

2014

Attachment B

San Luis Obispo
Local Agency Formation
Commission - SLO LAFCO

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FORMATION GUIDE - PASO ROBLES BASIN WATER DISTRICT



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Attachment A - List of Powers and Functions

Attachment B - Guidelines for Public Comment at LAFCO Hearings

Attachment C - Summary of State's New Groundwater Legislation (Pavley/Dickinson)

Applicable Laws:

- California Water District - Water Code (WC) 34000 et al.
- Paso Robles Basin Water District - AB 2453 (Achadjian) amends WC 34000 et al.
- Government Code (GC) 56000 et al. Cortese-Knox-Hertzberg Act
- Uniform Election Code
- Proposition 218 (Prop 218) – Funding Laws
- California Environmental Quality Act (CEQA)

Agencies Involved:

- *Local Agency Formation Commission (LAFCO)*: Processes the proposal and may approve (with or without conditions), modify, or deny the formation of the District.
- *County of San Luis Obispo*: The County will be involved in a number of ways during the formation process.
- *County Clerk-Recorder Office*: Conducts any necessary elections regarding the formation of the District.
- *County Assessor's Office*: Identifies and verifies landowners and acreage in the area.
- *County Public Works*: Provides technical information and reports regarding the formation of the Paso Robles Basin Water District.

1 - Summary

Introduction. The purpose of this guide is to help stakeholders understand the formation process for the Paso Robles Basin Water District (PRBWD). The formation process and powers of the Water District are described in Assembly Bill 2453, which becomes law on January 1, 2015. The District offers the option of a locally controlled government structure to manage the groundwater resources in the Paso Robles Basin. The process of forming the District gives all parties the opportunity to participate in this important decision. Ultimately, if LAFCO approves the formation, the landowners (one landowner-one vote formula) within the boundary will vote on whether to form the District, or not. This guide provides a summary of the process and then progresses with more details as you move through the chapters.

The formation of a Water District to manage the Paso Robles Basin is a process guided largely by two parts of California law: 1) Water Code 34000-38501 as recently amended by AB 2453 (Achadjian) and 2) the Cortese-Knox-Hertzberg Act, Government Code 56000, et seq (CKH Act). AB 2453 amended the Water Code referenced above to allow the Paso Robles Basin Water District to be formed subject to special procedures and provisions. The CKH Act guides LAFCO in considering the formation of this District and provides procedures to be followed in the formation process.

Under the CKH Act, the San Luis Obispo Local Agency Formation Commission (SLOLAFCO) has the discretion to approve (with or without conditions), modify, or deny the application for forming such a district. SLOLAFCO is responsible for deciding if the District should be formed, identifying the active powers of the District, and determining the boundary of the District. LAFCO may also adopt conditions of approval that would apply to the District. If LAFCO approves the formation of the District, AB 2453 states that the landowners within the District boundaries (as approved by LAFCO) would vote to approve or deny the formation of the District. LAFCO can modify the proposed boundary of the proposed District during the review and hearing process. Landowners may request exclusion from the District. LAFCO would consider such a request, but is not required to grant a request for exclusion.

Key Laws

- California Water District - Water Code (WC) 34000 et al.
- Paso Robles Basin Water District - AB 2453 (Achadjian) amends WC 34000 et al.
- Cortese-Knox-Hertzberg Act- Government Code (GC) 56000
- Uniform Election Code
- Proposition 218 (Prop 218) Funding Laws
- California Environmental Quality Act (CEQA)

Application. The application process (by either Petition or Resolution of Application), Noticing and Public Hearing, and Election procedures are discussed in more detail later in this document. The formation process may be initiated with SLOLAFCO in two ways: 1) Submission of a Petition by 10% of the landowners within the area. The signatures on the petition must be verified by the County Assessor's Office before an application is reviewed and processed by LAFCO; or, 2) Submission of a Resolution of Application adopted by an *affected local agency*. An affected local agency is any agency that would contain territory within the boundaries of the proposed District. This could be a city, special district, or county. The Resolution of Application

could be co-submitted by multiple affected agencies. LAFCO staff will review the application and may request additional information and analysis.

Plan for Services. A Plan for Services that is consistent with the requirements of the CKH Act must be prepared as part of an application. The Plan describes the level and range of services that would be provided, indicates the initial costs and revenues for the District (a Budget), and identifies how the District would be funded. A separate funding analysis that details how the District would be funded subject to Prop 218 is submitted as part of the application to LAFCO. The powers and functions that the District are authorized to exercise are listed in AB 2453 and can be found in Attachment A.

Public Noticing-Outreach

- Required 1/8 page advertisement in the newspaper ad when over 1000 people in the area.
- Direct mail postcards sent to landowners and registered voters within the boundaries regarding hearings
- Emails to interested parties
- Website: www.slolafco.com
- Attend meetings as needed and requested

Public Hearings and Noticing. The CKH Act requires that noticed Public Hearings be scheduled and conducted. If the boundaries of the proposed District contain more than 1,000 landowners and/or registered voters, the CKH Act provides that a 1/8 page notice may be published in the newspaper at least 21 days before the public hearing. SLO LAFCO will be taking additional noticing measures, including; direct email noticing, direct mail postcards to property owners, and other announcements through local media. It is likely to take several hearings to complete the process. LAFCO meetings are conducted the third Thursday of the month at 9:00 a.m. in the Board of Supervisors Chambers in San Luis Obispo. LAFCO can also conduct special meetings as needed. At the public hearings LAFCO will consider all written and oral testimony. The Guidelines for Public Comment are found in Attachment B.

Formation Election. If LAFCO approves the formation of the District, the formation would be subject to a vote by the landowners within the District boundary through a mailed ballot. To form the District, the majority (50%+1) of the votes cast must be in favor of forming the District. Ownership of multiple parcels of land, in full or in part, shall not entitle any voter to more than one vote. For land held jointly (i.e. husband and wife), will get one vote. Land owned by corporations and public agencies get one vote.

The formation election is conducted by the County Clerk with the list of voters prepared by the Assessor's Office for landowners and by the Clerk's Office for the Registered Voters. Usually the Formation election and Funding approval process (described below) must both be approved so that if the District is formed it is also funded for initial set-up and day-to-day operations.

One Landowner – One Vote

- Joint ownership: one vote
- Own multiple-parcels: one vote
- Corporate ownership: one vote
- Public Agencies: one vote
- Limited Liability Corp.: one vote

“Nothing in this section should be construed to indicate that multiple owners of a property get more than one vote.” AB 2453

Funding Approval Process. As stated above, the formation would likely be conditioned so that landowners must also approve appropriate funding for the operation of the District. Such funding may be through rates and charges, assessments, fees, taxes or other similar sources (funding mechanism). Approval of these funding sources is required consistent with proposition 218 requirements. Each funding source has its own process for approval. If the funding for the District fails to be approved by the landowners, the District would not be formed. This is a typical condition of approval placed on the formation by LAFCO.

Board of Directors Election. The first Landowner and Registered Voter Board of Directors for the new District would be elected through a mailed ballot process that may be conducted at the same time as the elections for formation and funding of the District. Alternatively the Board of Directors could be elected on a separate ballot if the formation and funding votes are approved by the voters. The Landowner and Registered Voter Board of Directors would be elected through a mailed ballot process that is conducted at the same time. Elections for Directors shall be conducted in odd years on the first Tuesday after the first Monday in October. AB 2453 provides for a nine-member Board of Directors consisting of:

- Three Registered Voters from within the District and elected by the Registered Voters residing inside the Districts boundary.
- Two landowners elected by landowners owning less than 40 acres (small).
- Two landowners elected by landowners owning between 40 but less than 400 acres (medium).
- Two landowners elected by landowners owning more than 400 acres (large).

Landowner Directors. Only landowners within the District would be allowed to vote for the six landowner-based Directors using a one vote per one acre formula. The total number of acres of all parcels that an individual owns determines in which Landowner Director category s/he may vote: small, medium or large. For example, if a landowner owns a total of 10-acres, s/he would get 10 votes to be cast only for candidates in the small landowner Director category (less than 40 acres). A landowner owning a total of 100-acres would get to cast 100 votes only in the medium landowner category (40 to 400 acres). A landowner owning a total of 500 acres would get to cast 500 votes only in the large landowner category (over 400 acres). Candidates for each Director category may come from any acreage category.

Registered Voter Directors. Registered Voter Directors are elected by the registered voters who reside within the District. The candidates shall be registered voters who also reside within the District's boundary. These Directors are elected at the same time as the land owner Directors. The Clerk's Office prepares the list of registered voters within the Boundary.

Election/Funding

- Formation Election: one landowner = one vote formula
- Funding Process: Subject to Prop 218 "Right to Vote on Taxes Act"
- Directors Election: Vote to elect the representatives on the District's Board of Directors
- May conduct the formation election and funding process first, and then the Board of Directors election.

2. Formation Process

The flow chart below shows the process for forming the District.

Formation of the Paso Robles Basin Water District

Resolution of Application or Petition by Landowners

- Petition is based on 10% of the landowners within the proposed boundaries.
- Petitions are submitted by LAFCO to the Assessor's office for verification; **or**
- Resolution of Application submitted by affected local agency;
- Application includes a Plan for Services, fiscal studies, LAFCO application form and other information relevant to forming the District



Application Review Period

- Initial review period for the application is 30 days. LAFCO staff reviews the application and requests additional information, as needed.
- Plan for Services must address services to be provided, the initial budget for the District, and the revenue sources;
- A Staff Report, CEQA, and other information and studies submitted to LAFCO.



LAFCO Public Meetings

- Staff report analyzes various issues and factors per the CKH Act.
- Noticed public hearings are conducted; 21-day notice is required.
- Public noticing measures to be taken include interested party email list, direct post card mailing, newspaper notices;
- LAFCO decision to approve, modify or deny. LAFCO may request additional hearings or Study Sessions.



Elections

- If approved by LAFCO, the formation will be voted on by the landowners.
- Approval process is completed for the District funding plan by the landowners.
- Both formation and funding must pass for the District to be formed.
- Board of Directors could be elected at the same or at a different time.

2.1 Resolution of Application

A proposal for the formation of a District may be made by the adoption of a Resolution of Application by the legislative body of an affected local agency. In this case, an affected local agency is any local agency whose boundaries or sphere of influence contain any territory within the proposed District. An affected agency can include the County, a city, or a special district. A Resolution of Application contains specific components that must be addressed:

Required Contents of the Resolution:

- a) A statement that the proposal is made pursuant to Government Code Section 56654.
- b) A statement regarding the nature of the proposal and a list of all proposed changes of organization.
- c) A statement of the reason or reasons for the proposal.
- d) A description of the external boundary of the affected territory accompanied by a map showing that boundary.
- e) The stated proposed terms and conditions.
- f) A statement whether any city and/or district Sphere(s) of Influence must be amended or adopted in conjunction with approval of the proposed change of organization.
- g) A request that proceedings be undertaken for the proposal pursuant to a resolution of application - Government Code Section 56654.

LAFCO has application forms that must accompany the Resolution of Application, depending on the type of proposal being submitted (i.e., annexation, reorganization, district formation, etc.). Those forms are available at the LAFCO office, as well as on-line at the SLO LAFCO website www.slolafco.com. Additional materials, such as informational documents, funding analysis, special studies, and processing fees, are to be submitted with the application. An agency's Plan for Providing Services also must be submitted with the application pursuant to Government Code Section 56653 and as described below.

2.2 Petition Process

Government Code 56100 provides LAFCO with the authority to consider the formation of this District as authorized by the District's Principal Act. The Principal Act in this case is found under the Water Code 34000. Government Code 56860 specifies that a proposal for formation of a new District made by petition is done so per the requirements of the Principal Act. However, if there are procedural conflicts between the two laws, the CKH Act prevails (GC 56100(b)). In this case, the Principal Act has been amended by AB 2453 to allow 10% of the landowners within the boundaries of the proposed District to petition LAFCO to form the District. The process to circulate a petition is outlined in Government Code 56700 and includes the following:

- **GC 56700.4 - Notice of Intention (NOI).** Prior to circulating petitions, the proponent shall file with the LAFCO Executive Officer (EO) a NOI that includes the name and mailing address of the proponent(s) and a written statement, not to exceed 500 words in

length, setting forth the reasons for the proposal. After filing the NOI with the EO, the petition may be circulated for signatures of landowners within the proposed District boundary. Upon receiving the NOI, the EO shall notify affected local agencies and interested parties of the intent to form a District.

- **GC 56703 - Filing** - The petition and all counterparts must be filed with the EO at the same time.
- **GC 56704 - Signatures.** Each person signing a petition shall affix the date at the time he or she signs the petition. A landowner is defined in AB 2453 and intends that each landowner shall have only one vote. Owners of multiple parcels get only one vote, jointly held land gets only one vote, public agencies get only one vote, corporations get only one vote. Since this petition may be signed by only landowners, each person signing the petition must also include a written description sufficient to identify the location of land owned by each person signing the petition. A street address and Assessor Parcel Number (APN) would be adequate.

Landowners-AB 2453

A landowner is defined in AB 2453 and intends that each landowner shall have only one signature or one vote:

 - Owners of multiple parcels get only one vote
 - Joint landowners get only one vote,
 - Public agencies get only one vote,
 - Corp. get only one vote
- **GC 56705 – Time Limits.** No petition shall be accepted for filing unless the signatures on the petition are secured within six months of the date on which the first signature on the petition was affixed. The petition must be submitted to the EO for filing within 60 days after the last signature is affixed. If the time between the date the last signature was affixed and the date on which the petition is submitted is more than 60 days the EO shall file the petition as insufficient as a public record per GC 56709.
- **GC 56706 (a) – Certificate of Sufficiency.** The petition signatures must be verified by the Assessor's Office and the EO within 30 days. The EO shall cause the petition to be examined by the County Assessor. The Assessor's Office shall review and verify the signatures, property owners, location, and acreage provided in the petition. This information shall be provided to the EO prior to the end of the 30-day period. Within the same 30 days (excluding Saturdays, Sundays and holidays), the EO is required to prepare a certificate of sufficiency indicating whether the petition is signed by the requisite numbers of validated signers.
- **GC 56706 (b)(1) – Notice of Insufficiency.** If the certificate from the EO shows the petition to be insufficient the EO shall immediately give notice by certified mail of insufficiency to the proponents. That mailed notice shall state in what amount the petition is insufficient. Within 15 days after the date of the notice of insufficiency, a supplemental petition bearing additional signatures may be filed with the EO.

- **GC 56706 (b)(2) Notice of Insufficiency** – The proponents of the petition may, at their option, collect signatures for an additional 15 days immediately following the statutory period allowed for collecting signatures without waiting for the notice of insufficiency. Any proponent choosing to exercise this option may not file a supplemental petition as provided in GC 56706(b)(1).
- **GC 56706 (c)** – The supplemental signatures must be forwarded to the Assessor's Office for review and verification. The EO shall review the supplemental signatures and certify the results in writing within 10 days.
- **GC 56708 - Validation of Signatures** – This petition would be signed by landowners as defined by AB 2453. To validate the signatures, these names shall be compared with the names of the person shown as owner of land on the last assessment roll prepared by the County Assessor.
- **GC 56709 – Insufficient Petition** – If the petition, including any supplemental petition, is certified as insufficient, it shall be filed as a public record. The EO shall give mailed notice to the Chief Petitioners stating that the petition has been found insufficient.

If the petition is verified by the Assessor's Office as valid, the EO shall issue a certificate of sufficiency and the review process for the proposal begins.

2.3 Plan for Services

A Plan for Services is submitted by the applicant to form a water district; whether by Petition or by Resolution of Application. The Plan for Services provides information about the level and range of services, the projected costs of those services, and the revenues needed to fund the proposed services. Pursuant to the Government Code Sections GC 56653, the Plan for Services must include the following:

- (1) Description of Service(s)
 - a) Description of the services to be provided by the new District and the boundary of the District.
 - b) The level and range of services to be provided.
 - c) An indication of when services can be extended to the affected area(s).
 - d) An indication of any improvement of structures, roads, sewer or water facilities, or other conditions the District would impose or require within the affected territory if the District is formed.
- (2) An identification of existing service providers, if any, and the potential fiscal impact to the customers of those existing providers.
 - a) Are there any other existing providers in the area?
 - b) How will these providers be affected?

- (3) A plan for financing the establishment of the new District:
- a) The total estimated cost to provide services within the special district's boundaries.
 - b) The estimated cost of the services to customers within the special district's jurisdictional boundaries.
 - c) Identify and describe the revenue sources. Discuss the stability of the revenue sources and future availability.
 - d) Provide an initial budget that describes anticipated expenses associated with the service to be provided
 - e) Indicate if a Prop 218 action will be required and, if so, a preliminary allocation of costs.

The Plan for Services is a common tool used by LAFCOs to understand the proposed formation of a District and the services the District may undertake.

2.4 Funding Sources/Mechanisms - Proposition 218

Prop 218 is a voter approved amendment to the California Constitution entitled the "Right to Vote on Taxes Act". This amendment was approved in 1996 and confirmed the requirement for landowner or voter approval of funding mechanisms for property related fees, special assessments and/or special and general taxes. In this case, any proposal to fund District activities would be subject to the provisions of Prop 218 which would require a separate funding approval process of landowners..

The various Prop 218 funding mechanisms/sources each have a different funding approval processes. LAFCO would condition that the funding approval process be consistent with the applicable Prop 218 law. Also, it is typical that LAFCO would condition the formation of the District upon approval of the funding source. It is important to note that Prop 218 has separate notification and public hearing requirements that would also be undertaken.

Funding Mechanism/Source

- General Tax: Imposed for general purposes
- Special/Benefit Assessment: Direct benefits to a property
- Rate, Fee, or Charge: Linked to the purpose of the fee and property related service

2.5 Powers/Functions

The powers and functions that the District's Board of Directors may exercise are listed in the amended Water Code. AB 2453 specifically identifies a number of powers that could be used by the Paso Robles Basin Water District to manage the groundwater. Also, the Water Code lists the powers for a California Water District under which this District is being formed. At its discretion, LAFCO may activate some or all of these powers. The powers that are not activated are considered latent, or inactive. A latent power can be activated at a later date if LAFCO approves an application from the District. A listing of the potential powers and functions is found in Appendix A. A list of the District's active powers will be approved if the new District is formed by LAFCO. The Plan for Services will provide a description of the powers to be used by the new District. The powers identified in AB 2453 allow the District to meter, monitor and manage

the groundwater basin. The powers are further summarized in Chapter Three of this document and Attachment A provides a more detailed list.

2.6 LAFCO Consideration

In order for LAFCO to consider the formation proposal, the proponents must file an application and applicable fees with LAFCO. Once the petition is found to be sufficient or a Resolution of Application is submitted, LAFCO evaluates the proposal, prepares a staff report, and conducts public hearings with regard to the proposal. The application for formation would be analyzed per the factors found in the CKH Act. A staff report with attached studies is prepared for the Commission to consider in their deliberations. The analysis would include a review of consistency with regard to LAFCO's local policies, which are found at the SLOLAFCO website; www.slolafco.com. The report must also address the list of factors found in the CKH Act under Government Code Section 56668. The analysis may assess other options, map boundaries, funding plans, and/or conditions of approval that might be appropriate in this situation.

- **Terms and Conditions GC 56885-56886.** This section of the CKH Act authorizes LAFCO to establish conditions of approval regarding a variety of issues that apply to the formation of the District. These conditions may range from the funding of the District, to the ability of the District to export water. The Commission may consider conditions of approval that are supported in light of the record presented. A common condition typically requires the approval of a funding mechanism for the District to be formed.
- **Boundary - Requests for Exclusion.** LAFCO has discretion in establishing the boundary for the District. A boundary would be proposed by the applicant and reviewed by LAFCO. LAFCO can modify the proposed boundary. This authority is provided in the CKH Act and is confirmed in AB 2453. Landowners within the boundary of the proposed District may request that their property be excluded from it. The Commission has discretion in granting, or denying such a request. The evaluation of an exclusion request shall be based on its location, the impact on the District's operations, the location of the groundwater basin, forming a logical and orderly boundary, compliance with the new groundwater regulation laws, and other factors presented to the Commission.
- **Public Hearing and Notice.** LAFCO would consider the formation proposal at a public hearing, scheduled and noticed pursuant to GC 56150-56160. If the territory within the boundaries of the proposed District contains over 1,000 landowners, the public hearing notice may be provided via publication of a 1/8 page advertisement in a newspaper of General Distribution rather than direct mailed notice of the landowners. However, to further insure notification is provided to residents and landowners, SLOLAFCO may also send direct mail postcard notices of the public hearings. SLOLAFCO will also maintain an email list of interested parties and the LAFCO website has a "PR Basin" tab under which relevant documents and information will be located. Anyone interested in getting

on the email list can contact the LAFCO office at 805-781-5795 or send an email to the LAFCO Clerk Donna Bloyd at DBloyd@SLOLAFCO.com.

- **California Environmental Quality Act (CEQA).** SLOLAFCO is required to comply with CEQA when considering any proposal. The purpose of CEQA is to provide information about the environmental impacts associated with a project. CEQA requires that the environmental impacts of a proposal be considered and minimized through mitigation. If the County submits the Resolution of Application and provides a Negative Declaration or an Environmental Impact Report (EIR), SLOLAFCO would likely act as a Responsible Agency and would use that environmental documentation to consider the formation of the District. If SLOLAFCO is the Lead Agency, it would prepare an Initial Study which would determine what type of CEQA documentation might be required. The range of CEQA documents includes the following:
 - An Exemption which implies that there are no significant environmental impacts that would be caused by the formation of the District
 - A Negative Declaration or Mitigated Negative Declaration which means that the impacts that have been studied are found to be less than significant; or
 - An EIR would study any potentially significant impact identified in the Initial Study.

As Lead Agency for other district formations in the past, SLOLAFCO has typically prepared a Negative Declaration or Mitigated Negative Declaration. This is because the potentially significant impacts are often found to be remote and speculative in the Initial Study and/or mitigation has been proposed to reduce the impacts. CEQA requires a Lead Agency to study "reasonably foreseeable" impacts in its analysis. It is often a challenge to anticipate the impacts that might be caused by the formation of a District.

- **Reconsideration.** If LAFCO approves, modifies, or denies the formation of the District, a 30-day reconsideration period follows per Government Code section 56895. This allows for any party to file a written request with the EO that LAFCO reconsider its decision based on new information. The party must request that the resolution approved by LAFCO be amended based on new or different facts that could not have previously been presented to the Commission. The person or party shall file the written request within 30 days of the adoption of the initial resolution approved by the Commission. The EO shall place the request on the agenda of the next meeting of the Commission that can be legally noticed pursuant to the CKH Act (in this case at least a 21-day notice). The EO shall give the same notice as required in the original proposal. At the meeting, the Commission shall consider the request and any oral or written testimony. The consideration may be continued, but cannot exceed 35 days from the date specified in the Notice. The person or party that filed the reconsideration may withdraw it at any time.

The Commission may approve with or without amendment, wholly, partially or conditionally or disapprove the request. If the Commission disapproves the request, the

prior resolution is used as it was originally approved. If the Commission approves or modifies the request a resolution with new determinations shall be adopted. The Commission's reconsideration decision shall be final and conclusive.

3. Special Legislation-AB 2453

AB 2453 is the Special Legislation carried by Assemblyman Katcho Achadjian and was signed into law by the Governor. During the legislative process a number of amendments were made to the legislation. It is divided into six chapters: 1-General Provisions, 1.5-Formation, 2-Elections, 3-Groundwater Management Authority, 4-Groundwater Management Plans, 5-Groundwater Management, and 6-Groundwater Extraction Charges. The bill makes numerous modifications to the Water Code in regard to the Paso Robles Basin Water District. Please note that the list of provisions below is a summary of the Chapters and does not address all of the modifications completed by AB 2453:

Chapter 1

1. Chapter 1 lists a number of definitions to be added to the Water Code specifically to help guide the formation and functions of the Paso Robles Basin Water District. Definitions include; Aquifer, Available Supply, Extraction, Groundwater, Groundwater management activities, operators, overdraft, and numerous other terms. Of note, the definition of "District" confirms LAFCO's authority to establish and modify the District's boundaries.
2. The purpose of the District is to balance the supply to and consumption of groundwater within the Basin underlying the District, with the goal of stabilizing that basin and sustaining its resources for the beneficial use of all who use water within the District. (WC 37901)
3. The creation of the District would not modify the powers of the County Flood Control and Water Conservation District. Furthermore, if formed, the District shall not involve itself in activities already being carried out by the County without agreement of that agency. (WC 37902, 37903)
4. The Board, if formed, is subject to the Brown Act and shall set its regular meeting dates, time and place in a resolution.

Chapter 1.5

5. The formation process shall comply with the CKH Act, with a few modifications
6. The application to LAFCO to form the District may be initiated by a petition of 10% of the landowners within the boundaries of the District or by a Resolution of Application submitted by an affected local agency. (WC 37905 (a))
7. This legislation would sunset (terminate) if the District is not formed by January 1, 2019.
8. The term "Landowner" is defined in this section as any person who holds title to land within the boundaries of the proposed District.

9. The petition and formation vote would be based on a one vote for each landowner formula. Ownership of multiple parcels does not entitle any voter to more than one vote. For land held jointly, owners get only one vote. A public agency owning land in the area gets only one vote. A corporation owning land only gets one vote.
10. The formation is determined complete **if the majority of votes cast** are in favor of the formation. Conversely, if a majority of the votes cast are opposed, the District will not be formed.
11. Because the District formation will be voted on by the landowners it is not subject to the LAFCO Protest Process.

Chapter 2 Election

12. If formed, the nine member Board of Directors will be elected based on the following categories:
 - Three registered voter Directors from within the District that are elected at large by the registered voters within the District.

Two Directors are elected from the landowner categories below based on a 1 acre = 1 vote formula:

 - Large landowners: meaning holders of title owning a total of 400 acres or more,
 - Medium landowners: meaning holders title owning a total of 40 acres or more, but less than 400 acres,
 - Small landowners: meaning holders of title owning a total of less than 40 acres.
13. All landowner Directors shall reside within the District, within two miles of the District boundary, or within the boundaries of the City of Paso Robles, the Atascadero Mutual Water Company, the Templeton Community Services District, the San Miguel Community Services District, or SLO County Service Area 16.
14. District elections shall be conducted in conformance with the Uniform District Election Law. Separate ballots shall be prepared and separate elections conducted for the Registered Voter Directors and for the landowner directors. The elections shall be conducted at the same time.
15. District Elections shall be conducted by all-mailed ballots. Voter lists of resident voters and landowner voters eligible to vote within the District shall be prepared and maintained according to the Election Code, including Section 10525. The law references other Uniform Election Code sections for conducting the election.

Chapter 3-Groundwater Management Authority

16. The potential powers of the District are listed in a detailed manner and are to be considered by LAFCO. The bill authorizes the District to manage the groundwater basin using a variety of tools, including; extraction charges, extraction allocations, extraction surcharges, metering, conservation and recharge.
17. The District Board may adopt ordinances for the purpose of regulating the use and extraction of groundwater within the District and establishes fines and penalties for violation of the District ordinances.
18. District may contract with the County Flood Control District for services.
19. The District may exclude any operator from its ordinances and requirements that is using less than a minimum amount of groundwater as established by the District.
20. All powers listed in Chapters 3, 4, and 5 of AB 2453 are subject to review and approval by the LAFCO. (WC 37920.)

Chapter 4 – Groundwater Management Plans

21. Provides the District with the authority to adopt and implement a groundwater management plan.
22. The Groundwater Management Plan may include a policy regarding the issuance of new well permits. The chapter provides other provisions for the development of a Groundwater Management Plan.

Chapter 5 – Groundwater Management

23. This chapter provides a list of the various powers the District may, by ordinance, exercise. LAFCO has the authority to activate these powers as part of its review and approval of the District.
24. Powers include: requiring conservation measures, controlling groundwater extractions, commence legal actions to protect the groundwater basin, imposing regulations to decrease well interference, and other regulatory powers that assist the District in managing the basin.

Chapter 6 – Groundwater Extraction Charges

25. This chapter provides the District with the authority to levy extraction charges and allows the District to establish an extraction allocation for each groundwater facility within the District. (WC 37960)

4. Election-Voting

If LAFCO approves the formation of the District, an election will be conducted by the County Clerk with assistance from the Assessor's office. The election will be completed based on Chapter 1.5 and Chapter 2 of AB 2453. The District elections will be conducted consistent with Uniform District Election Code. The formation vote is based on landowners as defined in the legislation with the intent of one landowner equaling one vote. The funding approval process is based on existing Prop 218 law. To elect the Board of Directors, separate ballots shall be prepared and separate elections shall be conducted at the same time. District elections will be done through a mailed ballot.

The three questions that may be voted on at the same time or can be voted on in separately conducted elections:

1. The formation of the District based on one landowner-one vote premise as described in AB 2453. The County Assessor's office will prepare a list of landowners that would qualify as voters in the area. The County Clerk would send these out in a mailed ballot.
2. The funding of the District is based on the outcome of a Prop 218 funding approval process by landowners. The exact approval process is dependent on the funding mechanism established; i.e. a benefit assessment, rate, charge, or other funding source.
3. The election of the Board of Directors may occur either at the same time as the above two questions or on a separate ballot. It may be that forming the District first based on the first two questions being passed and then electing a Board of Directors allows for a less complicated process.

The election will be administered by the County Clerk pursuant to the Uniform Election Code. The County Assessor's Office will provide the lists needed to determine the voters within the various landowner categories. If the District is formed by the voter/landowners then the District would eventually reimburse the County for election costs. If the District formation fails, the County would absorb the costs of the election.

Attachment A

Powers and Functions – Paso Robles Basin Water District

AB 2453/Code/Power	Description	Possible Other Agency
Chapter 3: Groundwater Management Authority		
37921. Adopt Ordinances	The Board of Directors may adopt ordinances for the purpose of regulating, conserving, managing, and controlling the use and extraction of groundwater within the District boundaries.	COUNTY
37922. Authority to fine.	Any person who intentionally violates any provision of this act or any district ordinance shall be guilty of an infraction and may be required to pay a fine to the district not to exceed five hundred dollars (\$500).	
37923. Liable civilly.	Any person who negligently or intentionally violates any provision of this act or any district ordinance may also be liable civilly to the district for a sum not to exceed one thousand dollars (\$1,000) per day for each day of violation, in addition to any other penalties that may be prescribed by law.	
37924-25. Petition Superior Court	For failure to comply with the act District may petition the court for relief. May request relief by the courts with regard to money owed, may take legal action to preserve groundwater basin.	
37926. Contract with County	District may contract with the County, the Flood Control District or other local district for staff and services.	
37927. Authority to exclude any operator who extracts less than a set minimum.	The district may exclude from any of the requirements of this act, or the operation of any ordinance, any operator who extracts less than a minimum amount of groundwater as specified by ordinance adopted by the board.	
37928. Collect data and conduct technical and other investigations.	The district may collect data and conduct technical and other investigations deemed necessary in order to carry out the provisions of this act. All hydrological investigations and studies carried out by or on behalf of the district shall be conducted by or under the supervision of licensed engineers or other persons qualified in groundwater geology or hydrology.	FCWCD, COUNTY, CSA 16, PASO, TCSD
37929. District may receive reports	District may prepare annually or receive reports on groundwater and supplemental water supplies and conditions in area.	
37930. Recommend and encourage wastewater reuse.	The district may recommend and encourage wastewater reuse and other water development projects, if those projects will enhance and contribute to the responsible management of groundwater resources, as part of its annual plan for implementation of groundwater management objectives.	COUNTY, PASO, TCSD
37931. Additional powers as provided in Part 2.75 (commencing with Section 10750) of Division 6. (Groundwater Management under the	In addition to the powers identified here, the district shall have the authority afforded to local agencies as provided in Part 2.75 (commencing with Section 10750) of Division 6 as that part may be amended, consistent with the requirements and limitations of applicable law.	FCWCD, CSA 16, PASO

AB 2453/Code/Power	Description	Possible Other Agency
Water Code)		
Chapter 4: Groundwater Management Plans		
37940. (a) Develop a groundwater management plan.	Develop, adopt, and implement a groundwater management plan to control extractions from the Paso Robles Groundwater Basin aquifers with the objective of balancing water supply and demand in the region.	FCWCD, PASO, TCSD
37940. (b) groundwater management plan may address storage and projected extractions.	The groundwater management plan may also include and address the following: (1) Existing groundwater storage. (2) Long-term recoverable storage, including an estimate of non-recoverable storage. (3) The expected adverse effects of projected extractions.	FCWCD, PASO, TCSD
37941. Distinct zones or regions.	The groundwater management plan may establish distinct zones or regions based on the geology of the basin, land use, water use, the location of extraction facilities, or other concerns as determined by the board.	
37942. Policy for the issuance of new well permits, consider a ban on new irrigated acreage or new municipal water system wells. The district may include a contingency plan.	The groundwater management plan may include a policy for the issuance of new well permits that takes into consideration the location of proposed wells and area of use, projected extractions from the wells, and the effect of the extractions on existing users and on storage. In developing the management plan, the district may consider a ban on new irrigated acreage or new municipal water system wells. The district may include a contingency plan to deal with seawater intrusion, basin contamination, or other risks that could impair the ability to rely on the basin for groundwater.	COUNTY, PASO, TCSD
Chapter 5: Groundwater Management		
37950. (a) Require conservation practices and measures.	Require conservation practices and measures within the affected portion of its territory.	FCWCD, COUNTY, CSA 16, PASO, TCSD
37950. (b) Control groundwater extractions.	Control groundwater extractions by regulating, limiting, or suspending extractions from extraction facilities, the construction of new extraction facilities, the enlarging of existing extraction facilities, and the reactivation of abandoned extraction facilities.	
37950. (c) Commence and prosecute legal actions.	Commence and prosecute legal actions to enjoin unreasonable uses or methods of use of water within the district or outside the territory of the district to the extent those uses or methods of use adversely affect the groundwater supply within the district.	FCWCD, COUNTY, CSA 16, PASO, TCSD, SMCSO
37950. (d) Impose spacing requirements on new extraction facility.	Impose spacing requirements on new extraction facility construction to minimize well interference.	
37950. (e) Impose reasonable operating regulations.	Impose reasonable operating regulations on extraction facilities to minimize well interference, including requiring pumpers to operate on a rotation basis.	
37950. (f) Require extraction facilities to be registered.	Require extraction facilities to be registered with the district within 30 days of notice being given to the operator of the extraction facility.	COUNTY, PASO, TCSD
37950. (g) Provide the	Require that the operator of a registered extraction	COUNTY, PASO,

AB 2453/Code/Power	Description	Possible Other Agency
district annually with information regarding the extraction facility.	<p>facility provide the district annually with the following information regarding the extraction facility:</p> <p>(1) The name and address of the operator of the extraction facility.</p> <p>(2) The name and address of the owner of the land upon which the extraction facility is located.</p> <p>(3) A description of the equipment associated with the extraction facility.</p> <p>(4) The location of the water extraction facility.</p>	TCSO
37950. (h) Require waterflow measuring devices.	Require extraction facilities to be equipped with waterflow measuring devices installed and calibrated by the district or, at the district's option, by the extraction facility operator.	
37951 Waterflow measuring device shall be used as the basis for computing the water extraction.	When an extraction facility is equipped with a waterflow measuring device, the record of extraction, as disclosed by the waterflow measuring device, may, at the election of the board, be presumed to be accurate, and shall be used as the basis for computing the water extraction of the extraction facility in completing the groundwater extraction statement.	
37952 By ordinance, require proof of the accuracy of the waterflow measuring device.	The district may, by ordinance, require proof of the accuracy of the waterflow measuring device from the operator and may, absent adequate proof of accuracy, order the operator, at the operator's sole cost, to have the waterflow measuring device calibrated in a manner acceptable to the district. If the district has probable cause to believe that the extraction of groundwater from any extraction facility is in excess of the amount reported in groundwater extraction statements, or if no statements are filed covering an extraction facility, the district may investigate the extraction of water from each extraction facility.	
37953 By ordinance, establish reasonable methods to be used in computing the amount of water extracted.	The board may, by ordinance, establish reasonable methods to be used in computing the amount of water extracted by extraction facilities.	
37954 By ordinance, require semiannually, or more frequently a groundwater extraction statement.	<p>The district may, by ordinance, require the operator of each extraction facility to file semiannually, or more frequently, with the district, a groundwater extraction statement that contains, but is not limited to, the following information:</p> <p>(1) Total extraction in acre-feet of water from the extraction facility for the preceding groundwater extraction statement period.</p> <p>(2) The static groundwater level for the extraction facility.</p> <p>(3) A description of the location of the extraction facility.</p> <p>(4) The crop types or other uses and the acreage served by the extraction facility.</p> <p>(5) The method of measuring or computing groundwater extraction.</p> <p>(6) Other information deemed reasonable and necessary by the board to meet the purposes of this act.</p>	
37955 By ordinance, each	If required by ordinance, each groundwater extraction	

AB 2453/Code/Power	Description	Possible Other Agency
groundwater extraction statement shall be verified by a written declaration. After January 1, 2015, shall give written notice of any abandoned facility.	statement shall be verified by a written declaration under penalty of perjury that the information contained in the statement is true and correct. The operator of an extraction facility that has been permanently abandoned after January 1, 2015, shall give written notice of the abandonment to the district.	
Chapter 6 Groundwater Extraction Charges		
37960. Levy groundwater extraction charges, including volumetric charges.	The district may, by ordinance, levy groundwater extraction charges, including volumetric charges intended to provide an incentive for reduced water use, on the extraction of groundwater from all water extraction facilities within the territory of the district for the purposes of paying the costs of initiating, carrying on, and completing any of the powers, purposes, and groundwater management activities described in this act. Any groundwater extraction charges shall be uniform for groundwater extraction within the territory of the district.	
37961 Groundwater management activities are of equal benefit to all operators.	The Legislature hereby finds and determines that the groundwater management activities of the district are of equal benefit to all operators of groundwater extraction facilities within the territory of the district.	FCWCD, COUNTY
37962 Collect interest at the rate of 11/2 percent each month on the delinquent extraction charges.	If any operator of any extraction facility fails to pay a groundwater extraction charge when due, the district may charge and collect interest at the rate of 11/2 percent each month on the delinquent amount of the groundwater extraction charge. In addition, the district may exercise any of the provisions of Sections 75630 to 75633, inclusive, for the purpose of collecting delinquent groundwater extraction charges.	
37963 All moneys collected pursuant to this act shall be available for expenditure to carry out its groundwater management functions.	All moneys collected by the district pursuant to this act shall be available for expenditure by the district to carry out its groundwater management functions pursuant to this act.	
37964 By ordinance, establish an operator's extraction allocation for each groundwater extraction facility. Impose extraction surcharges, including volumetric surcharges.	The district may, by ordinance, establish an operator's extraction allocation for each groundwater extraction facility located within the district. The district may, by ordinance, impose upon the operator of any groundwater extraction facility located within the district, extraction surcharges, including volumetric surcharges intended to provide an incentive for reduced water use, for extractions in excess of his or her extraction allocation and late penalties for nonpayment of extraction surcharges.	
37965 Extraction allocations and extraction surcharges: <ul style="list-style-type: none"> • Are necessary to eliminate overdraft. • Are intended to discourage the use of groundwater beyond 	The Legislature hereby finds and declares the following: <p>(a) Extraction allocations and extraction surcharges authorized pursuant to this chapter are necessary to eliminate overdraft caused by excess extractions from the aquifer systems within the district and to bring the groundwater basins underlying the territory to safe yield within 10 years of the formation of the district and to sustain that safe yield thereafter.</p>	

AB 2453/Code/Power	Description	Possible Other Agency
<p>the extraction allocation.</p> <ul style="list-style-type: none"> • Are not intended to generate tax revenues or proceeds from regulatory licenses, user charges, or user fees. • Are not special taxes. 	<p>(b) The extraction surcharges are intended to discourage the use of groundwater beyond the extraction allocation. They are not intended to generate tax revenues or proceeds from regulatory licenses, user charges, or user fees. Consequently, they are not special taxes for purposes of Section 4 of Article XIII A of the California Constitution or proceeds of taxes for purposes of Section 8 of Article XIII B of the California Constitution.</p>	
<p>37966 Maximum extraction surcharge of (\$200) per acre-foot. District may increase the maximum amount to achieve safe yield.</p>	<p>The maximum amount of the extraction surcharge shall be two hundred dollars (\$200) per acre-foot of groundwater extracted in excess of the extraction allocation, except that the district may increase the maximum amount of the extraction surcharge to an amount that is necessary to achieve safe yield.</p>	
<p>37967 Collect a late penalty at the rate of 11/2 percent each month on the delinquent extraction surcharge.</p>	<p>If an operator of a groundwater extraction facility fails to pay the extraction surcharge when due, the district shall charge and collect a late penalty at the rate of 11/2 percent each month, or portion thereof, on the delinquent amount of the extraction surcharge.</p>	
<p>37968 May bring a court action against an operator of a groundwater extraction facility for the collection of any delinquent extraction surcharge.</p>	<p>The district may bring a cause of action, in any court having jurisdiction, against an operator of a groundwater extraction facility for the collection of any delinquent extraction surcharge, and Article 5 (commencing with Section 75630) of Chapter 3 of Part 9 of Division 21 applies to those actions.</p>	
<p>37969 May order that an extraction surcharge or late penalty be a personal obligation of the operator or an assessment against the property and the lien attaches upon recordation in the office of the county recorder.</p>	<p>In addition to any other authority, the district may order that an extraction surcharge or late penalty be a personal obligation of the operator or an assessment against the property on which the extraction facility is located. The assessment constitutes a lien upon the property, and the lien attaches upon recordation in the office of the county recorder. The assessment may be collected at the same time and in the same manner as ordinary ad valorem taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for those taxes. All laws applicable to the levy, collection, and enforcement of ad valorem taxes shall be applicable to an assessment, except that, if any real property to which the lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon prior to the date on which the first installment of the taxes would become delinquent, the lien that would otherwise be imposed by this section shall not attach to the real property and an assessment relating to the property shall be transferred to the unsecured roll for collection.</p>	
Water Code 34000 et seq.-California Water District		
<p>35401. A district may acquire, plan, construct, maintain, improve,</p>	<p>A district may acquire, plan, construct, maintain, improve, operate, and keep in repair the necessary works for the production, storage, transmission, and</p>	<p>FCWCD, COUNTY, CSA 16, PASO, TCSD, SMCS</p>

AB 2453/Code/Power	Description	Possible Other Agency
operate, and keep in repair necessary waterworks.	distribution of water for irrigation, domestic, industrial, and municipal purposes, and any drainage or reclamation works connected therewith or incidental thereto.	
35402. Bonding after election.	A district shall not contract for the construction of irrigation works nor construct the irrigation works by employees of the district, if the cost of the construction is paid out of the proceeds of bonds of the district, until an election has been held to determine whether or not the bonds shall be issued.	
35403. Contracting.	A district may contract to perform and perform any agreement for the transfer or delivery pursuant to Chapter 5 of this part of any irrigation system, canals, rights of way, or other property owned or acquired by the district in exchange for the right to receive and use water or a water supply to be furnished to the district by the other party.	FCWCD, COUNTY, CSA 16, PASO, TCSD, SMCS
35404. Entry on any land.	A district may enter for the purposes of the district upon any land.	FCWCD, COUNTY, CSA 16, PASO, TCSD, SMCS
35405. Contracts, leases assurances for property acquired.	A district may take conveyances, contracts, leases, or other assurances for property acquired by the district pursuant to this division.	
35406. President and secretary may execute all contracts.	A district may execute, by its president and secretary, all contracts and other documents necessary to carry out the powers and purposes of the district.	
35407. Commence and defend any action.	A district may commence and maintain any actions and proceedings to carry out its purposes or protect its interests and may defend any action or proceeding brought against it.	FCWCD, COUNTY, CSA 16, PASO, TCSD, SMCS
35408. Intervene in use of waters or water rights for any purpose of the district or a benefit to any land.	A district may commence, maintain, intervene in, compromise and assume the costs of any action or proceeding involving or affecting the ownership or use of waters or water rights within the district used or useful for any purpose of the district or a benefit to any land.	
35409. Prevent interference with natural flow of any stream or natural subterranean supply of waters.	A district may commence, maintain, intervene in, defend and compromise actions and proceedings to prevent interference with or diminution of the natural flow of any stream or natural subterranean supply of waters which may: (a) Be used or be useful for any purpose of the district; (b) Be of common benefit to the land or its inhabitants; or (c) Endanger the inhabitants or land.	FCWCD, COUNTY
35410.1. Collect acreage assessments and standby charges.	In addition to and as an alternative procedure to the levy and collection of assessments and standby charges, a district may fix and collect acreage assessments in an amount determined by the board for each acre of land and for parcels less than one acre within a district or improvement district. These acreage assessments shall be levied only for the payment of the whole or any part of a metropolitan water district tax. The resolution fixing the acreage assessment shall be adopted by the board only after adoption of a resolution setting forth the	

AB 2453/Code/Power	Description	Possible Other Agency
	<p>schedule of such acreage assessments proposed to be established and after notice and hearing in the form and manner prescribed by the board. The acreage assessment shall be levied, collected and enforced in the same manner as provided in Article 4 (commencing with Section 35470) of this chapter for standby charges.</p>	
<p>35410.2. Improvement district may be formed.</p>	<p>If there is more than one tax code area for the levy of said metropolitan water district tax within a district, an improvement district may be formed in the manner provided in Chapter 4.9 (commencing at Section 36410), of Part 6 of this division for any or all of said tax code areas for the purpose of providing for the payment of the whole or part of the metropolitan water district tax attributable to any tax code area. After the hearing on the resolution of intention as provided in Section 36415, or as said hearing may be continued, the board may by resolution order the improvement district formed. Thereafter in any year the board may elect to pay, from receipts, assessments or standby charges or any combination thereof levied exclusively in said improvement district, the whole or a stated percentage of the metropolitan tax for the next succeeding fiscal year attributable to the area within said improvement district, provided, that it takes similar action with respect to all other said tax code areas.</p>	
<p>35411. Disseminate information.</p>	<p>A district may disseminate information to the public concerning the rights, properties, and activities of the district.</p>	<p>FCWCD, COUNTY, CSA 16, PASO, TCSD, SMCS</p>
<p>35413. Enforce any ordinance.</p>	<p>(a) In order to enforce the provisions of any ordinance of the district, including an ordinance fixing charges for the furnishing of commodities or services, or to enforce any district rule or regulation adopted by the board of directors pursuant to Section 35421 or 35423 pertaining to the sale or distribution of water, the district may correct any violation of an ordinance of the district or of the rule or regulation. The district may also petition the superior court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate, restraining any person from the continued violation of any ordinance, rule, or regulation, of the district or for the issuance of an order stopping or disconnecting a service if the charges for that service are unpaid at the time specified in the ordinance, rule, or regulation.</p> <p>(b) The district may enter upon the private property of any person within the jurisdiction of the district in order to investigate possible violations of an ordinance of the district or law, rule, or regulation described in subdivision (a). The investigation shall be made with the consent of the owner or tenant of the property or, if consent is refused, with a warrant duly issued pursuant to the procedures set forth in Title 13 (commencing with Section 1822.50) of Part 3 of the Code of Civil Procedure, except that, notwithstanding Section 1822.52 of the Code of Civil Procedure, the warrant</p>	<p>FCWCD, COUNTY, CSA 16, PASO, TCSD, SMCS</p>

AB 2453/Code/Power	Description	Possible Other Agency
	shall be issued only upon probable cause. (c) The district shall notify the county or city building inspector, county health inspector, or other affected county or city employee or office, in writing, within a reasonable time if an actual violation of a district, city, or county ordinance is discovered during the investigation.	

Draft

Attachment B

Guidelines for Public Comment

The Local Agency Formation Commission (LAFCO) encourages the public to participate in the consideration of any proposal submitted to LAFCO. These guidelines are to ensure that public participation occurs in a manner that respects the opinions of all participants. The guidelines also intend for public comment to be received in a fair and orderly fashion. The following guidelines apply at all LAFCO public hearings:

1. Please complete the speaker slips and please print your name legibly so the LAFCO Chair can call you for your turn to speak. Submit the speaker slips to a LAFCO staff person.
2. Please leave all signs outside the chambers.
3. The affected agencies and proposal proponents will be given 10 minutes to present their respective positions, unless more time is granted by the Chair.
4. Each member of the public will be given three (3) minutes to present testimony. This time limit may be increased or decreased by the Chair depending upon the number of people who request to speak on the issue.
5. Please state your name and address for the record at the beginning of your comments.
6. Please respect the opinion of others.
7. Please refrain from derogatory public comments regarding other community members, LAFCO Commissioners, or Staff.
8. A member of the public may not give his or her time to another speaker.
9. The Commission may adopt reasonable regulations to ensure that public meetings are fair and orderly.
10. The Chair may request individuals who disrupt the meeting to leave the chambers. Persons who willfully disrupt the proceedings and refuse to leave when requested to do so may be escorted from the building by law enforcement.

Above Guidelines created from "A User's Guide to the Ralph M. Brown Act" and the "Guide to Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000"

Attachment C

**Summary of State's New Groundwater Legislation
(Pavley/Dickinson)**

Draft