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# Countywide RDA Oversight Boards Take Over in 37 Counties

By CSDA ADMIN posted yesterday

0 RECOMMEND



Effective July 1, 2018, the State of California consolidated over 400 redevelopment agency (RDA) oversight boards into just one per county. [1] In 37 counties there were previously two or more RDA oversight boards, one for each RDA successor agency. In partnership with the California Association of Local Agency Formation Commissions (CALAFCO), CSDA worked to ensure each new countywide RDA oversight board received a duly appointed special district representative.

Independent special district selection committees, the same bodies that appoint commissioners to local agency formation commissions (LAFCOs), have authority to appoint special district representatives to countywide

RDA oversight boards via a process administered by their respective LAFCO executive officer. CSDA has compiled a [list of all special district representatives appointed](#) to a countywide RDA oversight board.

Only San Joaquin County failed to appoint a special district representative. The Governor now has the ability to appoint in place of the independent special district selection committee in San Joaquin County, unless a special district official makes a written request of the LAFCO executive officer to initiate the appointment process. [Government Code Section 56332\(b\)](#) requires the LAFCO executive to initiate the appointment process upon receipt of such a request.

As part of the 2011 Budget Act, and in order to protect funding for core public services at the local level, the Legislature approved the dissolution of the state's 400 plus RDAs. After a period of litigation, RDAs were officially dissolved as of February 1, 2012. As a result of the elimination of the RDAs, property tax revenues are now being used to pay required payments on existing bonds, other obligations, and pass-through payments to special districts and other local governments. The remaining property tax revenues that exceed the enforceable obligations are now being allocated to cities, counties, special districts, and school and community college districts, thereby providing critical resources to preserve core public services.

To help facilitate the wind-down process at the local level, successor agencies were established to manage redevelopment projects currently underway, make payments on enforceable obligations, and dispose of redevelopment assets and properties. Each successor agency was given an oversight board to supervise its work. The oversight boards were comprised of representatives of the local agencies that serve the redevelopment project area: the city, county, special districts, and K-14 educational agencies. Oversight board members have a fiduciary responsibility to holders of enforceable obligations, as well as to the local agencies that would benefit from property tax distributions from the former redevelopment project area.

In anticipation of the challenges associated with the RDA oversight board consolidation process, CSDA coordinated a joint working group with CALAFCO and published a [white paper](#) on the topic September 27, 2016. CSDA public affairs field coordinators met with dozens of special districts and LAFCOs over the ensuing months, and CSDA and CALAFCO jointly published an "FAQ" and held a webinar for LAFCO officials in February.

For questions about property tax distribution for your district, contact your county auditor-controller. For more information or to update CSDA on the status of your countywide RDA oversight board, please contact your CSDA public affairs field coordinator:

- Dane Wadlé, Northern and Sierra Networks, [danew@csda.net](mailto:danew@csda.net)
- Colleen Haley, Bay Area Network, [colleenh@csda.net](mailto:colleenh@csda.net)
- Steven Nascimento, Central Network, [stevonn@csda.net](mailto:stevonn@csda.net)
- Chris Palmer, Coastal and Southern Networks, [chrisp@csda.net](mailto:chrisp@csda.net)

[1] Los Angeles County is an exception, due to its size, with all RDAs consolidated into one per county supervisorial district.

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**COUNTYWIDE RDA OVERSIGHT BOARD-SPECIAL DISTRICT APPOINTEES  
AS OF JULY 30, 2018**

<b>County</b>	<b>Countywide RDA Oversight Board Appointees</b>
Alameda	Appointee: Paul Sethy, President, Alameda County Water District Alternate: N/A
Butte	Appointee: Al McGreehan, Secretary, Paradise Recreation and Park District Alternate: N/A
Contra Costa	Appointee: Susan Morgan, Director, Ironhouse Sanitary District, Alternate: Raemona Willams, Director, Rodeo-Hercules Fire Protection District
Fresno	Appointee: Frank Fowler, Chair, Fresno Metropolitan Flood Control District Alternate: N/A
Humboldt	Appointee: Bruce Rupp, Director, Humboldt Bay Municipal Water District Alternate: N/A
Imperial	Appointee: Laura Fischer, General Manager, Heber Public Utility District Alternate: N/A
Kern	Appointee: Tim Unruh, District Manager, Kern County Cemetery District Alternate: N/A
Kings	Appointee: Bill Gundacker, Trustee, King's Mosquito Abatement District Alternate: N/A
Lake	Appointee: Randy Williams, Director, Lakeport Fire Protection District Alternate: N/A
Los Angeles	Board No. 1: William Rojas, President, La Puente Valley County Water District Alternate No. 1: Anthony Lima, Director, Roland Water District Board No. 2: Micah Ali, President, Compton Creek Mosquito Abatement District Alternate No. 2: N/A Board No. 3: Catherine Houwen, Trustee, Greater Los Angeles County Vector Control District Alternate No. 3: N/A Board No. 4: Theodore Ebenkamp, President Walnut Valley Water District Alternate No. 4: Szu Pei Lu-Yang, President, Rowland Water District Board No. 5: Joseph Ruzicka, Director, Three Valley Municipal Water District Alternate: N/A
Madera	Appointee: Lisa Baker, Chowchilla Memorial Healthcare District Alternate: N/A
Marin	Appointee: Craig K. Murray, Vice President, Los Gallinas Valley Sanitary Alternate: Lew Kious, Chairman, Almonte Sanitary District
Monterey	Appointee: Warren (Pete) Poitras, President, Monterey County Regional Fire District Alternate: N/A
Mendocino	Appointee: Andrea Reed, Vice Chair, Ukiah Valley Sanitation District Alternate: N/A
Merced	Appointee: Rhiannon Jones, General Manager, Merced County Mosquito Abatement District

COUNTYWIDE RDA OVERSIGHT BOARD-SPECIAL DISTRICT APPOINTEES  
AS OF JULY 30, 2018

	Alternate: N/A
Nevada	Appointee: Nick Wilcox, Director, Nevada Irrigation District Alternate: N/A
Orange	Appointee: Brian Probolsky, Vice President, Moulton Niguel Water District Alternate: N/A
Placer	Appointee: Josh Alpine, Director, Placer County Water Agency Alternate: N/A
Riverside	Appointee: Phil Williams, Chair, Elsinore Valley Municipal Water District Alternate: N/A
Sacramento	Appointee: Terri Leimbach, Director, Cordova Recreation and Park District Alternate: N/A
San Bernardino	Appointee: Cindy Saks, Finance Manager, San Bernardino Valley Municipal Water District Alternate: N/A
San Diego	Appointee: Ed Sprague, Treasurer, Olivenhain Municipal Water District Alternate: N/A
San Joaquin	Appointee: None made Alternate: N/A
San Luis Obispo	Appointee: Mary Matakovich, Commissioner, Port San Luis Harbor District Alternate: N/A
San Mateo	Appointee: Rob Silano, Director, Menlo Park Fire Protection District Alternate: N/A
Santa Barbara	Appointee: Craig Geyer, Director, Goleta West Sanitary District Alternate: N/A
Santa Clara	Appointee: Tony Estremera, Director, Santa Clara Valley Water District Alternate: Yoriko Kishimoto, Director, Midpeninsula Regional Open Space District
Santa Cruz	Appointee: David Hodgin, Director, Scotts Valley Water District Alternate: N/A
Shasta	Appointee: Patricia Clarke, Vice Chairman, Anderson Fire Protection District Alternate: N/A
Solano	Appointee: Lee Tedder, Trustee, Vacaville-Elmira Cemetery District Alternate: N/A
Sonoma	Appointee: Nance Jones, Director, Russian River Fire Protection District Alternate: N/A
Stanislaus	Appointee: Michael Wapnowski, Deputy Chief, Stanislaus Consolidated Fire Protection District Alternate: N/A
Sutter	Appointee: Michael Kimball, General Manager, Sutter-Yuba Mosquito and Vector Control District Alternate: N/A
Tulare	Appointee: Daniel Smith, Chief Financial Officer, Pioneers Memorial Healthcare District

COUNTYWIDE RDA OVERSIGHT BOARD-SPECIAL DISTRICT APPOINTEES  
AS OF JULY 30, 2018

	Alternate: N/A
Ventura	Appointee: Mike Mishler, Director, Pleasant Valley Recreation & Park District Alternate: N/A
Yolo	Appointee: Erik Vink, Assistant Director, California Department of Conservation Alternate: N/A
Yuba	Appointee: Dennise Burbank, Director, Olivehurst Public Utilities District Alternate: N/A



## Solano Local Agency Formation Commission

675 Texas St. Ste. 6700 • Fairfield, California 94533  
(707) 439-3897 • FAX: (707) 438-1788

June 28, 2018

The Honorable Governor Edmund G. Brown, Jr.  
State of California  
State Capitol Building  
Sacramento, CA 95814

**RE: Request to Sign AB 3254 - Assembly Local Government Committee Omnibus Bill**

Dear Governor Brown:

The Solano Local Agency Formation Commission (LAFCo) respectfully requests that you **sign Assembly Bill 3254** (Assembly Local Government Committee) which is now before you for action. **AB 3254** makes changes and clarifications to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

This annual bill includes technical changes to the Act which governs the work of local agency formation commissions. These changes are necessary as commissions implement the Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. **AB 3254** makes several minor technical changes, corrects obsolete and incorrect code references, and makes minor updates to outdated sections. Without making any policy changes, the revised language greatly clarifies the laws and eliminates outdated and confusing language thereby creating a significant increase in the clarity of the Act for all stakeholders.

Because this legislation helps insure that the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state, and clearer to all who use the Act, we respectfully urge you to sign **AB 3254**.

Yours sincerely,

Richard Seithel  
Executive Officer

cc: Honorable Cecilia Aguiar-Curry, Chair, Assembly Local Government Committee  
Jimmy MacDonald, Consultant, Assembly Local Government Committee  
Tom Dyer, Chief Deputy Legislative Secretary to the Governor  
Pamela Miller, Executive Director, CALAFCO

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# Tax break for Ag land

## Williamson Act Land Conservation Plan criticized in Napa report

By GARY QUACKENBUSH  
For the North Bay Business Journal

Napa County's Grand Jury says a decades-old program giving property tax breaks to agriculture land owners suffers from a lax of oversight and puts the county in the role of "subsidizing a lifestyle."

Approved in 1965, the Williamson Act (WA), also known as the California Land Conservation Act, provides tax relief incentives to owners of farmland. In exchange, the owner agrees the land will not be developed or converted for another use for at least 10 years. This bill allows for automatic annual contract renewals, unless the owner provides a non-renewal notice.

In return, that land is assessed for property tax purposes at a rate consistent with their actual use, rather than potential market value. The California Department of Conservation says the WA is estimated to save agricultural landowners from 20 percent to 75 percent in property tax liability each year, based on a county-by-county calculator to determine the value of the contract.

All counties except Del Norte, San Francisco, Inyo, and Yuba offer WA contracts. Such contracts run with the land and are binding on future property owners.

The Grand Jury's report quotes a report on the act which states that as of Jan. 1, 2017 Napa County had 848 WA contracts covering 74,711 acres. More than 16 million of the state's 30 million acres of farm and ranch land are currently protected by the WA. A contract under this act is a legal document that obligates the property owner, and any successors of interest, to the contract's enforceable restrictions. Failure to meet these conditions and restrictions may be considered as a breach of contract.

The Grand Jury asserted that Napa County's WA program does not provide any more protection from development than existing zoning (AP for Agriculture Preserve or AW for Agricultural Watershed) and the General Plan, and that Napa County's Board of Supervisors (BOS) lacks information about the workings of this act, or its options under it, and of the total lost property tax revenue (as a result of WA incentives) to all Napa County entities that share property tax revenues.

The report further claimed that WA contract enforcement is non-existent, and that the county's planning and assessor staffs have not informed supervisors of under-size parcels, parcels without agricultural



Workers pick the first grapes of the year, pinot meunier, at Green Island Vineyard in American Canyon.

income, and parcels whose owners do not supply assessor-requested information as required by contract and by law.

Another finding asserted that the continued use of 1969 minimum-imputed-income values may result in WA grazing parcels, those not part of Napa's agricultural preserve (Type H), being systematically under assessed, and that the BOS has not exercised effective supervision of the WA since at least 2008.



David Morrison

In addition, the Grand Jury report contended that the assessor lacks adequate conflict-of-interest procedures regarding his own properties with unqualified personnel assigned to "check" any work.

The Grand Jury recommended:

- That an independent cost-benefit analysis of the WA program be conducted by Nov. 30 with public input that would include the cost to all stakeholders in terms of property tax revenue lost.

- That another independent study of WA should be conducted by Nov. 30 to determine if Napa County's WA compares to similar programs in other counties in terms of best practices, and to recommend revisions including those to the minimum-imputed-income value in Type H contracts (Type H contracts are those involving agricultural land that is not zoned as part of an Agricultural Preserve. Type A contracts are specific to the Agricultural Preserve zoning district).

- That a third independent study be done by Oct. 31 that would audit the WA program, by the auditor-controller or outside agency, to determine to what extent contract holders comply with their contracts, CLCA rules and the law.

- That the assessor be required to revise his internal conflict-of-interest procedures by

# nd draws questions



JOHN BURGESS / THE PRESS DEMOCRAT  
 nier used to make champagne at Mumm Napa, at

Oct. 31 so at least two assessment-qualified personnel perform all work on employee-owned properties.



Brad Wagenknecht

In an attempt to deal with some of the issues addressed in the report, David Morrison, director of the Planning, Building and Environmental Services Department of Napa County, sent an agenda letter to the county board of supervisors on May 8, along with a written WA "workshop" plan explaining the legitimacy, importance and necessity of this Act and providing an overview of how it operates within an array of policies used by the county to manage unincorporated areas for the greatest good.

Morrison said over the years, as recently as 2011, the county has periodically updated WA rules and/or contract forms to stay current with state statutes, local standards and practices.

Also the county continues to study tax assessment policies that recognize the long-term intent of agriculture zoning and the fact that agricultural land uses require a minimum of public expenditure for protection and servicing. He said the county has a goal of adding even strong agricultural land protections.

While doing a review of WA rules, the Grand Jury report recommended the supervisors explore whether to terminate or limit the WA program as provided by state law, and take steps to ensure that those property owners who receive WA tax benefits continued to be entitled to them.

According to Morrison, of the 848 parcels covered by WA as of Jan. 1, 2017, only 446 received any property tax benefit from a WA contract. The other 402 parcels were assessed at their Proposition 13 factored

base year value. The total assessed value reduction for the 446 parcels receiving a benefit is \$547,945,026, which translates into approximately \$1 million in reduced tax revenue for the Napa County General Fund.

The Grand Jury report states that given the county's average tax rate of approximately 1.1 percent, the cost to the county and other agencies that rely on property tax funding (such as cities and schools) represents a \$6 million loss for 2017-2018. While the amount of taxes lost annually has fluctuated, in the past 10 years the report said total lost revenue is approximately \$60 million, and that the county's general fund share is over \$10 million, or half of the unfunded portion of the cost of the new jail construction. This is another way of saying that the annual loss of property tax due to WA is \$1 million.

In a separate, unrelated development in June, it was announced that the four-year contract for Napa County's Agriculture Commissioner Greg Clark, that ended last December, will not be renewed. The application deadline for this position is July 15. Meanwhile, Clark remains on the job.

Determining if land is qualifies for WA status depends on the size and agricultural use of the land as determined by the Planning, Building and Environmental Services Department in cooperation with the Agriculture Commissioner.

News reports in June quoted Clark as saying the "Board of Supervisors wants to head in a different direction." BOS Vice Chair Ryan Gregory said (the board) is ready to make a change. "We're looking for some fresh blood in that office."

The Napa County Assessor's role is also a major part of the process when it comes to determining the appropriate tax rate for WA contract properties and ensuring compliance with reporting requirements for income and expenses.

In addition to the June 15 report, last March a series of Grand Jury reports alleged improper conduct by County Assessor, Recorder, County Clerk and Registrar John Tuteur.

The Grand Jury recommended attempts be made to recover \$20,000 for Tuteur's alleged non-payment of property tax on his family's ranch land leased for a cellular tower, accusations that he made sloppy or self-serving agricultural land assessment decisions, and charges of alleged misconduct and conflict of interest.

No action has been taken on the recommendations.

Commenting on the allegations, Tuteur said, "These accusations have not been

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**TAX**

continued from page 6

shown to be accurate.”

Acting on a request by Tuteur, Napa Superior Court Judge Mark Boessenecker ordered the release of witness testimony to the Grand Jury. Judge Boessenecker also granted Tuteur's motion to release other non-testimonial evidence. The Grand Jury appealed that order to the court of appeals.

“We have submitted my objections (to the Grand Jury accusation) to California Attorney General Xavier Becerra. He is handling the case after Napa County District Attorney Allison Haley recused herself,” said Tuteur. “After reviewing my objections, they will respond to my attorney and then I will appear before Judge Boessenecker on Aug. 9 and present my answer to the accusations.”

Tuteur said Napa County's Board of Supervisors is not going to torpedo the CLCA. He observed that, “The county has the most stringent land use regulations in place – with a lot of sticks and with CLCA offering the only carrot. The board considers the \$1 million loss in General Fund annual revenue to be a good investment. Meanwhile, a Planning Department committee is preparing a report on overall compliance with WA requirements.

Brad Wagenknecht, District 1 supervisor

and chair of the Napa County Board of Supervisors, said, “We can always do better. The Grand Jury gives us an opportunity to learn and respond to issues. Through this process, citizens come together to present worthwhile information, but some allegations don't hit the mark. We try to take issues raised seriously when providing our responses.”

While the Grand Jury has the right to make recommendations for BOS consideration, it cannot mandate that any or all of its proposed remedies or actions be implemented.

Supervisor Wagenknecht said the Williamson Act has been a big piece of Napa County's heritage for over 50 years, and the board would be hard pressed to do anything that would harm it. He believes the supervisors are in favor of keeping it in place. Their formal response to the Grand Jury's June 15 report will come at an Aug. 14 hearing.

Michelle Benvenuto, executive director of the Wine Growers of Napa County, said her members would not be happy with the loss of the Williamson Act.

“Some people believe that every problem in Napa County can be blamed on the wine industry and some want to focus on the Williamson Act. The good news is that the Napa Board of Supervisors has been very supportive of this land conservation program over the years.”



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Fairfield Fire Department firefighters, along with firefighters from multiple agencies, battle a fire that damaged homes along Taft Street in Fairfield in 2015. (Robinson Kuntz/Daily Republic file)

## Fairfield Fire Department reports record-breaking number of calls in 2017

By **Daily Republic Staff**

FAIRFIELD — The Fairfield Fire Department responded to a record high 12,794 calls last year, according a report posted on social media.

Nearly 70 percent were for emergency medical service. Fires accounted for about 3 percent.

Service calls and other emergencies represented 29 percent of the calls. Service calls include false alarms and public service calls. Other emergencies are items such as motor vehicle accidents, hazardous conditions, calls canceled en route and other miscellaneous calls.

A new fire station and grants for equipment and personnel are some of the year's highlights.

"This year was nothing short of a challenge but at the same time an incredibly rewarding experience for the department," Fire Chief Tony Velasquez wrote in the report.

About 20 members of the department were promoted. Ten new employees were added. Four are full-time employees who will rebuild the fire prevention division. According to the report, fire inspections had not been performed on an annual or regular basis since 2011.

October was the busiest month with 1,188 service calls. The Atlas Fire crossed Oct. 9 from Napa County into Solano County. The city had fully staffed its Emergency Operations Center a few days later.

The Atlas Fire represents more than 22 percent of anticipated reimbursement for 2017, which totals about \$300,000.

The department supported the state by deploying strike teams and single-role paramedics to 16 incidents, according to the report. That totaled about 7,500 hours of firefighter labor.

More than 41 percent of labor hours outside the county were attributed to campaign fires that happened in October.

According to the report, more than \$5.08 million was recorded in property and contents loss.

Fire crews logged more than 10,000 hours of training in 2017.

“One of our goals for the department is to eventually have a dedicated training officer who can give this vital division the attention it deserves,” wrote Deputy Chief Matt Luckenbach in the report.

The department in 2016 was awarded \$1.2 million in funding to hire four full-time firefighters through a Federal Emergency Management Agency program. The period began Feb. 3, 2017, and ends Feb. 3, 2019.

“The additional funding has enabled the department to operate two full-time engineer companies out of Fire Station 27, which led to the establishment of District 38,” the report states. “By increasing staffing, we have been able to increase crew coverage out of the busiest station in both the city and county, improve OSHA and response time compliance and reduce the need for engines to respond out of district.”

Fire Station 35 hosted its grand opening in June in the Cordelia Villages area.

A month later, the department was notified it had received a grant to replace and standardize self-contained breathing apparatus.

The Vacaville Fire Department spearheaded the grant with the Fairfield department. The \$1.7 million grant also covers five other Solano County departments including the Cordelia Fire Protection District, Vacaville Fire Protection District, Montezuma Fire Protection District and the Rio Vista and Suisun City fire departments.

The 2018 department goals are the fire training tower at the station on Union Avenue; new apparatus; and to fully staff the fire prevention division.



Daily Republic Staff

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