



Local Agency Formation Commission
LAFCO of Napa County

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February 7, 2011
Agenda Item No. 5e (Consent: Information)

January 31, 2011

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: New Legislation for 2011

The Commission will review a report from staff summarizing new legislation affecting LAFCOs that became effective as of January 1, 2011.

Local Agency Formation Commissions (LAFCOs) are responsible for administering the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. This includes approving or disapproving, with or without modifications, change of organization or reorganization proposals as well as outside service extension requests.

A. Information

The second year of the 2009-2010 legislative session produced a relatively small number of bills that make substantive changes to LAFCO law or the laws LAFCO helps to administer; an outcome generally attributed to lawmakers focus on the budget deficit. A summary of key bills enacted as of January 1, 2011 follows.

Senate Bill 1023 (Patricia Wiggins)

SB 1023 establishes an expedited process for LAFCOs to initiate and approve the reorganization of resort improvement districts (RIDs) and municipal improvement districts (MIDs) into community service districts (CSDs) with the same powers, duties, and boundaries. The legislation also *exempts* protest proceedings unless written opposition is filed by the affected agency (emphasis added).

Assembly Bill 2795 (Assembly Committee on Local Government)

AB 2795 makes several minor and non-controversial changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. This includes defining “divestiture of power,” which follows a 2008 amendment requiring special districts to request and receive LAFCO approval before eliminating an established service. The legislation also amends Revenue and Tax Code to extend the mandatory property tax negotiation period for jurisdictional changes between local agencies from 60 to 90 days if requested. Notably, staff proposed this amendment in consultation with a CALAFCO sub-committee given the reoccurring challenges for local agencies in Napa County to complete negotiations within the current 60 day period.

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Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

B. Commission Review

Staff respectfully requests the Commission review the new legislation for 2011 outlined in this report and offer any questions or comments.

Attachments: none