CALAFCO Annual Report to the Membership

Dear CALAFCO Members:

We are proud to report the progress of our Association during the past year. CALAFCO continues as a strong, vibrant educational resource to members and as an advocate for LAFCo and LAFCo principles to statewide decision makers. We are pleased that awareness of and interest in CALAFCO, in Sacramento and throughout the state, is growing. In 2014-2015 the Association maintained a high level of educational services as well as a vigorous agenda of legislative issues. We remain proud of both the program quality and participation in the Staff Workshop and the CALAFCO U courses. Sacramento LAFCo and the Annual Conference planning committee have done an outstanding job with the 2015 Conference. Finally, the Association remains on solid financial ground. The 2015-2016 adopted budget not only maintains member service levels, but in some instances also increases them, retains a healthy reserve, and allows us the opportunity to reinvest in the membership.

Our achievements continue to be the result of the dedicated efforts of the many volunteer LAFCo staff who contribute their time and expertise. The Board is grateful to the Commissions that support their staff as they serve in the CALAFCO educational and legislative roles on behalf of all LAFCos. We are also grateful to the Associate Members and event sponsors that help underwrite the educational mission of the Association and allow us to keep registration fees as low as possible.

Early in 2015, your Board of Directors held our biennial strategic planning retreat. This year we took a long look into the future of the Association and the possibilities and opportunities that lie ahead in three to five years. With that vision in mind, we looked at the structural components of the organization, considered the evolution of the Association over our 44-year history, and gave careful consideration to the growing and evolving needs of our membership. We realized that the supporting structure of the organization must also evolve to meet those needs. We adopted a very aggressive and robust

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A MESSAGE FROM 
THE CHAIR OF 
CALAFCO

The past year has been an exciting one for CALAFCO, and I am honored to serve as your Chair during this interesting time. With the very successful Annual Conference held in Ontario last year, the new CALAFCO Board has been working to continue to strengthen the organization to grow and provide excellent resources for our members and valuable education to the Legislature, Governor, and local communities throughout the state.

In February the Board held its biennial retreat to review our Strategic Plan, and enhance it to address our future needs. As the economy has picked up, there has been renewed interest in the Legislature for ways to work with and work around the LAFCo process. As we looked at our Strategic Plan we saw a need to both improve services to our members and address some long-standing issues with the infrastructure of the organization itself.

Over its 44-year existence, CALAFCO has matured from a volunteer organization to a professional educational organization that has helped the state better understand CKH and the LAFCo process. At different periods in the lifetime of the organization, the Board has looked for ways to continually evolve CALAFCO to address current circumstances.

One of the areas that the Board has been working on is how to improve the Annual Conference. An important feature of CALAFCO, the Conference also presents a great deal of responsibility for host communities.

Keeping the Conference in accessible locations sometimes impacts the same LAFCos time and again. In addition, as the Conference has grown, managing all aspects of it has become challenging for a part-time staff. Working over a series of months, the Board considered a number of changes that will enhance the Conference and not overburden any individual LAFCo. We are proposing to hire a part-time Sponsorship Coordinator who will help raise funds from organizations within the CALAFCO universe to support the conference, which will in turn help bring notable speakers and programming requested by LAFCOs around the state. In addition to augmenting the CALAFCO staff for Conferences, the organization may provide discounted registrations to LAFCo staff members who can assist with registration, Conference planning and support during the Conference. With these changes we also intend to hold the Conferences in three primary locations: Sacramento, Monterey, and San Diego, with a rotating list of locations every fourth year. This will allow for greater long-term planning and will help manage the costs of the Conference as well. In order for this all to be accomplished and after careful review of what our sister organizations charge for their annual Conference, CALAFCO will be modestly
raising the registration fee for the Conference by $95 over the next three years.

With increasing requests from the Legislature to provide input on bills and calls for consultation with the administration, CALAFCO has witnessed the strain of leading a statewide organization with a very part-time staff. We currently pay for only 24 hrs/wk for our Executive Director, but we still need representation the better part of the week to manage the professional demands of the organization. Juggling the aforementioned responsibilities with maintaining our relationships with our sister organizations and meeting the needs of all 58 LAFCos is no longer tenable; we tasked our Executive Committee with the difficult job of developing sustainable solutions for CALAFCO. The Board unanimously agreed that we need to increase the hours of our Executive Director to 32 hrs/wk to better represent the organization. Desiring to also increase resources for our members, the Board is also committing to adding to our White Papers series to support our LAFCos. By increasing our staffing by 30% and providing new resources to our members, the Board is committing to evolving the organization to meet the needs of the 21st century. This comes with a cost, and we are proposing an increase that will be as little as $110/yr for small LAFCos and $530/yr for our larger LAFCos. This dues increase will be spread over a two-year period, beginning in FY 2016-17.

Raising fees and dues at any time is a difficult proposition. Our work at CALAFCO does not differentiate between small and large LAFCos when meeting the needs of our members. During the worst years of the recession, CALAFCO held the lines on dues. With effective fiscal management and new efforts to raise sponsorship funds, the organization is in a strong fiscal position, and we are not contemplating these changes out of crisis. We are committed to continually enhancing the services of CALAFCO and fulfilling our mandate “to assist member LAFCos with educational and technical resources that otherwise would not be available.” I hope you will agree when we discuss this at our annual membership meeting at this year’s Conference.

As I prepare for our Annual Conference, I have the opportunity to look back on our last year. No one can adequately prepare you for leading a statewide organization, and these past months have been very active in the life of CALAFCO. I am thankful that our diverse Board has spent the time in our retreat and through countless committee meetings to accept the challenge of defining our new course. On the legislative front I am hard pressed to remember a more active year. Fortunately our role as an education organization has served us well as we have been at the table with the Governor’s staff, key state agencies and legislative leaders to provide input on critical pieces of legislation about water, provision of services and key processes such as disincorporation. I suspect that the coming year will also be active, and our organization is well positioned to represent our member LAFCOs.

We are fortunate to have many leaders on our 16 member, regional board. The Executive officers on temporary loan from their respective LAFCOs do an incredible job and we are fortunate to have an effective Executive Director. I am humbled by the opportunity to serve as the Chair of our CALAFCO Board.

Thank you,

John Leopold
At its biennial strategic planning retreat this year, the Board of Directors opened the door of possibility for the Association. The Board did this with great intention, compassion, and respect for the 44-year history and culture that is CALAFCO. As is the case in the life cycle of any organization (particularly a non-profit), for the organization to remain relevant, continue to create value, and ultimately be sustainable in the long-term, it must take a long look at itself and the external factors that drive it. And, it must adapt to those changing external environmental factors.

Organizations are living things as are all of its components. Organizational culture is an adaptable thing, and by its very nature, has the capacity to evolve and change. There is a distinct advantage for those willing to not only adapt, but to also seek continuous improvement, both at an individual and organizational level. This advantage is even greater when the continuous improvement is generated in times of success rather than turmoil or crisis. These kinds of adaptive and transformational organizations know that resting on the laurels of successful times will not be enough for sustainability.

Change at the human level is difficult and is an ongoing journey, and organizational change is really no different. Communities today are not what they were five, ten, twenty, or fifty-two years ago, when LAFCos were first created by the State. The structures created to support and serve those communities have evolved as well. To help lead communities through those shifting conditions, organizations must be adaptive and evolutionary. This is also true for CALAFCO. For those organizations that are not so willing or able to a lead adaptive change, their ability to survive and thrive is limited.

Transformational strategic leaders are always open to possibilities, and consequently they are open to generating change not simply as a reaction but as a way for continuous improvement. Organizations with this kind of leadership create a greater opportunity for sustainability, rather than those that react to the need for change or simply ignore the need for change.

Any organizational transformation and change in culture must occur over time in order for it to be systemic and sustainable. Over CALAFCO’s 44-year history, the organization has successfully experienced numerous transformations and cultural changes. Each one has been thoughtful and well-planned, and the organization has been the better as a result of each. Today’s evolution is no different.

Over the past seven months, the Association’s leadership has been working hard at strategic reinvention. And they do so during a time of success rather than crisis. This strategic reinvention is being generated so that we can ensure we are not out of balance as we move forward. Now is a successful time for the Association, and the leadership wants to ensure that success continues to grow. There is a strong desire to make sure that the structures and systems to support our members and fulfill the mission of CALAFCO and our strategic plan are in place.

In a conversation I had a few years ago about transformational strategic leadership and adaptive organizations, a very wise and dear friend told me, “Great leaders and great organizations rebirth themselves periodically. They’ve got to be adaptive. When organizations or leaders fail, it is because they didn’t remake themselves. They didn’t understand the environment was changing and they did not adapt themselves.” [David Whitwam, former Chairman and CEO, Whirlpool Corporation]

I echo Chair Leopold’s thoughts that we are fortunate to have many leaders (past and present) on our Board and in our volunteer staff. The Association is also the success it is today because of you, our membership, and I thank you.

Pamela Miller
strategic plan for 2015-2016 and believe the components of this strategic plan will create even more value for you, our members. In this report we highlight the activities of the last year and look a bit into the future.

**EDUCATIONAL SERVICES AND COMMUNICATION**

CALAFCO educational and information sharing services are the Board’s top priority for member services. The Association focuses its resources in four areas: the Staff Workshop, Annual Conference, CALAFCO University courses, and electronic resources including the web site, quarterly reports and the member list-serves.

**Staff Workshop and Annual Conference**

We continued the tradition of quality education programming with the Staff Workshop held in Grass Valley in April and the Annual Conference in Sacramento in September. The Workshop, hosted by Nevada LAFCo, brought together 90 LAFCo staff from around the state for a three-day workshop at the Holiday Inn Express and Grass Valley Courtyard Suites. There were 38 LAFCos and 5 associate member organizations represented. An exceptionally diverse program centered on the theme “After the Gold Rush: Forging the Future and Preserving the Past.” This year’s program included a range of both technically-oriented topics and professional development topics. We began with a general session panel on Governor Brown’s plans for California’s future, followed by a series of concurrent sessions including topics such as options for consolidation, a close look at fire districts, Spheres and CEQA, innovative website management, performance measures, public agency audits, and processing applications. Other topics included dealing with difficult behaviors, engaging the public, improving presentation skills, and effectively utilizing outside consultants. Honoring the special history and culture of the region, the unique mobile workshop took us to Nevada Irrigation District’s Scotts Flat Dam and Powerhouse, followed by a visit to Empire Mine State Park. Attendees enjoyed a special dinner during the Workshop at the historic Miner’s Foundry in Nevada City. The Workshop closed with another unique legislative panel consisting of legislative representatives of our sister Associations: League of CA Cities, CSAC, and CSDA. We would like to thank Paul Novak (Los Angeles LAFCo) who chaired the Program Committee, our Hosts SR Jones and Deborah Gilcrest (Nevada LAFCo), and all who worked to make this an outstanding staff Workshop.

Approximately 250 LAFCo commissioners, staff and guests are expected at the 2015 Conference in Sacramento. Hosted by Sacramento LAFCo and held downtown at the Hyatt Regency, just near the confluence of the Sacramento and American rivers, the program centers on the theme “Confluence…LAFCo – Merging Ideas With Solutions!” and includes a range of content-rich sessions focused on how LAFCos can merge innovative and creative ideas with solutions as we face California’s greatest challenges. Opening General Sessions include a panel of Governor Brown’s top cabinet members discussing the confluence of agriculture, planning and resources, followed by a look at the implementation of last year’s historic groundwater legislation and how LAFCos could be affected. Other sessions include a unique look at broadband, climate change, urban growth boundaries, financing municipal services, fiscal analysis tools, and LAFCo and California’s changing culture. The Conference will open with a special ceremony to include the Sacramento Firefighters Local 552 Honor Guard and Sacramento Firefighters Pipes and Drums, and
close with a unique session on effective leadership in times of uncertainty, followed by our powerful and informative legislative update that includes panelists from both the Assembly Local Government Committee (ALGC) and CALAFCO’s Legislative Committee.

The mobile workshop includes a visit to the actual confluence of the Sacramento and American rivers, a tour of the largest and most progressive inland wastewater treatment plant west of the Mississippi, followed by lunch at the historic Sugar Mill.

Again this year we opened up the LAFCo 101 session for attendance to those who are not attending the full conference at a deeply discounted rate. This allows agencies to send staff and elected officials to this very special 2-hour session on understanding and applying the basics of LAFCo.

We acknowledge and thank Sacramento LAFCo for hosting the Conference, its staff for all of their hard work: Peter Brundage, Don Lockhart and Diane Thorpe, the Conference Committee Chair Gay Jones (Sacramento), the Program Committee Chair David Church (San Luis Obispo), and all who are working on the Program Committee to make this an outstanding Conference.

CALAFCO University

Effective this year, there are now two CALAFCO U courses scheduled each year. The courses allow staff, commissioners and other interested parties to explore in-depth LAFCo processes, policies and actions. The final session for 2014 was December 8 in Sacramento and featured an impressive panel of LAFCo attorneys who guided us through the Legal Interpretations of CKH. This session saw 59 attendees from around the state. In June of this year, 28 people gathered in Orange County to hear an all-star panel of LAFCo Executive Officers and Legal Counsel discuss LAFCo and litigation. The final course for 2015 is set for October 26 in Sacramento and will focus on the implementation of SB 88, the 2015 legislation that authorizes the State Water Resources Control Board (SWRCB) to mandate consolidation of water systems.

These courses are possible only with the volunteer efforts of LAFCo staff and Associate members. Thank you to all who contributed to the classes. A special thanks to Paul Novak (Los Angeles LAFCo), Marjorie Blom (Stanislaus LAFCo) and Kris Berry (Placer LAFCo) who have been coordinating CALAFCO U this year.

Accreditations

CALAFCO’s educational activities continue to be accredited by the American Planning Association to provide AICP credits for certified planners. This benefit is provided at no cost to LAFCo staff and helps them maintain their certifications. In addition, both the Conference and Workshop have sessions for LAFCo counsel that have been accredited for MCLE credits by the California Bar.

Web Site

The CALAFCO web site is a vital resource for both LAFCos and the community with questions about local government in California. The site consistently attracts between 5,500 and 6,500 visits per week. The vast majority of the visits are for the reference and resource materials found on the site and referral information to member LAFCos.

Earlier this year, we approved a complete revision and update of the web site, along with a move to a more stable host and the addition of technical support. After an extensive Request for Proposals process, an all-in-one service provider was selected and work will get underway shortly after the Annual Conference. CALAFCO will seek input and feedback from members to ensure the design is user-friendly and meets the evolving needs of the membership.

List-Serves

The list-serves maintained by the Association continue to be an important communication and information sharing tool among LAFCo staff. In total, we maintain eight list serves to help
members share information, materials, and expertise. The list-serves for executive officers, analysts, clerks and counsel discussions remain the most popular and serve to foster the sharing of information and resources.

**Quarterly Updates**

After each Board meeting, the Association’s executive director creates and distributes through the list-serves a quarterly report on the activities of the Board and Association. These quarterly reports were enhanced this year to contain more information, and a special feature highlighting various Associate Members was added. The quarterly reports were enhanced as The Sphere is now an annual newsletter. These bulletins provide informational updates in a timelier manner and at less cost to the Association.

**White Paper**

In January of this year, we released an update to the 2008 publication of *The Metamorphosis of Special Districts*. We thank Best Best & Krieger for its work on this white paper.

**LEGISLATIVE PROGRAM**

This year CALAFCO sponsored two bills, responded to a host of bills that impacted LAFCOs, was asked by two different legislators to act as a technical advisor on their respective bills, and was extensively involved in discussions with the administration on water-related issues (conversations with the SWRCB continue). Due to our efforts to help solve problems and resolve issues constructively, CALAFCO continues to be a sought-after resource to legislative committees, members and staff, and to state agencies.

The CALAFCO Legislative Committee (Committee) began work in November and met regularly throughout the year. Based on legislative priorities set by the Board last year, the focus this year was on shepherding legislation that cleans up the disincorporations statutes, drafting the next set of changes to the protest provisions, and seeking an author for a bill that strengthens the relationship between LAFCOs and JPAs. In addition, we put a great deal of effort into our annual Omnibus bill.

This year, the Omnibus bill, *AB 1532*, which was signed by the Governor on July 15, contained nine different changes to Cortese-Knox-Hertzberg (CKH) such as clarifying several definitions, making changes to obsolete and incorrect code references, and making minor updates to several outdated sections. Along the way, two additional items were removed from the bill during the extensive stakeholder review process due to concerns by at least one stakeholder. Further, late in the cycle of the bill, another item was removed due to late-breaking opposition. The Committee will consider this item again next year, likely as a stand-alone bill. We are grateful for the efforts of Committee member **Paul Novak** (Los Angeles LAFCo) and ALGC associate consultant **Misa Lennox** for their efforts on shepherding this bill, and to all of you who did the work of submitting proposals for insertion into the Omnibus.

The other CALAFCO sponsored bill is *AB 851* (*Mayes*). This bill cleans up the outdated disincorporations statutes. Beginning as a draft created by a working group (including Kathy Rollings-McDonald, Carolyn Emery, George Spiliotis, Paula de Sousa, Kris Berry, John Leopold and Misa Lennox), the proposed legislation was vetted several times in the Committee before being introduced. The bill required extensive outreach and collaboration with stakeholders and, after a total of six published amendments, CALAFCO obtained the full support of all stakeholders with no current opposition. The bill has passed the Assembly and every committee with unanimous support and is currently on the Senate floor. Additionally, the bill has garnered four co-authors. We wish to thank Kathy Rollings-McDonald for her technical expertise at Capitol hearings and in meetings with stakeholders.
Highlights of the two bills for which CALAFCO was asked to be a technical advisor are:

- **AB 3 (Williams)** This bill would authorize the establishment of the Isla Vista Community Services District by requiring the Board of Supervisors of the County of Santa Barbara to submit a resolution of application to the Santa Barbara LAFCo, and, upon direction by the commission, place the questions of whether the district should be established and whether a utility user tax should be imposed on the ballot at the next countywide election following the completion of the LAFCo review. The bill, as written and amended numerous times, does not give the Santa Barbara LAFCo the authority to make the final determination of the formation of the district, but rather gives that authority to the voters. CALAFCO’s position remains *Oppose Unless Amended*, given our policies on preserving LAFCo authority. Despite that position, the author’s office sought technical assistance and feedback from CALAFCO over the past several months.

- **AB 402 (Dodd)** This bill creates a five-year pilot opportunity for Napa and San Bernardino LAFCo Commissions to authorize an extension of services outside boundaries and spheres to support existing or planned uses pending the commission’s determination that (1) a service deficiency was identified and evaluated in a MSR; and (2) the extension of services will not result in adverse impacts on open space or ag lands or have growth inducing impacts. CALAFCO previously considered (over an extensive period of time) amending GC § 56133, and twice (in 2011 and again in 2013) the CALAFCO Board of Directors decided not to pursue those amendments. CALAFCO has maintained a position of *No Position* on this bill, due to the lack of consensus by Committee members on the core policy issue, and the author has not accepted any amendments that would cause CALAFCO to change that position to a less favorable one.

Other bills on which we worked include:

- **SB 239 (Hertzberg)** CALAFCO has worked extensively with the author’s office on this very difficult bill, which has changed dramatically since its introduction. Also focusing on amending GC § 56133, the bill concentrates specifically on the extension of fire services and requires LAFCo approval on any contract for the extension of fire services that transfers greater than 25% of the service area or changes the employment status of more than 25% of employees of any affected agencies. Prior versions of the bill required union pre-approval of the agreement, with the current version offering an alternative to that requirement. The bill also contains a host of other provisional requirements including setting a precedent for a state agency to seek LAFCo approval prior to undertaking an action that involves the provision of services outside of a public agency’s current service area under contract or agreement. CALAFCO’s original position of *Oppose* was changed to one of *No Position* (again due to lack of consensus by the membership on the core policy issue) after substantive changes were made by the author. However, many concerns remain, and CALAFCO continues to work with the author’s staff on technical amendments.

**Water talks**

**AB 115 and SB 88**

In March, CALAFCO met with OPR, the SWRCB and several members of the Governor’s staff to discuss the concept of water system consolidations. This was in response to the Safe Drinking Water Plan Draft of October 2014 and the CA Water Action Plan Implementation Report of January 2015. Following that, we heard from them again in May to advise us that the administration had put together a budget trailer bill on consolidations as a part of the drought relief package. After several meetings with the administration, held both separately and with other stakeholders over a
very short period of time, CALAFCO issued a 4-page letter of concern to OPR and the SWRCB. That same day the stakeholders gathered and strategized how to collectively oppose and lobby. The next day CALAFCO issued an official Oppose letter. In addition, a coalition of stakeholders issued an Oppose letter and began meeting with legislators and staffers in the capitol. CALAFCO met again with OPR and the SWRCB as well as the staffers of the Senate Governance & Finance and Assembly Local Government Committees.

Ultimately, both bills grant the SWRCB authority to mandate the consolidation of water systems – public, small state and individual wells, as a response to the drought. The bill was narrowed to have the Board focus only on those located in disadvantaged communities. The SWRCB will identify those systems that have either run out of water or are undrinkable due to water quality issues, then mandate them to consolidate. It is unclear how they will prioritize their targeted entities, or how many they plan to execute. The bill requires the SWRCB to hold a hearing, make findings, and, once the consolidation is ordered, provide financial assistance for infrastructure (although no operations and maintenance funding) and provide compensation in the form of fair market value for the subsumed system.

Throughout the process, CALAFCO offered a host of options for the SWRCB to consider and raised countless questions and concerns, most of which were dismissed based on the language adopted in the bill. Ultimately, AB 115 was heard in the Senate Budget Committee after being published all of 90 minutes and was pushed through to the Senate floor. Simultaneously, SB 88 (identical to AB 115) was rushing its way through and Assembly floor and back over to the Senate, where it quickly passed and found itself on the Governor’s desk and signed on June 24.

Since the passage of SB 88, CALAFCO met with the SWRCB to discuss implementation of the legislation. There was some agreement on what “consulting with LAFCO” should look like, and it remains to be seen how the process will actually work. In addition, we are working with members of the legislature and their staff on policy clean-up legislation. CALAFCO is committed to continuing to work with the SWRCB in creating a workable implementation process, and plans to have the focus of the October CALAFCO Ube on the implementation of SB 88.

For a complete list of CALAFCO bills, please visit the CALAFCO website. Information is updated daily.

**FINANCIAL POLICIES AND REPORTING**

The Association continues to stand on a strong financial base. The Board maintains policies and current filings which are in compliance with all federal and state requirements for 501(c)(3) organizations. The CALAFCO Policy Manual, IRS Form 990 and other key Association documents are available on the CALAFCO website. The Association also maintains its records with the national non-profit reporting organization, GuideStar (www.guidestar.com). In 2015 CALAFCO once again earned the GuideStar Exchange Gold Seal in recognition of its transparency and completeness in documentation.

All financial records are reviewed quarterly by an outside CPA with reports to the Treasurer and the Board. The Board also reviews the annual IRS Form 990 tax filing prepared by the CPA and staff.

**2015-16 Budget**

The Board continues to manage the financial resources of the Association closely. This year LAFCo dues were increased by the CPI as authorized in the Association Bylaws. While only a 2.0% increase, the Board felt it was necessary to keep up with the increasing costs of operating the Association. The dues have not been raised beyond the CPI since FY 2008-2009, and, until FY 2012-2013 when they were raised by the CPI, dues remained stable at the 2008-09 rates.

The adopted budget for 2015-16 provides for several changes from the 2014-15 budget. The
close of the fiscal year showed a slightly greater year-end balance than anticipated in the adopted budget, allowing the Association to once again avoid the use of reserve. The budget adopted in May 2015 is $418,807, which includes a carryover net balance and contingency fund of $69,725. The year-end fiscal report indicates a greater than anticipated net balance of $76,790. This is due in part to a very profitable Annual Conference and Staff Workshop, as well as diligent fiscal management on the part of staff.

The Board approved several small allowances for the use of Contingency funds during the last fiscal year and we are happy to report the records retention project led to thousands of documents in hundreds of files being scanned and archived electronically. In addition, the CALAFCO office purchased new printers and office equipment, and there was a need for outside legal counsel. In total, $17,059 of Contingency funds were spent, which is 41% of the total Contingencies.

For the current fiscal year, Contingency funds will be used to fund several additional projects that will create high value for the membership. First, we will be completely revising and updating the CALAFCO website for a more user-friendly look and feel. Along with the new site, we are adding ongoing technical support to assist CALAFCO staff in keeping the site updated and refreshed and to assist when technical issues arise. Next, we have agreed to produce several white papers in the coming 18 months. These papers will include groundwater management and sustainability and a follow up to the “First 25 Years LAFCo Activity Survey” which will address the “Next 25 Years”. In addition, CALAFCO has been approached by the American Farmland Trust to collaborate on a White Paper, and by the California Special Districts Association to partner on creating a guide to forming a special district.

During the July Board meeting, after over six months of information gathering and careful deliberation, we made some decisions about the supporting structure of the organization. We are officially adding additional time the Executive Director will work for the Association, to better meet the evolving needs of the membership and to sustain the current level of activity and Association visibility. This means a slight increase on member LAFCo dues in the next two fiscal years. Furthermore, starting with the 2017 Annual Conference, we will hire a sponsorship coordinator to assist us in creating a strong branding message and increase our capacities in adding additional revenue streams.

Restricted Fund Reserve

Since 2005 an important goal established by the Board has been to grow and maintain a fund reserve to support member services in uncertain economic times and to avoid the need to tap members for additional funds, as had been done in the past. With an initial goal of 35% of non-conference operating expenses, the reserve balance at the close of the 2014-15 fiscal year was $150,754, about 72% of the annual operations budget outside of the Conference, Workshop and CALAFCO U. The reserve is not part of the annual budget and requires a vote of the Board to use its funds. The Association has not used the fund reserve since the early 2000s. CALAFCO maintains its funds with the Local Agency Investment Fund (LAIF). While the interest rate has remained low again this year, we have not lost any of the principal in our savings or investments. Last year the Board amended the organization's policy regarding the reserve fund, changing from having a maximum of 25% held in reserves to having a minimum of 25% held in reserves.
ASSOCIATION MANAGEMENT

New Board Members

Over the course of the past year, two Board members left CALAFCO; we are grateful for the work of Ted Novelli (Amador LAFCo) and Stephen Tomanelli (Riverside LAFCo). In May, we were honored to welcome two new commissioners to the Board.

The Board appointed El Dorado LAFCo Commissioner Shiva Frentzen to fill the County seat in the Central Region. Commissioner Frentzen is a member of the El Dorado County Board of Supervisors, representing District 2, where she has lived for the past 22 years.

The Board also appointed Los Angeles LAFCo Commissioner Gerard McCallum to fill the vacant Public Member seat in the Southern region. Commissioner McCallum is a Senior Project Manager with WMS Partners and resides in View Park. He is currently serving his second term on the Commission.

New Associate Members

We are proud to welcome several new Associate members to the Association this past year: Cucamonga Valley Water District, Marjorie Olsson Blom Consulting and Ukiah Valley Sanitation District.

A Final Thank You

Just last month we said goodbye to CALAFCO Executive Officer Marjorie Blom who retired as the Stanislaus LAFCo Executive Officer. Marjorie served as the CALAFCO Executive Officer for almost two years and prior to that was the Central region’s Deputy Executive Officer for two years. We are happy to report that Steve Lucas (Butte LAFCo) has stepped into the role of Executive Officer, and Kris Berry (Placer LAFCo) is now the Central region Deputy Executive Officer.

Finally we want to recognize the leadership of our executive director Pamela Miller and 2014-2015 executive officer Marjorie Blom (Stanislaus LAFCo). Added to that is our appreciation for all the contributions of executive assistant Jeni Tickler in the CALAFCO office, deputy executive officers Steve Lucas (Butte LAFCo), Paul Novak (Los Angeles LAFCo), and David Church (San Luis Obispo LAFCo), Legal Counsel Clark Alsop and Paula de Sousa (BB&K), and CPA Jim Gladfelter (Alta Mesa Group). These people, along with many other volunteers, associate members, and members of the Board have all worked together this year to bring many achievements and a strong Association to you, our Member LAFCos and Associate Members.

Sincerely Yours,
The CALAFCO Board of Directors

What’s Ahead?

2015 CALAFCO University
Water Works: The Implementation of SB 88
October 26, 2015
Sacramento, CA

2016 STAFF WORKSHOP
March 30 – April 1, 2016
Hilton Los Angeles at Universal City
Universal City, CA
Hosted by Los Angeles LAFCo

2016 ANNUAL CONFERENCE
October 26 – 28, 2016
Fess Parker DoubleTree by Hilton
Santa Barbara, CA
Hosted by Santa Barbara LAFCo
San Mateo LAFCo July Meeting Covers Broad Set of Deliberations
Written by Martha Poyatos, San Mateo LAFCo Executive Officer

At its meeting on July 15, 2015, San Mateo LAFCo approved a reorganization dissolving a water district and forming a county maintenance district. This will resolve a longstanding dilemma of a water district that sold a water system and continued to collect property tax. At the same meeting, the Commission also completed a municipal service review and sphere update, and reaffirmed the zero sphere of influence of a countywide harbor district that has been under close scrutiny from the Civil Grand Jury and the public and held the first of two hearings on the municipal service review and sphere update of five cities and six special districts in Northern San Mateo County. The range of projects and level of controversy demonstrated both the diverse challenges LAFCOs face and the value of collaboration in carrying out LAFCo’s mission.

Los Trancos County Water District
The Commission approved the reorganization of the Los Trancos County Water District (LTCWD), dissolving the independent water district and forming a county maintenance district as successor to fund enhanced fire safety, storm drain improvements, and land stewardship. LTCWD was an independent district formed in 1954 to improve a dilapidated water system and provide water service to unincorporated Los Trancos Woods. The heavily wooded area was originally developed with vacation homes and is served predominantly by septic systems. The area lacks storm drain infrastructure and is characterized by steep terrain and narrow, winding roads. In years with heavy rain, significant storms have resulted in erosion and property damage, and the limited access and egress, combined with being heavily wooded, makes the community a high fire danger area. In 2005, the District sold its water system to the California Water Service Company (Cal Water) but continued to receive property tax and funded various initiatives focusing on fire safety, water conservation, and stormwater runoff measures. The District’s first use of property tax after the sale of the system was to provide rebates on water bills, but this program was discontinued based on recommendations in a LAFCo municipal service review in 2006.

The District-initiated application followed several years of study and debate surrounding the District’s 2005 sale of its water system to Cal Water; continued receipt of property tax; and spending on community priorities including enhanced fire safety, stormwater runoff, and land stewardship. While these programs might be considered “inactive” services for a water district pursuant to Government Code Section 56824.10, application of 56824.10 was not implicit given that the District no longer operated a water system. Moreover, these activities were already within the authority of three agencies that overlap the District: Midpeninsula Regional Open Space District (MROSD), Woodside Fire Protection District (WFPD), and the County of San Mateo. Since the 2005 sale of the water system, the District has been the subject a LAFCo municipal service review that discouraged use of property tax to provide rebates to Cal Water ratepayers and urged dissolution, since the district no longer provided the service for which it was formed. The District was also the subject of a critical Civil Grand Jury report and was cited by the State Legislative Analyst's office as an argument for shifting property tax from enterprise districts to fund for parole realignment and most recently as an example of the unintended consequence of Proposition 13.

The report Parole Realignment and the 2008-09 Budget[^1] contained the following language regarding use of property tax:

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longer provides water service, the district did not dissolve or request that its property tax revenues be redistributed or eliminated. The water district continues to receive property taxes pursuant to current law. The district uses about one-half of these revenues to provide tax rebates to its residents and the rest for activities unrelated to water delivery.

The November 29, 2012 Legislative Analyst’s Office report Understanding California’s Property Tax\(^2\) contained the following language:

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**Limited Responsiveness to Modern Needs and Preferences:** An effective tax allocation system ensures that local tax revenue is allocated in a way that reflects modern needs and preferences. In many ways, California’s property tax allocation system—which remains largely based on allocation preferences from the 1970s—does not meet this criterion. California’s population and the governance structure of many local communities have changed significantly since the AB 8 system was enacted. For example, certain areas with relatively sparse populations in the 1970s have experienced substantial growth and many local government responsibilities have changed. One water district in San Mateo County—Los Trancos Water District—illustrates the extent to which the state’s property tax allocation system continues to reflect service levels from the 1970s. Specifically, this water district sold its entire water distribution system to a private company in 2005, but continues to receive property tax revenue for a service it no longer provides.

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The proposal to dissolve the water district and form a county maintenance district as its successor agency to provide enhanced local services is a complex solution to a complex problem. Why complex? While there was support for keeping the District’s property tax local by forming a maintenance district or a fire zone of benefit, some board members and residents rejected the idea of losing local control and worried that the District’s lake and three-acre wooded parcel would be sold and developed. In addition, the short-staffed fire district didn’t want to be burdened with accounting for a new property tax stream by forming a fire zone as successor, and the water district’s lands were not consistent with lands that MROSD or the County typically acquired for park or open space uses. Over the course of several years of discussion with the District, WFPD, MROSD, and the County, as well as LAFCo workshops in the community, the solution of a county maintenance district as successor to the dissolved District to manage the three programs of enhanced fire safety, storm drain infrastructure, and land stewardship by agreements with WFPD and MROSD took shape. Before submitting its application, the District board commissioned a professionally-conducted community survey that indicated that there was majority support for a county maintenance district to keep property tax local and fund important community priorities. Support depended upon the ability of the District to request, and LAFCo to enforce, conditions that would satisfy the various concerns of the District board, its constituents, and the agencies that were stepping up to facilitate the reorganization. Conditions were many and included formation of a community advisory council to provide for continued community input, conservation easements over the lake and the three-acre parcel that are to be transferred to the County and WFPD, respectively, and scope of service documents for fire safety and storm drain improvements to guide service levels in these areas.

After several years of numerous, at times contentious, community meetings, the LAFCo hearing was attended by a handful of residents and District board members and LAFCo received no written or oral opposition to the proposal. The reorganization, the product of three agencies sharing the same constituency stepping up to respond to important public safety priorities, will become effective October 1, 2015 and upon satisfaction of all conditions. The reorganization could not have been possible without the combined efforts the Los Trancos community and several agencies: kudos to the LTCWCD board and constituents LAFCo, the County of San Mateo, MROSD, and WFPD.

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**San Mateo County Harbor District**

The San Mateo County Harbor District was formed in 1933 with countywide boundaries. It operates the Pillar Point Marina in Princeton-by-the-Sea on Half Moon Bay and, under a joint

powers agreement, the City of South San Francisco’s Oyster Point Marina and Park on San Francisco Bay. The District receives a share of the countywide property tax estimated at $5.5 million this fiscal year. The District’s long-standing LAFCo sphere of influence, first adopted in 1977, is that it be dissolved with the County of San Mateo as successor agency. This municipal service review and the previous review performed in 2006 identified the District’s reliance on property tax to subsidize a portion of enterprise activities and a lack of nexus between the District’s receipt of countywide property tax and the countywide benefit of the facilities that are funded.

The consultant-prepared municipal service review followed a harsh Civil Grand Jury report and was undertaken in the midst of the District’s implementing Grand Jury recommendations including addressing conflict and discord in Harbor Commission interaction; recruiting for a permanent general manager after retirement of the longtime general manager; other vacancies; an office move, and imminent labor negotiations. In the course of the municipal service review, several issues were identified in addition to the Civil Grand Jury recommendations that the District began to address before the study was complete. The District outsourced with Regional Government Services for an interim general manager, established a line of command and communication between the District commission and staff, revised budgeting practices to more accurately represent the District’s revenue and expenditures, and indicated its intention to implement a cost accounting system to better track expenditures for enterprise versus non-enterprise activities.

While it was clear from the outset that LAFCo’s legislative purpose and intent were at odds with the Harbor District’s purpose and continued existence, the District board and staff diligently participated in the municipal service review process and took heed of LAFCo observations. The value of the municipal service review process was well demonstrated, in that regardless of the outcome of the sphere designation, the exercise of evaluating accountability, transparency, fiscal ability to provide services, and management efficiencies serves as a roadmap for the District to improve in these areas.

North County Cities and Special Districts

The consultant-prepared north county cities and special districts municipal service review and sphere of influence update, which covers five cities and six special districts, got off to a rocky start with considerable anxiety on the part of unincorporated Broadmoor residents who receive service from two districts with LAFCo sphere designations that they be dissolved: Broadmoor Police Protection District (BPPD) and Colma Fire Protection District (CFPD). Broadmoor, with a population of 4,633, is a community wholly surrounded by the City of Daly City and is in the City’s sphere of influence but has a long tradition of supporting BPPD and CFPD. Community support includes repeated voter approval of special taxes to augment both district budgets. These two districts include other non-contiguous areas that are also in the City of Daly City sphere of influence and CFPD also serves the Town of Colma, with a population of 1,492.

LAFCo opened the public hearing on the north county study at the July 15, 2015 meeting and received extensive comment from Broadmoor residents, representatives of the police and fire districts, the City of Daly City, and the Town of Colma. The Commission continued the public hearing to September 16, 2015 to allow time for revisions and corrections to the report. The LAFCo Executive Officer followed up with a letter clarifying the purpose of municipal service reviews and the potential effects of spheres of influence in an effort to allay the residents’ concerns that municipal service reviews and sphere of influence updates in themselves impacted the ability of a District to provide services. The letter emphasized that sphere recommendations require action from affected agencies or the community and that, based on comments from all involved, there were no agencies interested in implementing the sphere recommendations. The municipal service review and sphere of influence also included recommendations about improving the BPPD and CFPD websites to include agendas, staff reports, budgets, and audits to keep their constituents informed and the districts indicated that they plan on implementing these suggestions. In spite of conflict in response to the municipal service review and sphere of influence study, BPPD Chief Art Stellini noted that the
agencies under study have a long history of working together. LAFCo will aim toward facilitating that effort as it completes the municipal service review process.

Other notable observations in the north county study include a three-city joint powers agreement for shared fire services among the Cities of Pacifica, Daly City, and Brisbane; a partnership between Pacifica and North Coast County Water District (NCCWD) for recycled water; and NCCWD’s achievement of being the first special district in San Mateo County to receive the Special District Leadership Foundation (SDLF) Transparency Certificate of Excellence from the California Special Districts Association (CSDA).

THE LEGAL CORNER

Legislature Updates LAFCo Statute
By Megan Knize

Legislation that took effect January 1, 2015 aims to clarify provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Each year, LAFCo Commissioners or CALAFCO staff suggest changes to be incorporated into an omnibus bill. AB 2762, which took effect in January of this year, sponsored by the Assembly Local Government Committee led by Assembly Member Katcho Achadjian (R- San Luis Obispo) and Chair of the Assembly Local Government Committee, allows a number of technical, non-controversial changes. Most notably, the Act now reflects the following:

Additional Required Factor for Analysis of Proposals. Before AB 2762, the law required a LAFCo to consider a proposal’s consistency with both regional transportation plans (RTIPs) and city or county general or specific plans. Government Code section 56668 now requires a LAFCo to review “[t]he proposal’s consistency with city or county general and specific plans.” Reference to the RTIP is deleted.

Added Flexibility for Independent Special District Selection Committees. Prior law provided that a special independent district selection committee was made up of the presiding officer of the legislative body of each special district and had to meet in person to do business. This proved unworkable especially in geographically large counties with many special districts. These committees frequently struggled to attain quorums to do business.

The Government Code was amended to allow the legislative body of the special district to appoint one of its members as an alternate to participate in the independent special district selection committee if the presiding officer is unable to participate in a meeting or election of the committee. This change creates flexibility and allows representation if the presiding officer of the special district cannot participate in a committee meeting or election. In addition, the bill allows a majority of independent special district selection committee members to decide to conduct the committee’s business by mail, including holding all elections by mailed ballot. If a majority of the independent special district selection committee decides to conduct the committee’s business by mail, or if the executive officer decides that a meeting to select special district members or fill vacancies is not feasible, the executive officer shall conduct the committee’s business by mail.

Further, special district selection committee elections may be conducted by certified mail or email. For a valid election by mail, a quorum of special districts must submit valid ballots. The candidate receiving the most votes is elected, unless the committee adopts another procedure. If the executive officer does not receive a quorum of ballots by the date specified, the executive director must extend the ballot submission date by 60 days.

Clear Definition of Landowner-Voter District. In the case of a landowner-voter district, existing law was unclear about who was a voter for purposes of confirming the change of organization or reorganization. The bill deleted the word “voter” and replaced it with “landowner.” Thus, “if the number of
landowners entitled to vote within a subject agency is less than 300, protests shall be signed by at least 25 percent of the landowners entitled to vote.” (Gov. Code, § 57113, subd. (b).)

Reauthorization of LAFCos to Review and Comment on Services in Unserved Territory. The bill added language that allows a LAFCo to review and comment upon: (1) extensions of services into previously unserved territory; and (2) the creation of new service providers to extend urban-type development into previously unserved territory within unincorporated areas. The review is to ensure consistency with policies outlined in the Government Code and with adopted policies “promoting orderly development, discouraging urban sprawl, preserving open space and prime agricultural lands, providing housing for persons and families of all incomes, and the efficient extension of governmental services.” Assembly Bill 2259 originally provided this authority, which sunsetsed on January 1, 2013. This section will now remain in effect until January 1, 2019.

Thus, CALAFCO and its members continue their good work in improving the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to make it a better tool for LAFCOs’ important work. That effort, of course, is ongoing, and further updates to the Act are now pending in the Legislature. Thanks to all who contributed that that effort!

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Megan Knize is Senior Counsel and a member of Colantuono, Highsmith & Whatley’s litigation and advisory practice groups. Megan’s practice covers a wide range of matters involving municipal finance and public revenues litigation and advice, as well as general municipal advisory work, including for Yuba and San Diego LAFCos.
http://chwlaw.us/attorneys/megan-s-knize/

Napa LAFCo Appoints New Executive Officer
Brendon Freeman has been named Executive Officer of the Napa LAFCo. Brendon previously served as LAFCo Analyst for over six years and was LAFCo Interim Executive Officer for the two months prior to his appointment on August 4, 2015.

“I was born and raised as a third-generation Napan and I’m grateful for the opportunity to serve the community I grew up in. My new role brings immense responsibility to be accountable, objective, and transparent with respect to the needs of each individual community within Napa County. This is about doing the right thing and bringing local agencies together. Public service is in my blood and I look forward to building consensus on a variety of difficult issues,” Brendon says.

Upcoming Napa LAFCo projects include municipal service reviews and sphere of influence updates for the City of Calistoga, City of St. Helena, and Town of Yountville. Also on the horizon is a sphere of influence amendment and annexation request for Napa Pipe.

“Brendon has served LAFCo for seven years, and we look forward to working with him in his new role. He really understands the municipal services in Napa County and the need to protect agriculture,” said Juliana Inman, LAFCo Chair.

Alameda LAFCo Has Been Busy
Commissioner Update: Commissioners Sblendorio, Haggerty and Miley were each reappointed for another four year term. David Haubert was appointed as the alternate city member replacing Commissioner Jerry Thorne.
who was elevated to regular city member by the Alameda County Mayors’ Conference.

**Operations:** The Commission held its first strategic planning workshop resulting in the adoption of the following strategic priority goals:

1. Curb urban sprawl, and preserve and protect open space and agricultural lands.
2. Strengthen local agency oversight to encourage organizations to recognize their responsibilities to the public that they serve.
3. Be a catalyst and information resource to promote logical, efficient municipal service provision.

Subsequently, the Commission instituted an innovative agenda item as part of each Commission meeting, hosting a number of municipal services presentations including water, wastewater, flood protection, transportation, parks and recreation, and broadband services. The presentations provide a county-wide overview of each type of service as well as opportunities for Commissioners to learn about and ask questions of the service providers. The Commission will continue to host these presentations in the future to achieve its strategic priority goals.

The Commission renewed its memorandum of understanding (MOU) with Alameda County for staffing and other support services for another five-year term through 2019. Additionally, for the fifth year in a row, the Commission was pleased to offer a paid internship to a recently graduated high school senior. We have been very fortunate to have highly motivated, curious young people with us for six weeks each summer. This internship opportunity is a win-win: the young person earns a small stipend and participates in and learns about local government in its many forms (e.g., attending a local special districts association chapter meeting) as well as LAFCo, while the Commission benefits from completion of a variety of short-term projects.

**Projects:** Alameda LAFCo approved the reorganization of a county service area (CSA) that provided only solid waste and recycling services to a limited unincorporated area. In order to provide the services in a more cost effective way, Alameda County submitted an application to dissolve the CSA and annex its territory into the Oro Loma Sanitary District.

In another case, a similar application was submitted by Alameda County, also for the purpose of continuing solid waste collection services and establishing recycling services in an area known as the Castro Valley Canylands. This area is expansive with a relatively low level of population density. After the private solid waste hauler determined it would no longer provide services in the area using individual contracts with property owners, the county proposed annexation into the Castro Valley Sanitary District, a neighboring sanitary district which would provide the solid waste services to property owners under a negotiated franchise agreement. After a lengthy public process, the Commission ordered the annexation.

Finally, the Commission received a presentation on the results of the Tri-Valley Utilities Coordination/Integration Phase I Study which was initiated in response to LAFCo’s municipal service review process. The Tri-Valley Utility Study is an effort coordinated among six local governments - the cities of Dublin, Pleasanton, Livermore, and San Ramon, the Dublin San Ramon Services District and the Zone 7 Water Agency to identify ways to serve constituents more effectively and efficiently.

**Marin LAFCo Is On The Move!**

It’s been a busy time for Marin LAFCo. This past year we said hello to Commissioners Damon Connolly (County) and Lew Kious (District) and farewell to Commissioners Susan Adams (County) and Dennis Rodoni (District).

We created Marin LAFCo’s very first logo. Commission Clerk Candice Bozzard celebrated her 13th year with Marin LAFCo!

Finally, we said a hearty “hello” to funding a fulltime analyst position with recruitment currently underway.
Earlier this summer, we hired **Erica Blom** as an Administrative Aide. Erica has been living in San Diego for about 10 years and yes she is related to Marjorie Blom - she's her daughter! Erica has general administrative responsibilities in our office, but also has some important specific responsibilities with the launching of our multi-year records management project.

Our other new hire is **Joe Serrano**, who is well known within the LAFCo community. Joe was formerly with the Orange and San Bernardino LAFCOs. He is a Local Governmental Analyst and his primary responsibilities will be in the areas of proposal analysis, budget development, and fire protection / emergency medical services. Within the next year, we plan on adding one more analyst, as part of a reorganization plan that will place less reliance on the usage of contract help.....so stay tuned.

**CALAFCO Associate Member Corner**

CALAFCO deeply appreciates our Associate Members and we thank you for your partnership and support.

This past year we welcomed several new Associate Members. All of these members’ contact information is in the CALAFCO Directory as well as on the CALAFCO website.

### Silver Associate Members

**Berkson Associates**  
**Contact:** Richard Berkson

Berkson Associates provides clear, concise analysis for preparation of governance studies including district formation, consolidation and dissolutions. Extensive experience completing incorporation studies. Expertise also includes market analysis, public agency budget forecasting and demographic/housing analysis in support of MSRs.

**Cucamonga Valley Water District**  
**Contact:** Cindy Cisneros

Formed in 1955, the District provides water and wastewater service to 200,000 customers in a 47 square mile area (48,000 water connections, 38,000 sewer connections and 104 recycled water connections). The District has a mission of providing high quality, reliable water and wastewater service while practicing good stewardship of natural and financial resources. CVWD’s water supply is comprised of two main sources: groundwater and imported water. Supplemented by surface water (canyon water), recycled water and water conservation, the District's average demand is 48 million gallons per day.

**Marjorie Ollson Blom Consulting**  
**Contact:** Marjorie Blom

LAFCo and/or planning agency staff support; preparation of Municipal Service Reviews and Sphere of Influence Updates; application processing and grant writing assistance. With over 26 years of planning and/or LAFCo experience, personalized services are tailored to your Agency’s needs.

**Ukiah Valley Sanitation District**  
**Contact:** Frank McMichael

Provides services within the unincorporated area of the Ukiah Valley and within part of the City of Ukiah’s jurisdictional boundaries.

*These summaries are written by the Associate Members themselves, not CALAFCO, and can be found in the Membership Directory Associate Members section.*
Thank You to All of Our Associate Members

CALAFCO GOLD ASSOCIATE MEMBERS

CALAFCO SILVER ASSOCIATE MEMBERS

Berkson Associates
City of Fontana
City of Rancho Mirage
County Sanitation Districts of L. A. County
Cucamonga Valley Water District
Dudek
E. Mulberg & Associates
Fresno County Fire Protection District
Goleta West Sanitary District
Griffith & Matsuda, a Professional Law Corp.
GST Consulting
HdL Coren & Cone
LACO Associates
Lamphier-Gregory
Marjorie Olsson Blom Consulting
Planwest Partners, Inc.
Policy Consulting Associates
Quad Knopf
Rancho Mission Viejo
P. Scott Browne
SWALE Inc.
Ukiah Valley Sanitation District
The Year In Pictures
Scenes from CALAFCO Activities

CALAFCO Annual Conference 2014
Ontario, CA

CALAFCO Board 2015-16 Strategic Planning Retreat
Irvine, CA

CALAFCO Annual Staff Workshop 2015
Grass Valley, CA