



Local Agency Formation Commission of Napa County
Subdivision of the State of California

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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

Agenda Item 7d (Action)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer

MEETING DATE: June 4, 2018

SUBJECT: Legislative Report

RECOMMENDATION

It is recommended the Commission authorize the Executive Officer to submit letters to the Legislature in support of Assembly Bill 3254, Assembly Bill 2238, and Senate Bill 929.

BACKGROUND AND SUMMARY

The California Association of Local Agency Formation Commissions (CALAFCO) was established in 1971 to assist all 58 LAFCOs in fulfilling their prescribed regulatory and planning duties. This includes serving as an advocacy resource in proposing and/or reviewing new legislation affecting LAFCOs.

On December 4, 2017, the Commission adopted a *Legislative Policy* (“the Policy”), included as Attachment One. The Commission also established a standing Legislative Committee (“the Committee”) with Commissioners Dillon and Mohler appointed to serve with the Executive Officer.

On February 5, 2018, the Commission adopted a legislative platform, included as Attachment Two.

On February 28, 2018, the Committee held a noticed public meeting to review the 20 bills that were being tracked by CALAFCO at that time. The Committee determined none of the 20 bills warranted formal positions from the Commission.

As of May 28, 2018, CALAFCO is tracking 23 bills. CALAFCO’s Legislative Report dated May 28, 2018, is included as Attachment Three. The Executive Officer has continued monitoring proposed legislation and will recommend formal positions on proposed legislation consistent with the Policy.

Margie Mohler, Chair
Councilmember, Town of Yountville

Scott Sedgley, Commissioner
Councilmember, City of Napa

Kenneth Leary, Alternate Commissioner
Councilmember, City of American Canyon

Brad Wagenknecht, Vice Chair
County of Napa Supervisor, 1st District

Diane Dillon, Commissioner
County of Napa Supervisor, 3rd District

Ryan Gregory, Alternate Commissioner
County of Napa Supervisor, 2nd District

Gregory Rodeno, Commissioner
Representative of the General Public

Vacant, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

CALAFCO Call for Legislative Action

On March 26, 2018, CALAFCO requested formal positions from all LAFCOs to support Assembly Bill (AB) 3254 and AB 2258.

On May 17, 2018, CALAFCO requested formal positions from all LAFCOs to support AB 2238, AB 2268, and Senate Bill (SB) 929.

The following is a summary of each of these bills along with recommendations to take formal positions as appropriate.

AB 2258 (Caballero) – Support

AB 2258 has been introduced by Assembly Member Anna Caballero and is sponsored by CALAFCO. The bill would create a grant program for LAFCOs to receive additional funding to conduct special studies to initiate and complete the dissolution of inactive special districts. The stated deadline to submit a position letter for was May 25, 2018. On May 15, 2018, consistent with paragraph 4 of the Policy, the Chair reviewed the Executive Officer's draft letter in support of AB 2258 and approved the letter primarily based on local legislative platform criterion 1.1. The submitted support letter (Attachment Four) is included for the Commission's review consistent with paragraph 5 of the Policy.

AB 3254 (Assembly Local Government Committee) – Support

AB 3254 has been introduced by the Assembly Local Government Committee (Assembly Members Aguiar-Curry (Chair), Waldron (Vice Chair), Bloom, Caballero, Cooley, Grayson, Lackey, and Voepel). AB 3254 is the annual omnibus bill sponsored by CALAFCO and makes several technical, non-substantive changes to the Cortese-Knox-Hertzberg Act. There was no stated deadline to submit a position letter. While there is no direct relationship with the local legislative platform, staff recommends a support position for AB 3254 given that the bill would improve upon existing law and clarify Napa LAFCO's authority and powers. A draft letter supporting AB 3254 is included as Attachment Five.

AB 2238 (Aguiar-Curry) – Support

AB 2238 has been introduced by Assembly Member Cecilia Aguiar-Curry and would add a new factor for LAFCOs to consider in the review of a proposal. Specifically, AB 2238 would require LAFCOs to consider information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or state responsibility areas. The stated deadline to submit a position letter for was June 29, 2018. Staff recommends a support position for AB 2238 primarily based on local legislative platform criterion 1.4 given that the bill would support the alignment of responsibilities of Napa LAFCO and regional agencies. A draft letter supporting AB 2238 is included as Attachment Six.

AB 2268 (Reyes) – No Position

AB 2268 has been introduced by Assembly Member Eloise Reyes and would restore funding for inhabited annexations. Specifically, the bill involves property tax revenue allocations and vehicle license fee adjustments for city annexations of legally inhabited territory. The stated deadline to submit a position letter for was June 29, 2018. It does not appear there is any direct relationship with the local legislative platform. Absent a financial study of potential local impacts, staff recommends no formal position for AB 2268.

Senate Bill 929 (McGuire) – Support

SB 939 has been introduced by Senator Mike McGuire and would require all independent special districts to have a website by January 1, 2020, unless certain exemption standards are met. The stated deadline to submit a position letter for was June 29, 2018. While there is no direct relationship with the local legislative platform, staff recommends a support position for SB 929 given that the bill would result in improved special district transparency. A draft letter supporting SB 929 is included as Attachment Seven.

ATTACHMENTS

- 1) Legislative Policy
- 2) Legislative Platform
- 3) CALAFCO Legislative Report (May 28, 2018)
- 4) Submitted Letter of Support for AB 2258 (May 15, 2018)
- 5) Draft Letter of Support for AB 3254
- 6) Draft Letter of Support for AB 2238
- 7) Draft Letter of Support for SB 929



LOCAL AGENCY FORMATION COMMISSION OF NAPA

Legislative Policy

(Adopted: December 4, 2017)

- 1) The Local Agency Formation Commission (LAFCO) of Napa County (“the Commission”) shall establish a standing committee to review proposed legislation (“Legislative Committee”). At the beginning of each two-year legislative session, the Commission shall appoint (or re-appoint) two members to the Legislative Committee, in addition to LAFCO’s Executive Officer. Meetings of the Legislative Committee must be noticed in accordance with the Ralph M. Brown Act.
- 2) The Legislative Committee shall, at least annually, review the California Association of LAFCOs’ legislative platform as well as the Commission’s adopted legislative platform if applicable and determine what action is needed in terms of adopting or amending a local legislative platform. The Legislative Committee shall present recommendations to the full Commission with respect to actions related to the local legislative platform.
- 3) The Legislative Committee shall, at least annually, review proposed legislation affecting LAFCO. The Executive Officer shall continue monitoring proposed legislation and present recommendations to the full Commission with respect to formal positions on proposed legislation.
- 4) In the event that proposed legislation affecting LAFCO cannot be considered by the full Commission due to timing, the Executive Officer is authorized to submit written correspondence to the legislation’s author regarding the Commission’s position if the position is consistent with the adopted legislative platform of the Commission. The Chair, or the Vice-Chair if the Chair is unavailable, shall review and approve the written correspondence prior to it being submitted by the Executive Officer.
- 5) All submitted correspondence pursuant to this policy will be included on the next available Commission agenda.



LOCAL AGENCY FORMATION COMMISSION OF NAPA

Legislative Platform

(Adopted: February 5, 2018)

The following core guiding principles underlie the Local Agency Formation Commission (LAFCO) of Napa County's activities. Each of these principles is centered on Napa LAFCO having in-depth, active communication with respect to all relevant constituents.

- Municipal Service Reviews based on local agency, Napa County, & LAFCO needs
- Re-writing policies (on a schedule) to be comprehensive, effective, and transparent
- Forecasting issues relating to local services and boundaries, as well as State legislation
- Active involvement of agency constituents in problem-solving local agency sustainability
- Engagement with local city/town general plan updates
- Active with local agencies in managing housing growth and related issues including transportation

The following serves as Napa LAFCO's Legislative Platform for purposes of informing actions relating to proposed legislation.

1. LAFCO Purpose and Authority

- 1.1 Support legislation which enhances Napa LAFCO's authority and powers to carry out the legislative findings and authority in Government Code §56000 et seq., and oppose legislation which diminishes Napa LAFCO's authority.
- 1.2 Support authority for Napa LAFCO to establish local policies to apply Government Code §56000 et seq. based on local needs and conditions, and oppose any limitations to that authority.
- 1.3 Oppose additional Napa LAFCO responsibilities which require expansion of current local funding sources. Oppose unrelated responsibilities which dilute Napa LAFCO's ability to meet its primary mission.
- 1.4 Support alignment of responsibilities and authority of Napa LAFCO and regional agencies which may have overlapping responsibilities in orderly growth, preservation, and service delivery, and oppose legislation or policies which create conflicts or hamper those responsibilities.
- 1.5 Oppose grants of special status to any individual agency or proposal to circumvent the Napa LAFCO process.
- 1.6 Support individual commissioner responsibility that allows each commissioner to independently vote his or her conscience on issues affecting his or her own jurisdiction.
- 1.7 Support the independence of Napa LAFCO from local agencies.
- 1.8 Support recognition of Napa LAFCO's spheres of influence by other agencies involved in determining and developing long-term growth and infrastructure plans.

2. Agricultural, Watershed, and Open Space Protection

- 2.1. Support legislation which clarifies Napa LAFCO's authority to identify, encourage, and ensure the preservation of agricultural, watershed, and open space lands.
- 2.2. Support policies which encourage cities, counties and special districts to direct development away from agricultural, watershed, and open space lands.
- 2.3. Support policies and tools which protect agricultural, watershed, and open space lands.
- 2.4. Support the continuance of the Williamson Act and restoration of program funding through State subvention payments.
- 2.5. Support the recognition and use of spheres of influence as a management tool to provide better planning of growth and development, and to preserve agricultural, watershed, and open space lands.

CALAFCO Daily Legislative Report as of Monday, May 28, 2018

1

AB 2050 (Caballero D) Small System Water Authority Act of 2018.
Current Text: Amended: 5/25/2018 [html](#) [pdf](#)
Introduced: 2/6/2018

Last Amended: 5/25/2018

Status: 5/25/2018-Joint Rule 62(a), file notice suspended. From committee: Amend, and do pass as amended. (Ayes 12. Noes 1.) (May 25). Read second time and amended. Ordered returned to second reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/29/2018 #36 ASSEMBLY SECOND READING FILE -- ASSEMBLY BILLS

Summary:

Would create the Small System Water Authority Act of 2018 and state legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems. The bill, no later than March 1, 2019, would require the state board to provide written notice to cure to all public agencies, private water companies, or mutual water companies that operate a public water system that has either less than 3,000 service connections or that serves less than 10,000 people, and are not in compliance with one or more state or federal primary drinking water standard maximum contaminant levels as of December 31, 2018, and for 4 consecutive quarters, as specified.

Position: Watch

Subject: LAFCo Administration, Municipal Services, Water

CALAFCO Comments: This bill is sponsored by Eastern Municipal Water District and the CA Municipal Utilities Assoc. The intent is to give the State Water Resources Control Board (SWRCB) authority to mandate the dissolution of existing drinking water systems (public, mutual and private) and authorize the formation of a new public water authority. The focus is on non contiguous systems. The SWRCB already has the authority to mandate consolidation of these systems, this will add the authority to mandate dissolution and formation of a new public agency.

LAFCo will be responsible for dissolving any state mandated public agency dissolution, and the formation of the new water authority. The SWRCB's appointed Administrator will act as the applicant on behalf of the state. LAFCo will have ability to approve with modifications the application, and the new agency will have to report to the LAFCo annually for the first 3 years.

CALAFCO continues to work with the author and sponsor on additional amendments including giving the authority to levy fines to the SWRCB (rather than the LAFCo); addressing process and timing issues/details; ensuring proper LAFCo funding language (a more generic statement rather than a not-to-exceed amount), and other issues.

AB 2238 (Aguilar-Curry D) Local agency formation: regional housing need allocation: fire hazards: local health emergencies: hazardous and medical waste.
Current Text: Amended: 4/3/2018 [html](#) [pdf](#)
Introduced: 2/13/2018

Attachment Three

Last Amended: 4/3/2018

Status: 5/24/2018-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 specifies the factors that a local agency formation commission is required to consider in the review of a proposal for a change of organization or reorganization, including, among other things, the proposal's consistency with city or county general and specific plans. This bill would require the commission to consider information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or maps that identify land determined to be in a state responsibility area if it is determined that such information is relevant to the area that is the subject of the proposal.

Attachments:

[CALAFCO Support Letter May 2018](#)

Position: Support

Subject: Climate Change, Growth Management

CALAFCO Comments: This bill seeks to add another factor for LAFCo consideration in the review of a proposal. That factor is information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

The bill also adds two non-LAFCo-related sections pertaining to the update of a housing element.

This bill is in response to the rash of wildfires throughout the state over the past several years and the ongoing threat of same as a result of climate change.

[AB 2258](#) (Caballero D) Local agency formation commissions: grant program.

Current Text: Amended: 4/23/2018 [html](#) [pdf](#)

Introduced: 2/13/2018

Last Amended: 4/23/2018

Status: 5/25/2018-From committee: Do pass. (Ayes 13. Noes 3.) (May 25). Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/29/2018 #302 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary:

Current law establishes the Strategic Growth Council in state government and assigns to the council certain duties, including providing, funding, and distributing data and information to local governments and regional agencies that will assist in the development and planning of sustainable communities. This bill would require the Strategic Growth Council, until January 1, 2024, to establish and administer a local agency formation commissions grant program for the payment of costs associated with initiating and completing the dissolution of districts listed as inactive, the payment of costs associated with a study of the services provided within a county by a public agency, and for other specified purposes, including the initiation of an action, based on determinations found in the study, as approved by the commission.

Attachment Three

Attachments:[CALAFCO Support March 2018](#)[CALAFCO Support March 2018](#)**Position:** Sponsor**Subject:** Other

CALAFCO Comments: This is a CALAFCO sponsored bill following up on the recommendation of the Little Hoover Commission report of 2017 for the Legislature to provide LAFcos one-time grant funding for in-depth studies of potential reorganization of local service providers. CALAFCO is working with the Strategic Growth Council (SGC) who has agreed to administer the grant program. Grant funds will be used specifically for conducting special studies to identify and support opportunities to create greater efficiencies in the provision of municipal services; to potentially initiate actions based on those studies that remove or reduce local costs thus incentivizing local agencies to work with the LAFco in developing and implementing reorganization plans; and the dissolution of inactive districts (pursuant to SB 448, Wieckowski, 2017). The grant program would sunset on December 31, 2023.

The bill also changes the protest threshold for LAFco initiated actions, solely for the purposes of actions funded pursuant to this new section. It allows LAFco to order the dissolution of a district (outside of the ones identified by the SCO) pursuant to a majority protest (mirroring existing language in Government Code Section 57077.1.c). For all other changes of organization or reorganization pursuant to this section, the threshold would be 25% rather than 10%, in accordance with Government Code Section 57075.

A separate budget ask of \$2 million over 5 years is being done as a companion to this bill.

[AB 2600](#) (Flora R) Regional park and open space districts.**Current Text:** Introduced: 2/15/2018 [html](#) [pdf](#)**Introduced:** 2/15/2018**Status:** 5/3/2018-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize the formation of a district by the adoption of a resolution of application by the legislative body of any county or city that contains the territory proposed to be included in the district. The bill would require the resolution to contain certain information, including the methods by which the district would be financed. The bill would require a public hearing before the adoption of the resolution, as provided.

Attachments:[CALAFCO Support March 2018](#)**Position:** Support

CALAFCO Comments: This bill would expand the process of initiating the formation of a regional pack and open space district by adding that a local governing body may adopt a resolution proposing to form a new district. This would be in lieu of having a 5,000 signature petition. The LAFco process remains intact.

The intent of this bill is to create an easier way to proposed the formation of these types of districts, thereby removing the need for special legislation to do so. The bill is author-sponsored.

[AB 3254](#) (Committee on Local Government) Local government organization: omnibus.**Current Text:** Amended: 5/17/2018 [html](#) [pdf](#)

Attachment Three

Introduced: 3/14/2018**Last Amended:** 5/17/2018**Status:** 5/22/2018-In Senate. Read first time. To Com. on RLS. for assignment.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act) provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Current law defines various terms for purposes of that Act, including the terms "affected territory" and "inhabited territory." This bill would revise those definitions to include territory that is to receive extended services from a local agency, and additionally define the term "uninhabited territory" for purposes of the Act.

Attachments:[CALAFCO Support](#)**Position:** Sponsor**CALAFCO Comments:** This is the annual Assembly Local Government Committee Omnibus bill, sponsored by CALAFCO. Amendments are pending to add several items.**[SB 1215](#) ([Hertzberg D](#)) **Provision of sewer service: disadvantaged communities.******Current Text:** Amended: 4/30/2018 [html](#) [pdf](#)**Introduced:** 2/15/2018**Last Amended:** 4/30/2018**Status:** 5/25/2018-From committee: Do pass. (Ayes 5. Noes 2.) (May 25). Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/29/2018 #189 SENATE SEN THIRD READING FILE - SEN BILLS

Summary:

This bill would authorize the State Water Resources Control Board to order the provision of sewer service by a special district, city, or county to a disadvantaged community, as defined, under specified circumstances. By authorizing the state board to require a special district, city, or county to provide sewer service, this bill would impose a state-mandated local program.

Position: Watch With Concerns**Subject:** Disadvantaged Communities, Water**CALAFCO Comments:** As amended, this bill authorizes the State Water Resources Control Board (SWRCB) to mandate extension of service or consolidation of wastewater systems - both public and private, under certain circumstances. The process mirrors the process set forth in SB 88 giving the SWRCB authority to mandate the same for drinking water systems.

The current version includes a number of amendments that address previous CALAFCO concerns. However, there is an outstanding issue of annexing territory to which services were extended into a city. (The bill does now call for a mandatory annexation into a district should the services be extended by them.)

[SB 1496](#) ([Committee on Governance and Finance](#)) **Validations.****Current Text:** Enrollment: 5/23/2018 [html](#) [pdf](#)**Introduced:** 3/1/2018**Status:** 5/23/2018-Enrolled and presented to the Governor at 10:30 a.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Attachment Three

Summary:

Would enact the Second Validating Act of 2018, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill would declare that it is to take effect immediately as an urgency statute.

Attachments:

[CALAFCO Support March 2018](#)

Position: Support

[SB 1497](#) (Committee on Governance and Finance) Validations.

Current Text: Enrollment: 5/23/2018 [html](#) [pdf](#)

Introduced: 3/1/2018

Status: 5/23/2018-Enrolled and presented to the Governor at 10:30 a.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the First Validating Act of 2018, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[CALAFCO Support March 2018](#)

Position: Support

Subject: LAFCo Administration

[SB 1499](#) (Committee on Governance and Finance) Validations.

Current Text: Enrollment: 5/23/2018 [html](#) [pdf](#)

Introduced: 3/1/2018

Status: 5/23/2018-Enrolled and presented to the Governor at 10:30 a.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would enact the Third Validating Act of 2018, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[CALAFCO Support March 2018](#)

Position: Support

Subject: LAFCo Administration

[AB 2268](#) (Reyes D) Local government finance: property tax revenue allocations: vehicle license fee adjustments.

Current Text: Amended: 4/16/2018 [html](#) [pdf](#)

Introduced: 2/13/2018

Last Amended: 4/16/2018

Status: 5/25/2018-In committee: Held under submission.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

for the 2018–19 fiscal year, would require the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount in the 2017–18 fiscal year, the

Attachment Three

product of that sum and the percentage change in gross taxable assessed valuation within the jurisdiction of that entity between the 2017–18 fiscal year to the 2018–19 fiscal year, and the product of the amount of specified motor vehicle license fee revenues that the Controller allocated to the applicable city in July 2010 and 1.17.

Attachments:

[CALAFCO Support Letter May 2018](#)

Position: Support

Subject: Tax Allocation

CALAFCO Comments: Sponsored by the League, this bill will reinstate ERAF funding for inhabited annexations.

[AB 2491](#) (Cooley D) Local government finance: vehicle license fee adjustment amounts.

Current Text: Amended: 4/2/2018 [html](#) [pdf](#)

Introduced: 2/14/2018

Last Amended: 4/2/2018

Status: 5/25/2018-In committee: Held under submission.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would establish a separate vehicle license fee adjustment amount for a city incorporating after January 1, 2012, including an additional separate vehicle license fee adjustment amount for the first fiscal year of incorporation and for the next 4 fiscal years thereafter. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Support March 2018](#)

Position: Support

Subject: Tax Allocation

CALAFCO Comments: Sponsored by the League, this bill will reinstate ERAF funding for cities incorporating after 2017.

[AB 2501](#) (Chu D) Drinking water: consolidation and extension of service.

Current Text: Amended: 4/17/2018 [html](#) [pdf](#)

Introduced: 2/14/2018

Last Amended: 4/17/2018

Status: 5/25/2018-From committee: Do pass. (Ayes 13. Noes 3.) (May 25). Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/29/2018 #351 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary:

The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order extension of service to an area within a disadvantaged community that does not have access to an adequate supply of safe drinking water so long as the extension of service is an interim extension of service in preparation of consolidation. The act defines "disadvantaged community" for these purposes to mean a disadvantaged community that is in an unincorporated area, is in a mobilehome park, or is served by a mutual water company or small public water system. This bill would redefine "disadvantaged community" for these purposes to also include a disadvantaged community that is served by a state small water system or domestic well.

Position: Watch

Subject: Disadvantaged Communities, Water

AB 1889 (Caballero D) Santa Clara Valley Water District.**Current Text:** Amended: 4/4/2018 [html](#) [pdf](#)**Introduced:** 1/18/2018**Last Amended:** 4/4/2018**Status:** 5/10/2018-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Santa Clara Valley Water District Act authorizes the district to impose special taxes at minimum rates according to land use category and size. The district act authorizes the district to provide an exemption from these taxes for residential parcels owned and occupied by one or more taxpayers who are at least 65 years of age, or who qualify as totally disabled, if the household income is less than an amount approved by the voters of the district. This bill would authorize the district to require a taxpayer seeking an exemption from these special taxes to verify his or her age, disability status, or household income, as prescribed.

Position: Watch**AB 2019 (Aguiar-Curry D) Health care districts.****Current Text:** Amended: 4/30/2018 [html](#) [pdf](#)**Introduced:** 2/5/2018**Last Amended:** 4/30/2018**Status:** 5/24/2018-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Local Health Care District Law provides for local health care districts that govern certain health care facilities. The bill would require a district that is authorized and elects to use the design-build process, as specified, for the construction of housing to require that at least 20% of the residential units constructed be subject to a recorded affordability restriction for at least 55 years and be affordable to lower income households, very low income households, extremely low income households, and persons and families of low or moderate income, as defined, unless the city, county, or city and county in which the district is predominantly located has adopted a local ordinance that requires a greater percentage of the units be affordable to those groups. This bill contains other related laws and provisions.

Position: Watch

CALAFCO Comments: This bill places a number of statutory requirements on healthcare districts (HCDs). One provision that directly affects LAFCo is the HCDs will be required to notify their respective LAFCo when they file for bankruptcy.

AB 2179 (Gipson D) Municipal corporations: public utility service: water and sewer service.**Current Text:** Introduced: 2/12/2018 [html](#) [pdf](#)**Introduced:** 2/12/2018**Status:** 5/14/2018-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/29/2018 #205 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary:

Would authorize a municipal corporation to utilize the alternative procedures to lease,

Attachment Three

sell, or transfer that portion of a municipal utility used for furnishing sewer service outside the boundaries of the municipal corporation.

Position: Watch

Subject: Municipal Services

AB 2262 (Wood D) Coast Life Support District Act: urgent medical care services.

Current Text: Amended: 4/16/2018 [html](#) [pdf](#)

Introduced: 2/13/2018

Last Amended: 4/16/2018

Status: 5/3/2018-Referred to Coms. on GOV. & F. and HEALTH.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, the Coast Life Support District Act, establishes the Coast Life Support District and specifies the powers of the district. The district is authorized, among other things, to supply the inhabitants of the district emergency medical services, as specified. This bill would additionally authorize the district to provide urgent medical care services.

Attachments:

[CALAFCO Oppose Unless Amended](#)

[CALAFCO Support as amended](#)

Position: Support

Subject: LAFCo Administration, Special District Powers

CALAFCO Comments: This is a single district bill in which the district is seeking to add the power of providing urgent care (actually to codify powers they have been performing for a number of years). As amended, the bill cleans up the outdated reference to the Act and adds a provision requiring the district to seek LAFCo approval to activate the new power. As a result of these amendments, CALAFCO has removed our opposition and now supports the bill.

AB 2339 (Gipson D) Water utility service: sale of water utility property by a city.

Current Text: Amended: 4/3/2018 [html](#) [pdf](#)

Introduced: 2/13/2018

Last Amended: 4/3/2018

Status: 5/25/2018-From committee: Do pass. (Ayes 13. Noes 2.) (May 25). Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/29/2018 #317 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary:

Would permit a city that owns and operates a public utility for furnishing water service to sell the public utility for the purpose of consolidating its public water system with another public water system pursuant to the specified procedures, only if the potentially subsumed water system is wholly within the boundaries of the city, if the city determines that it is uneconomical and not in the public interest to own and operate the public utility, and if certain requirements are met. The bill would prohibit the city from selling the public utility for one year if 50% of interested persons, as defined, protest the sale.

Position: Watch

Subject: Water

SB 522 (Glazer D) West Contra Costa Healthcare District.

Attachment Three

Current Text: Amended: 1/3/2018 [html](#) [pdf](#)

Introduced: 2/16/2017

Last Amended: 1/3/2018

Status: 4/19/2018-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

6/13/2018 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

Current law provides for the formation of local health care districts and specifies district powers. Under existing law, the elective officers of a local health care district consist of a board of hospital directors consisting of 5 members, each of whom is required to be a registered voter residing in the district and whose term shall be 4 years, except as specified. This bill would dissolve the existing elected board of directors of the West Contra Costa Healthcare District, effective January 1, 2019, and would require the Board of Supervisors of the County of Contra Costa, at its election, to either serve as the district board or appoint a district board, as specified.

Position: Watch

Subject: Special Districts Governance

[SB 561](#) ([Gaines R](#)) **Fallen Leaf Lake Community Services District: elections.**

Current Text: Amended: 5/10/2018 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amended: 5/10/2018

Status: 5/10/2018-From committee with author's amendments. Read second time and amended. Re-referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Under current law, the Fallen Leaf Lake Community Services District is a resident voting district. This bill would require the El Dorado County elections official, with the assistance of the Fallen Leaf Lake Community Services District, to conduct district elections pursuant to the Uniform District Election Law, except as otherwise provided in the bill.

Position: Watch

Subject: Special Districts Governance

[SB 623](#) ([Monning D](#)) **Water quality: Safe and Affordable Drinking Water Fund.**

Current Text: Amended: 8/21/2017 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amended: 8/21/2017

Status: 9/1/2017-From committee: Without recommendation. (Ayes 11. Noes 0.) (September 1) Re-referred to Com. on RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the State Water Resources Control Board. The bill would require the board to administer the fund to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure. The bill would authorize the state board to provide for the deposit into the fund of federal contributions,

Attachment Three

voluntary contributions, gifts, grants, bequests, and settlements from parties responsible for contamination of drinking water supplies.

Position: Watch

Subject: Water

[SB 778](#) ([Hertzberg D](#)) **Water systems: consolidations: administrative and managerial services.**

Current Text: Amended: 7/13/2017 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amended: 7/13/2017

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. on 8/23/2017)(May be acted upon Jan 2018)

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require, on or before March 1, 2018, and regularly thereafter, as specified, the State Water Resources Control Board to track and publish on its Internet Web site an analysis of all voluntary and ordered consolidations of water systems that have occurred on or after July 1, 2014. The bill would require the published information to include the resulting outcomes of the consolidations and whether the consolidations have succeeded or failed in providing an adequate supply of safe drinking water to the communities served by the consolidated water systems.

Position: Watch

Subject: Municipal Services

[SB 929](#) ([McGuire D](#)) **Special districts: Internet Web sites.**

Current Text: Amended: 3/6/2018 [html](#) [pdf](#)

Introduced: 1/25/2018

Last Amended: 3/6/2018

Status: 4/30/2018-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

6/13/2018 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

The California Public Records Act requires a local agency to make public records available for inspection and allows a local agency to comply by posting the record on its Internet Web site and directing a member of the public to the Web site, as specified. This bill would, beginning on January 1, 2020, require every independent special district to maintain an Internet Web site that clearly lists contact information for the special district, except as provided. Because this bill would require local agencies to provide a new service, the bill would impose a state-mandated local program.

Attachments:

[CALAFCO Support Letter May 2018](#)

Position: Support

[SB 1498](#) ([Committee on Governance and Finance](#)) **Local Government Omnibus Act of 2018.**

Current Text: Amended: 4/18/2018 [html](#) [pdf](#)

Introduced: 3/1/2018

Last Amended: 4/18/2018

Status: 5/25/2018-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor		Enrolled	Vetoed	Chaptered

Attachment Three

1st House	2nd House	Conf. Conc.			
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Summary:

Current law sets forth various provisions governing cities that reference various officers and employees. This bill would make these references gender neutral.

Position: Watch

CALAFCO Comments: This is the annual Senate Governance & Finance Committee Omnibus bill.

Total Measures: 23

Total Tracking Forms: 23

5/28/2018 10:51:13 AM



Local Agency Formation Commission of Napa County
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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

May 15, 2018

The Honorable Anna Caballero
 California State Assembly
 State Capital Room 5158
 Sacramento, CA 95814

Subject: *Support of AB 2258* (as amended April 23, 2018)

Dear Assemblymember Caballero:

The Napa Local Agency Formation Commission (LAFCO) is pleased to join the California Association of Local Agency Formation Commissions (CALAFCO) in support for **Assembly Bill 2258**. Sponsored by CALAFCO, the bill establishes a funding program to provide grants to LAFCOs for conducting in-depth studies and analyses of local government agencies and services for the purposes of creating improved efficiencies in the delivery of local government services and completing the dissolution of inactive special districts. The grant program would be administered by the Strategic Growth Council and sunset on December 31, 2023.

The Legislature established LAFCOs in 1963 to encourage the orderly formation of local government agencies. Since that time, the regulatory role and responsibilities of LAFCOs has substantially increased without additional funding. Operating in all 58 California counties, LAFCOs are responsible for meeting important statutory directives to maintain orderly boundaries and seek greater efficiencies in delivering local services, and yet these directives often times cannot be met under current funding mechanisms. As a result, much needed LAFCO activities are sometimes delayed or rejected.

In August 2017, the Little Hoover Commission published a report on special districts and their oversight by LAFCOs, which contained several recommendations directly related to LAFCO. One recommendation was for the Legislature to provide one-time grant funding to pay for specified LAFCO activities, particularly to incentivize LAFCOs or smaller special districts to develop and implement dissolution or consolidation plans with timelines for expected outcomes.

By establishing this one-time grant funding, **AB 2258** provides an additional tool for LAFCOs to conduct detailed studies and implement greater efficiencies in delivering local services based on local circumstances and conditions. For these reasons, Napa LAFCO is pleased to support **AB 2258**.

Thank you for authoring this important piece of legislation. Please feel free to contact me by telephone at (707) 259-8645 should you have any questions about Napa LAFCO's position.

Sincerely yours,

Brendon Freeman
 Executive Officer

Cc: Assm. Grayson, co-author
 Pamela Miller, Executive Director, CALAFCO
 Margie Mohler, Chair, Napa LAFCO

Margie Mohler, Chair
 Councilmember, Town of Yountville

Brad Wagenknecht, Vice Chair
 County of Napa Supervisor, 1st District

Gregory Rodeno, Commissioner
 Representative of the General Public

Scott Sedgley, Commissioner
 Councilmember, City of Napa

Diane Dillon, Commissioner
 County of Napa Supervisor, 3rd District

Vacant, Alternate Commissioner
 Representative of the General Public

Kenneth Leary, Alternate Commissioner
 Councilmember, City of American Canyon

Ryan Gregory, Alternate Commissioner
 County of Napa Supervisor, 2nd District

Brendon Freeman
 Executive Officer



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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

June 5, 2018

Honorable Cecilia Aguiar-Curry, Chair
 Assembly Local Government Committee
 California State Assembly
 State Capitol, Room 5144
 Sacramento, CA 95814

Subject: *Support of AB 3254: Local Government Committee Omnibus Bill*

Dear Chair Aguiar-Curry:

The Napa Local Agency Formation Commission (LAFCO) is pleased to support the Assembly Local Government Committee Bill AB 3254 which makes technical, non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act).

This annual bill includes technical changes to the Act which governs the work of LAFCOs. 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 currently makes minor technical corrections to language used in the Act.

Napa LAFCO is grateful to your Committee and staff, and the members of the California Association of Local Agency Formation Commissions (CALAFCO) Legislative Committee, all of whom worked diligently on this language to ensure there are no substantive changes while creating a significant increase in the clarity of the Act for all stakeholders.

This legislation helps insure the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state. We appreciate your Committee's authorship and your support of the mission of LAFCOs. Please feel free to contact me should you have any questions about our support of AB 3254.

Sincerely yours,

Brendon Freeman
 Executive Officer

cc: Members, Assembly Local Government Committee
 Debbie Michel, Chief Consultant, Assembly Local Government Committee
 William Weber, Consultant, Assembly Republican Caucus
 Pamela Miller, Executive Director, CALAFCO

Margie Mohler, Chair
 Councilmember, Town of Yountville

Scott Sedgley, Commissioner
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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

June 5, 2018

Assembly Member Cecilia Aguiar-Curry
 California State Assembly
 State Capitol, Room 5144
 Sacramento, CA 95814

Subject: *Support of AB 2238* (as amended April 3, 2018)

Dear Assembly Member Aguiar-Curry:

The Napa Local Agency Formation Commission (LAFCO) is pleased to join the California Association of Local Agency Formation Commissions (CALAFCO) in supporting Assembly Bill AB 2238 as amended April 3, 2018. Specifically of interest to LAFCOs is the provision requiring the commission to consider information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or land determined to be in a state responsibility area if it is determined that such information is relevant to the area that is the subject of the proposal.

When reviewing proposals for changes of organization or reorganizations, it's important for LAFCOs to consider whether or not the proposal is consistent with a city or county general plan and other types of growth plans. Further, considering the impact of specific potential fire hazard threats is an important part of smart growth and development planning. As we collectively work to adapt and evolve the way we respond to the impacts of climate change, these kinds of considerations are important in balancing orderly growth and climate adaptation efforts.

Because AB 2238 is aligned with CALAFCO's policy to use LAFCO resources to review growth plans to ensure reliable services, orderly growth and sustainable communities, Napa LAFCO is pleased to support this bill.

Please do not hesitate to contact me with any questions you may have on our position.

Sincerely yours,

Brendon Freeman
 Executive Officer

cc: Debbie Michel, Chief Consultant, Assembly Local Government Committee
 Anton Favorini-Csorba, Consultant, Senate Governance & Finance Committee
 Ryan Eisberg, Consultant, Senate Republican Caucus
 Pamela Miller, Executive Director, CALAFCO

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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

June 5, 2018

Senator Mike McGuire
California State Senate
State Capital Room 5061
Sacramento, CA 95814

Subject: *Support of SB 929* (as amended March 6, 2018)

Dear Senator McGuire:

The Napa Local Agency Formation Commission (LAFCO) is pleased to join the California Association of Local Agency Formation Commissions (CALAFCO) in supporting Senate Bill 929 as amended March 6, 2018, which would require all independent special districts have a website by January 1, 2020, thereby increasing transparency.

LAFCOs work very closely with special districts in their role of overseeing the provision of municipal services. For the approximately 50 percent of the independent special districts that have websites today, communication and transparency with the local LAFCO is far more seamless than with the other half that do not have a website. In those instances, the LAFCO is left to creative resourcefulness to gain access to critical contact and agency information, often times requiring the LAFCO to expend a great deal of effort and resources. This information is especially critical for LAFCO when fulfilling their statutory obligations related to conducting Municipal Service Reviews on these districts.

Further, providing information in an easy, accessible and transparent way to all members of the public – especially those being served by the district – is simply good governance.

For these reasons Napa LAFCO supports SB 929.

Please do not hesitate to contact me with any questions you may have on our position.

Sincerely yours,

Brendon Freeman
Executive Officer

cc: Chair and Members, Assembly Local Government Committee
Jimmy MacDonald, Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
Pamela Miller, Executive Director, CALAFCO
Dillon Gibbons, CA Special Districts Association

Margie Mohler, Chair
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