should be based upon existing levels of service.
- c. All revenue estimates/projections shall be conservative.
- d. Extreme care shall be taken to ensure that all costs are accounted for.
- e. Costs for functions that are not being directly assumed from another agency (e.g. the County) should use similarly sized cities as a basis for estimates. This is especially applicable to administrative functions.
- f. Proposition 13 allows for a maximum increase in assessed value of 2 percent annually for individual properties in the absence of a change in ownership. When the general rate of inflation is higher than 2 percent, the effect is a loss in real dollars from the existing tax base (unless the rate of turnover and property value increases are sufficiently high). Property tax projection methodology must take into account the potential deflation of property tax dollars.
- g. While State law only requires an analysis of the city's first three years, the Riverside LAFCO requires an analysis projecting out a minimum of eight years. Many State subventions for new cities are based on a calculated population of three times the number of registered voters for the first seven years after incorporation. This formula, which typically greatly exceeds actual population, provides

a temporary source of enhanced revenue-a “bonus” to help new cities get started. The purpose of the increased time frame is to capture the fiscal status of the city at the point when state subventions are based upon actual population. This analysis allows the Commission and the community to gauge the long-term viability of incorporation.(OPR Guidelines, p. 30)

- h. Section 56720 requires that the Commission, in approving an incorporation, find that the new city will have sufficient revenue to provide public services and facilities and a “reasonable reserve”. Consistent with OPR Guidelines (p.34) the CFA should include an appropriation for contingency of at least 10 percent and an additional reserve of 10 percent.

2.1.6.4

Boundary Alternatives-Incorporation proponents should discuss potential boundaries with LAFCO staff at the earliest possible date. Proponents may be required to have a CFA conducted on more than one boundary alternative. Failure to analyze boundary alternatives could result in denial of the incorporation proposal or lengthy delays if the Commission favors a boundary that has not been analyzed. Nothing herein precludes LAFCO from approving minor modifications to an incorporation proposal without additional analysis if it can be clearly seen that the changes will not have a significant impact upon feasibility or revenue neutrality.

2.1.6.5

Boundary Description-The Petition for Incorporation and the submitted application must include a map and text description that clearly identifies the proposed boundaries. A legal description and associated map, prepared in accordance with LAFCO standards by a licensed land surveyor or qualified civil engineer, must be submitted and approved at least 60 days prior to the hearing before the Commission and prior to the issuance of a Certificate of Filing.

2.1.6.6

Loan for Incorporation Fees-Section 56383(g) provides that Incorporation proponents may seek a loan from the State Controller to cover processing fees. The request must be made through LAFCO after certification of a successful petition initiating the proposal. The submitted request must certify that the proponents are unable to raise sufficient funds to cover processing fees. Certification should include current bank statements of all accounts available to fund the incorporation effort, a list of expenditures and revenue sources to date, a list of all fund raising efforts, and any other information that would demonstrate that the proponents are unable to raise sufficient funds. The request shall be presented to the Commission, which may request additional information. The Commission may also request that the incorporation accounts be audited. The Commission may, but is not required to forward the loan request to the State Controller. (OPR Guidelines, p. 20)

2.1.6.7 In the event of a conflict between the OPR Guidelines and local guidelines and policies, local guidelines and policies shall prevail.

LAFCO Participation in Funding of Special Studies

- 2.1.7** a. Requests for Commission funding of special studies must meet the following criteria in order to receive Commission approval:
1. Objectives of the study must meet the needs of a broad public interest, beyond the interests of a single public agency or landowner.
 2. At least two public agencies (other than LAFCO) must be committed to participate in funding the analysis.
 3. The request must specifically state the level of funding sought, however, the Commission's share shall not exceed one-third of the total study cost.
 4. The analysis must address significant issues that have been discussed by the Commission over a period of several months.
- b. Upon receipt of a request, the Executive Officer shall place the matter on the earliest agenda practical. The Executive Officer will report on how the request complies with the above criteria and on potential budget impacts of the request.
- c. The Commission may, but is not compelled to, approve the request for participatory funding, wholly, partially or conditionally.
- d. The Commission may indicate a commitment in terms of a dollar amount, a percentage of the study cost, or a combination of both.

Objective No. 2: *In recognition of legislative policy expressed in Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Section 56000 et seq.), the Commission shall endeavor to minimize the number of agencies providing services to a given area.*

2.2.1 In order to minimize the number of agencies providing services within a given area, LAFCO will evaluate proposals for changes of organization with the following hierarchy in mind (in descending order of preference). That is, prior to proposing a specific organizational change, proponents must provide justification for rejection of each preceding change in the hierarchy:

- a. Annexation to an existing city.
- b. Annexation to an existing multiple purpose special district.
- c. Annexation to an existing single purpose special district.
- d. Formation of a County Service Area.
- e. Formation of a new district.
- f. Incorporation of a new City.
- g. Unincorporated Community.

2.2.2 Commission actions will recognize that certain services are best provided on a sub-regional basis over a geographic area spanning the boundaries of more than one general-purpose agency. Provision of services on a sub-regional basis is often appropriate due to the following factors:

- a. The cost of providing services is lower due to economies of scale.
- b. A sub-regional agency may have a greater ability to obtain favorable financing for public works.

2.2.3 In order to reduce and minimize the number of agencies providing services, LAFCO shall only approve proposals for the formation of new agencies when all of the following conditions are met:

- a. There is evidenced a clear need for the new agency's services from the affected landowners and/or residents.
- b. There are no other existing agencies that are able to annex and provide similar services in a cost-effective manner.
- c. There is a demonstrated ability of the new agency to provide for and finance the needed new services.
- d. The Commission shall establish a sphere of influence pursuant to Objective No. 3 at the time of formation.

2.2.4 The Commission encourages implementation of changes of organization, such as consolidations, mergers, dissolutions, where the result will be better services, reduced cost, and/or efficient administration of services to the citizens.

2.2.5 Commission initiated proposals for consolidation, dissolution, merger, or establishment of subsidiary districts shall not be considered until reasonable efforts are made to encourage initiation of such proposals by petition or resolution of one or more affected agencies.

Objective No. 3: *Utilize Spheres of Influence to Guide Future Development of Agency Boundaries.*

2.3.1 A sphere of influence (SOI) is the Commission's plan for the probable boundary and service area of a local agency. The establishment or amendment of a sphere of influence is a policy declaration of the Commission based upon existing facts and circumstances which, although not easily changed, may be subject to review and change in the event that a future significant change of circumstances so warrants.

2.3.2 The establishment or amendment of a sphere of influence by the Commission may take several forms as follows:

- a. A SOI encompassing territory beyond the existing boundaries of an agency indicates the expectation of future growth of the agency's service area.
- b. A SOI that is coterminous with the existing boundaries of an agency indicates the expectation that the agency is currently in its ultimate configuration. No growth in its service area is anticipated.
- c. A SOI that is smaller than the existing boundaries of an agency indicates the expectation that future detachments from the agency would be appropriate.
- d. A "zero sphere of influence" indicates the agency should be dissolved.

2.3.3 By its March meeting of each year, the Commission shall identify municipal spheres of influence to receive comprehensive reviews over the following twelve-month period. Such reviews shall be coordinated with the affected city(ies), adjacent cities, and affected residents via the appropriate Supervisorial office(s). In any given year, the Commission may decide to review any number of spheres it believes are appropriate for the resources it has or it may decide not to review any.

2.3.4 One of the factors the Commission shall use in determining a SOI shall be a city's general plan. Prior to any expansion of a city's SOI, the affected city's general plan must contain provisions to adequately demonstrate that the city has planned for the increased needs associated with a larger geographic boundary.

2.3.5 In preparation for a Commission initiated review of a SOI, or in the course of preparation of an application for a SOI amendment, the subject agency shall prepare an analysis addressing the following four factors delineated in Government Code Section 56425.

- a. The present and planned land uses in the area, including agricultural and open space lands.
- b. The present and probable need for public facilities and services in the area.
- c. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide. If current facility capacity and service resources can not accommodate growth in the area, the agency must provide a general plan for extension of services, including an indication of how extended services will be financed.
- d. The existence of any social or economic communities of interest in the area, if the Commission determines that they are relevant to the agency.

2.3.6 LAFCO shall encourage districts with significant territory within a city's sphere of influence to develop plans, in conjunction with the city, for the orderly detachment of territory from the district or merger/dissolution of the district as district territory is annexed to the city. This strategy is applicable only where the subject city provides similar services to the district and can demonstrate one of the following conditions is met: 1) The subject city provides higher levels of service; 2) The subject city provides equivalent service levels at a lower cost.

Any plans anticipating detachment shall consider the impact of detachment on the ability of the district to provide services to the remainder of its service area.

2.3.7 Where a special district is entirely within a city's sphere of influence, the city will be encouraged to develop annexation policies which will anticipate the total inclusion of the district's territory rather than a portion. The purpose of this strategy is to avoid imposition of an unbearable burden upon the district and citizens within the balance of the district's territory.

2.3.8 LAFCO shall encourage all developed urban land inside a city's sphere of influence to annex to the city. The burden of proof as to why any such areas should not be annexed shall rest with the residents and owners of the property being annexed.

2.3.9 When establishing or updating an SOI for an agency, the Commission may augment the geographic designation of territory included within the SOI with a policy text appropriate to the agency under review. Policies established for a particular SOI could implement general Commission policies within the geographic area under consideration. Such agency-specific policies could address issues such as, but not limited to, future priorities for annexation of specific areas within the SOI, island issues, consolidation/reorganization, fiscal considerations, impacts on other service providers, facility issues, etc.

2.3.10 For the purposes of reviewing a city's sphere of influence, the planning horizon for the sphere shall be the planning horizon used for the affected city's general plan.

Minor SOI Amendments

2.3.11 An amendment to the SOI of any agency may be processed and acted upon by the Commission, in advance of the preparation of a municipal service review, if the following criteria are met:

- a. The requested amendment is either less than 40 acres or less than 3 percent of the combined acreage of the subject agency's existing boundaries and sphere of influence, and;

There are no objections from other agencies that are authorized to provide the services the subject agency provides and whose SOI underlies or is adjacent to the subject territory; or;

- b. A public agency has acquired the subject territory for the purpose of using the property to provide one or more authorized public services.

2.3.12

An amendment to a retail water district sphere of influence may be processed and acted upon by the Commission, in advance of the preparation of a municipal service review, if all the following are met:

- a. The area is currently within the sphere of influence of the appropriate wholesale purveyor.
- b. The request is made by affected landowners or residents in conjunction with a concurrent annexation.
- c. No objection is received from any other agency that provides water service and whose SOI underlies or is adjacent to the subject territory.

Policies Affecting Unincorporated Areas

2.3.13

Unincorporated Community Designation-General

- a. In order to achieve consistency between Commission policies and designations, an Unincorporated Community (UC) designation and a city sphere of influence shall not occupy the same territory.
- b. Areas receiving the UC designations shall be reviewed at least every five years. An application for amendment to an Unincorporated Community designation may be submitted by any person or local agency. The procedure shall generally follow that required for an amendment to a sphere of influence. It is the intent of the Commission, subject to final determination after a duly noticed public hearing, that the fee for such an amendment shall be the same as that for an amendment to a sphere of influence, provided that if amendments to a UC and a Sphere of Influence (SOI) are requested concurrently, the fee shall be collected only once.

2.3.14

Report Preparation for Five-Year Reviews

2.3.14.1

Prior to the conclusion of each five-year period following long-term designation as an “Unincorporated Community”, a written report from the designated UC representatives to LAFCO must be submitted for review.

2.3.14.2

Designated UC representatives must demonstrate that one or more of the following conditions exist in order to be considered for the long-term designation of “Unincorporated Community”: No need foreseen for city-provided municipal services for the next five years; it is unlikely that any significant, inhabited, portion of the UC will pursue a municipal service change of organization over the next five years; due to specified reasons,

it is in the best interest of the community to remain unincorporated for the foreseeable future; any other reason satisfactory to the Commission.

2.3.14.3

The five-year report should consider the following questions:

- a. Will any services of the type normally provided by a city be required within the next five years? Why will no additional services of this type be required?
- b. Why is designation as an Unincorporated Community preferable to any of the other options submitted with the original application?
- c. Do residents of the UC desire designation of an Unincorporated Community? What measures were taken to make this determination? For example: Town meetings, mass mailings and responses, mailed ballots, etc.
- d. Is it currently planned to evaluate incorporation after the expiration of the five-year designation as an Unincorporated Community? If not after five years, when, if ever?
- e. Are any major housing or business/industrial developments being planned within the boundaries of the UC? If the answer is yes, describe them and the planned dates for development.
- f. Do the County and other existing service agencies have the ability to provide an adequate level of services, as defined by the community, over the next five years?
- g. Has there been any evaluation by the County or the community as to whether the area currently generates revenue sufficient to support existing County services?
- h. Has the possible continued designation of the area as an Unincorporated Community received publicity within the area? If the answer is yes, what and when? Have owners of vacant land been apprised of this intention?
- i. A LAFCO hearing will be held for any five-year review for which there is a prior written request submitted by an affected party.

Objective No. 4: *Meet the Municipal Service Review mandate in the most practical, cost-effective manner.*

2.4.1

Municipal services subject to review will be limited to those public services typically required by and associated with urban development, such as water, wastewater, police, fire protection, library, roads, electricity, parks and recreation, animal control, and flood control.

2.4.2

Only local agencies that have SOIs subject to LAFCO review will require preparation of service reviews.

2.4.3

The following agencies will not be subject to service reviews:

- Resource Conservation Districts
- Cemetery Districts

- Citrous Pest Control District
- Healthcare Districts
- Mosquito and Vector Control Districts
- The County of Riverside
- Mutual Water Companies
- Public Utilities Commission (PUC) regulated utilities

Services provided by some of the above entities might be included anecdotally in service reviews of other agencies.

- 2.4.4** The scope and schedule of MSR and SOI reviews should remain flexible enough to accommodate legislative changes and changes in local conditions.
- 2.4.5** Staff and consultants should utilize the best information that is currently available from public agencies rather than initiate new analyses.
- 2.4.6** Participation from representative agencies will be solicited for all service reviews.
- 2.4.7** The Commission's policy allowing minor SOI amendments without conducting a MSR will remain in place.

GOAL NO. 3: MAXIMIZE INTERAGENCY AND PUBLIC COMMUNICATION

Objective No. 1: Increase Communication and Cooperation Between Governments.

- 3.1.1** Anytime a proposal is contemplated by one agency that is inconsistent with another agency's sphere of influence, the agency considering the change must notify the affected agency at the earliest possible stage. Documentation of notification and communication between the agencies must be provided with application materials.
- 3.1.2** Cities are expected to coordinate with adjoining jurisdictions in advance of submittal of any annexation application that includes existing or future regionally significant transportation facilities as identified in adopted regional transportation plans. The purpose of early communication and coordination is to maintain the integrity of the regional transportation system and continuance of any regional funding mechanisms.
- 3.1.3** For any proposal that will potentially cause a significant negative fiscal impact upon another jurisdiction, the annexing agency shall contact the affected jurisdiction prior to submittal of the application to discuss potential mitigation.
- 3.1.4** When special district detachments can be anticipated pursuant to Strategy 2.1.2 or Strategy 2.3.7, in addition to developing annexation and detachment policies, the affected city and district should jointly plan and

coordinate capital improvements. The purpose of this Strategy is to achieve an orderly transition of services, to maximize the effective use of public funds, and to avoid unnecessary duplication of services and facilities.

- 3.1.5** Cities must coordinate all sphere of influence and annexation proposals that include Indian Reservation Lands with the appropriate Tribal Government in advance of application submittal.
- 3.1.6** All applications for municipal sphere of influence amendments or annexations that include Indian Reservation Lands shall be referred to the appropriate Tribal Government for review and comment prior to hearing by the Commission. The Commission shall consider the existence of a Tribal land use agreement with the subject city an important factor when reviewing such proposals.
- 3.1.7** The Commission shall not approve any municipal annexation of Indian Reservation Lands without the consent of the Tribal Council.
- 3.1.8** In support of this objective, LAFCO is committed to providing available staff resources and meeting space, if necessary, to facilitate communication.

Objective No. 2: Increase communication between local agencies and citizens.

- 3.2.1** Cities are expected to take a proactive role in providing information related to annexation to residents within the city's sphere of influence.
- 3.2.2** Encourage the County to work with cities and unincorporated residents to provide information to the public regarding the advantages and disadvantages of annexation.
- 3.2.3** When preparing application materials for annexation of uninhabited areas, cities are expected to solicit the participation of adjacent inhabited areas, if applicable, in order to create logical service boundaries and improved levels of service. Potential expanded boundaries should be determined in consultation with the Executive Officer.
- 3.2.4** In support of this objective, LAFCO is committed to providing staff resources, when available, to attend community meetings and provide information relevant to the annexation process.
- 3.2.5** LAFCO shall maintain a web site. Information shall include current and past minutes and agendas, as well as current staff reports for non-consent agenda items.

3.2.6 All proposals that include annexation to a city shall be referred to the affected Municipal Advisory Council (MAC) or Community Council for review and comment. If no MAC or Community Council exists in the area, the proposal shall be referred to the applicable County Supervisor.

Public Notice

3.2.7 Unless otherwise determined by Commission policy, notices of public hearing for all proposals shall be provided in a manner as specified by law.

3.2.8 The following shall apply to any proposal that includes annexation to a city that meets both of the following criteria: a) greater than ten acres, b) would substantially alter existing land uses or intensities. For such proposals, mailed notice shall be provided to all registered voters and property owners within the boundaries of the proposal and within 500 feet of the exterior boundaries of the proposal, except that notice need only be provided within 300 feet of the exterior boundary adjacent to the subject city.

3.2.9 The alternative to publish a display ad in lieu of mailed notice, as provided in state law, may be used if notice requirements would otherwise require mailing of more than 2,000 notices.

Conducting Authority Proceedings

3.2.10 Delegate responsibility for all conducting authority functions to the Executive Officer. Resolutions may be approved by the Executive Officer, but signed by the Chair.

3.2.11 The Executive Officer shall provide 21 days notice of protest hearings to all registered voters and landowners within the boundaries of the proposal. Such notice shall be in addition to any other legally required notice.

3.2.12 Allow for publication of a display ad in lieu of individual mailed notice for specified types of proposals, consistent with Commission policy on public hearing notice.

3.2.13 Mailed notice of protest hearings provided to landowners and registered voters within the affected territory shall include the protest form adopted by the Commission.

Procedure Regarding Late Receipt of Information

3.2.14 Information received prior to the assembly of agenda packets will be copied and distributed to Commissioners with the packets.

- 3.2.15** Information received subsequent to packet assembly, but at least 72 hours prior to the meeting, will be faxed (bulky items will be mailed) to Commissioners on the Monday prior to a Thursday meeting.
- 3.2.16** Parties submitting documents after the faxing deadline will be notified, if possible, that a minimum of 12 copies will be required in order to distribute the documents to the full Commission. If sufficient copies are provided, they will be placed in Commissioners' folders on the morning of the hearing.
- 3.2.17** Documents received after the fax deadline that have not been copied will be placed in a folder for the Chair. At the Chair's discretion, the Chair may verbally acknowledge the receipt of the additional information or pass it to Commissioners for review. The Chair will ensure that the documents are placed back in the folder for retrieval by the Clerk.
- 3.2.18** Documents received at the hearing will be submitted to the Clerk who will hand the information to the Chair. At the Chair's discretion, the Chair may verbally acknowledge the receipt of the additional information or pass it to Commissioners for review. The Chair will ensure that the documents are placed in the "Late Documents" folder for retrieval by the Clerk.

GOAL NO. 4: PARTICIPATE IN THE LEGISLATIVE PROCESS

Objective No. 1: Create a Legislative Review Committee.

- 4.1.1** The Commission, through the actions of their Legislative Subcommittee, will be made aware of significant legislative proposals impacting the role and responsibilities of LAFCOs.
- 4.1.2** The Legislative Subcommittee shall prepare materials and present them to the Commission supporting CALAFCO legislative positions that are not inconsistent with local concerns.

GOAL NO. 5: SUPPORT CALAFCO

Objective No. 1: Support and Utilize CALAFCO Resources.

- 5.1.1** Commissioners and staff members shall be encouraged to take advantage of CALAFCO sponsored professional development opportunities.
- 5.1.2** Commissioners shall be encouraged to seek positions on the CALAFCO Executive Board in order to give Riverside LAFCO a voice in statewide matters.

5.1.3 It shall be the policy of this Commission to continue its status as a CALAFCO member in good standing.

5.1.4 Staff shall be encouraged to contribute to and support CALAFCO activities as resources allow.