

# SONOMA LOCAL AGENCY FORMATION COMMISSION

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## Staff Report

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**Meeting Date:** May 3, 2023

**Agenda No.** Item 5.2

**Agenda Item Title:** Contract for Disadvantaged Unincorporated Community Inventory and Mapping Study

**Environmental Determination:** Exempt Pursuant to Section 15306 of the State CEQA Guidelines

**Staff Contacts:** Mark Bramfitt

## Analysis

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### 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.

The Commission's Policy 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.

In February, the Commission authorized staff to issue a Request for Proposals (RFP) for consultant services to undertake the project; staff subsequently issued that RFP (Attachment 1).

### **Response to RFP**

Staff received two proposals in response to the RFP, from Plan West Partners Inc. of Arcata, CA, and RSG of Irvine, CA (Attachments 2 and 3).

Both consultants boast similar skill sets that would serve them well in completing the work product described in the RFP.

Plan West Partners provides extensive mapping services for communities and agencies in northern coast counties, including managing mapping for four LAFCOs in the area.

RSG has also produced DUC identification and mapping work for LAFCOs, and produced a DUC mapping tool for CALAFCO.

### **Cost**

Plan West Partner’s bid is for a no-to-exceed amount of \$34,930, with a proposed study completion date of September or October this year.

RSG’s bid is for a not-to-exceed amount of \$25,000, with a proposed study completion date of August this year.

### **Environmental Determination**

The Disadvantaged Unincorporated Community Inventory and Mapping study is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15306 (Information Collection). This section exempts projects which consists of basic data collection, research, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. In that the purpose of the study is to gather information without specific action taken by the Commission, the project is exempt from CEQA.

## **Recommendation**

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Staff requests that the Commission authorize the Executive Officer to initiate a contract with RSG, to conduct a Disadvantaged Unincorporated Community Inventory and Mapping Study for an amount not to exceed \$25,000.

A draft resolution is attached for Consideration by the Commission (Attachment 4).

## **Attachments**

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1. Request for Proposals
2. Response to RFP from Plan West Partners
3. Response to RFP from RSG
4. Draft Resolution