

SONOMA LOCAL AGENCY FORMATION COMMISSION

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Staff Report

Meeting Date: February 1, 2023

Agenda No. Item 5.2

Agenda Item Title: Authorization to Conduct RFP for Consultant Services:
Disadvantaged Unincorporated Community Inventory and
Mapping

**Environmental
Determination:** Not a Project under CEQA

Staff Contacts: Mark Bramfitt

Analysis

Background

In 2012, in response to recently enacted changes to the Cortese-Knox-Hertzberg Act, the Commission adopted a policy regarding the treatment of Disadvantaged Unincorporated Communities, or DUCs.

Disadvantaged Unincorporated Communities are defined (§ 56033.5) as inhabited unincorporated areas where average income levels are below a threshold defined in the State's Water Code (§ 79505.5).

Cortese-Knox-Hertzberg ("CKH") grants the Commission discretion to define inhabited territory, though it also refers to Section 56046, which indicates that inhabited territory means territory where twelve or more registered voters reside.

The Water Code definition indicates that a DUC is a community with an annual median household income that is less than 80 percent of the statewide annual median household income.

The Commission's Policy (Attachment 1) used "census-designated places" as the geographical means of defining a "territory". It should be noted that the Commission and staff recognized that this definition was likely to be far less granular than optimal, and that the Commission should consider using other methodology in the future.

Defining DUCs becomes crucially important when considering large annexations to cities. According to CKH, "a Commission shall not approve an annexation to a city of any territory greater than 10 acres...where there exists a disadvantaged unincorporated community that is contiguous to the area of proposed annexation (§ 56375 (8)(A)).

(The code also grants the Commission to apply this requirement to annexations less than ten acres, as determined by Commission policy.)

To date, staff has applied the census tract definition of a territory to determinations regarding DUCs, resulting in the identification of seven areas in the County that qualify, with only two proximate to a city. Boyes Hot Springs and Temelec are both near the City of Sonoma, but are not contiguous and are not within the City's Sphere of Influence or Urban Growth Boundary.

Staff has identified one upcoming proposal that indicates identification of DUCs on a more granular geographical basis would be prudent: a pending application for a large annexation in the southeastern portion of Santa Rosa. Additionally, there is some interest in using identification of Springs communities in Sonoma Valley as an impetus for supporting annexation of this areas to the City of Sonoma.

A survey of other LAFCOs has found that some hew closely to a definition of a territory as having as few as twelve registered voters. Others have used different criteria, including some who have attempted to evaluate whether areas represent a “community of interest”.

In light of the potential application from Santa Rosa, staff is keen to re-evaluate DUC identification for LAFCO purposes, and proposes to seek a consultant through a Request for Proposal process who can identify and map DUCs that are proximate to cities in Sonoma County.

An example of the work that staff is proposing is a portion of a Municipal Service Review conducted for all the cities in by Riverside LAFCO (Attachment 2).

If the Commission approves issuing an RFP as described, staff will return with an item to select and approve a consulting contractor and contract.

Recommendation

Staff is requesting Commission approval to prepare and issue a Request for Proposal for consulting support to prepare a Disadvantaged Unincorporated Community Inventory and associated analysis and mapping. Staff would subsequently seek Commission approval of a selected contractor.

Attachments

1. Current Commission Policy – Disadvantaged Unincorporated Communities
2. Report from Riverside