



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

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August 1, 2011
Agenda Item No. 8b (Discussion)

July 25, 2011

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Legislative Report

The Commission will receive a report on the first year of the 2011-2012 session of the California Legislature as it relates to bills directly or indirectly effecting Local Agency Formation Commissions. The Commission will also receive an update on efforts to amend California Government Code Section 56133 to provide more flexibility to LAFCOs in authorizing new or extended services outside spheres of influence.

The Executive Officer and Commissioner Inman are appointed members of the California Association of Local Agency Formation Commissions' (CALAFCO) Legislative Committee. The Committee meets on a regular basis to review, discuss, and offer recommendations to the CALAFCO Board of Directors relating to new legislation that have either a direct impact on LAFCO law or the laws LAFCO helps to administer. Committee actions are guided by the Board's adopted policies, which are annually reviewed and amended to reflect current year priorities.

A. Discussion and Analysis

The first year of the California Legislature's 2011-2012 session has generated approximately 2,500 bills. The Legislature may amend first session bills through September 2nd. The Legislature must approve all first session bills no later than September 9th with the Governor signing or vetoing no later September 30th.

Specific Bills of Interest

The Committee is currently tracking 26 bills with direct or indirect impacts on LAFCOs as part of the first year of the 2011-2012 session. A complete list of the bills under track by the Committee is attached to this staff report. Four bills the Committee believes have the greatest potential for impacting LAFCOs are discussed and analyzed below.

Lewis Chilton, Vice Chair
Councilmember, Town of Yountville

Joan Bennett, Commissioner
Councilmember, City of American Canyon

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

Bill Dodd, Chair
County of Napa Supervisor, 4th District

Brad Wagenknecht, Commissioner
County of Napa Supervisor, 1st District

Mark Luce, Alternate Commissioner
County of Napa Supervisor, 2nd District

Brian J. Kelly, Commissioner
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

Senate Bill 244 (Lois Wolk): Disadvantaged Unincorporated Communities

This legislation is sponsored by the California Rural Legal Assistance and was most recently amended on July 1, 2011. The bill would require LAFCOs to consider disadvantaged unincorporated communities as part of the municipal service review and sphere of influence update processes. LAFCOs' consideration would begin in July 2012 and includes making determinative statements on the infrastructure needs as well as the feasibility of annexing disadvantaged communities that lie within or adjacent to the affected agency's sphere of influence. The bill defines disadvantaged unincorporated communities as areas with an annual median household income that is less than 80 percent of the statewide annual median household income. (No definition has been provided with respect to "adjacent.") The intent of the bill is for LAFCOs to proactively address the service needs of predominately poor minority communities by facilitating annexations to nearby cities. Concurrent changes to planning law are also proposed to require cities and counties to identify and provide specific information regarding disadvantaged unincorporated communities inside or near their jurisdictions in their housing elements beginning in January 2014; an aspect strongly opposed by the California League of Cities.

This bill, if approved, would further direct LAFCOs to focus on environmental justice issues; a focus that began in January 2008 with the requirement that LAFCOs consider the effect of boundary changes in promoting environmental justice. It is unclear at this time whether the bill would measurably impact municipal service reviews and sphere of influence updates in Napa County given the referenced definition of disadvantaged unincorporated communities. The author, however, has made considerable changes to the original bill to provide LAFCOs more discretion in implementing the proposed new requirements. This includes striking a threshold that would have directed LAFCOs to address any qualifying disadvantaged unincorporated community lying within 10 acres of a sphere of influence. This and other changes to the bill have prompted CALAFCO to change its position from "oppose" to "objection removed." CALAFCO continues, nonetheless, to be concerned with the unfunded mandate tied to the bill with respect to increasing the workload of LAFCOs in preparing municipal service reviews and sphere of influence updates. The California State Association of Counties has also removed its objection.

Assembly Bill 54 (Jose Solorio): Mutual Water Companies

This legislation was most recently amended on July 11, 2011 and would require mutual water companies to file boundary maps with LAFCOs. The bill would also require mutual water companies to respond in writing to information requests made by LAFCOs as part of the municipal service review process within 45 days of notice.

The author's stated objective is to make mutual water companies more accountable to the public. (Additional requirements included in the bill involve mandatory board training and establishing fund reserve minimums.) Locally, there is little information presently available regarding the extent of mutual water companies operating in Napa County. With this in mind, requiring mutual water companies to file boundary maps

with LAFCOs as well as respond to information requests would be extremely beneficial. CALAFCO has adopted a “support” position.”

Assembly Bill 912 (Rich Gordon): Special District Dissolution

This legislation was approved on July 11, 2011 and currently awaits consideration by the Governor. The bill would establish an expedited process to dissolve special districts if it is consistent with an earlier recommendation made by LAFCO. Two specific authorizations would be established. First, LAFCO could order the dissolution at a noticed hearing without holding protest or election proceedings for applications initiated by the affected district. Second, LAFCO could order the dissolution at a noticed hearing if no majority protest exists and without holding election proceedings for applications not initiated by the affected district.

The author’s underlying aim of this bill is to help make it easier in amicable situations for dissolving special districts by creating a mechanism to avoid the uncertainty and costs tied to holding elections. CALAFCO has adopted a “support” position and recently issued a letter to the Governor requesting his approval and signature.

Assembly Bill X1-36 (Jose Solorio): Vehicle License Fees

This urgency legislation was introduced on July 1, 2011 in response to SB 89; legislation tied to the budget approval that immediately transfers approximately \$130 million in motor vehicle license fees from cities to fund public safety programs. AB X1-36, as introduced, would preserve motor vehicle license fee revenue for Orange County.¹ The California League of Cities and other stakeholders are currently working with the author to amend this urgency bill to restore motor vehicle license fee revenue for all cities given their dependency on this source to fund general services. One potential approach rumored is to restore close to one-half of the reduction made to the motor vehicle license fee at the beginning of the fiscal year to fund the public safety programs subject to SB 89.

The anticipated amendment to AB X1-36 to restore motor vehicle fee funding to cities appears to be the best alternative to the League of Cities filing suit against the State over SB 89 and the associated loss in motor vehicle license fees. (The League has already issued a request for proposal for legal services specific to filing suit against the State.) Significantly, the loss of motor vehicle license fees is expected to severely undermine the solvency of recently incorporated cities – four of which lie within Riverside County – as well as cities that have recently annexed large incorporated areas. Further, unless the effects of SB 89 are reversed, it is reasonable to assume all potential incorporation and large inhabited annexation filings – including island annexations – will be abandoned. A spreadsheet showing the estimated loss in motor vehicle license fees for individual cities is attached.

¹ In 2004, the County of Orange elected to keep their discretionary per capita share of motor vehicle license fees rather than participate in the State’s property tax swap with counties. The County of Orange dedicates its discretionary share of motor vehicle license fees to debt relating to its earlier bankruptcy proceedings.

Amending Government Code Section 56133

As directed by the Commission, the Executive Officer has worked with CALAFCO since early 2008 in developing interest and consensus on amending Government Code (G.C.) Section 56133 to expand LAFCOs existing authority in approving new and extended outside services beyond agencies' spheres of influence. Markedly, LAFCOs are currently allowed to approve outside services beyond the affected agencies' spheres of influence *only* to respond to existing or impending public health or safety threats based on documentation provided by the agency (emphasis added). This existing threshold has proven problematic given LAFCOs and agencies may disagree on the constitution of a public health and safety threat. The existing threshold is also misplaced given it does not recognize there are instances when it is logical for local agencies to provide new or extended services beyond their spheres of influence simply based on local conditions, such as proximity to existing service lines coupled with appropriate land use restrictions.

As discussed in detail at the June 6th meeting, significant progress has been made in accomplishing the Commission's interest in making G.C. Section 56133 more flexible in addressing local conditions and circumstances. Most notably, both the Committee and Board have unanimously approved a proposal from a working group chaired by the Executive Officer to establish a new division – 2 – to G.C. Section 56133. This new division would authorize LAFCOs to approve new or extended services beyond agencies' spheres of influence without making a public health or safety threat finding so long as LAFCO determines at a noticed public hearing the extension was:

- (A) considered in a municipal service review;
- (B) will not result in adverse impacts on agricultural and open-space lands or growth inducement; and
- (C) a later change of organization is not expected based on local policies.

Staff is currently working with CALAFCO in disseminating information to all LAFCOs with respect to the proposed changes to G.C. Section 56133. A copy of the informational packet on the proposed changes prepared by staff and emailed to all LAFCOs is attached. Next steps include submitting an article summarizing the proposed changes in the next publication of CALAFCO's quarterly newsletter as well as meeting with potential legislative authors, including Senator Noreen Evan's office.

B. Commission Review

The Commission is invited to discuss any of the legislation outlined in this report or in the attached report prepared by CALAFCO. The Commission may also provide direction to staff with respect to returning with comment letters on any current or future legislation.

Attachments:

- 1) CALAFCO Legislative Policies
- 2) CALAFCO Status Report on Current Legislation
- 3) List of Motor Vehicle License Fee Losses by City Tied to SB 89
- 4) Informational Packet Prepared on Proposed Changes to G.C. 56133



CALAFCO 2011 Legislative Policies

Adopted by Board of Directors on 18 February 2011

1. LAFCo Purpose and Authority

- 1.1. Support legislation which enhances LAFCo authority and powers to carry out the legislative findings and authority in Government Code §56000 et. seq.
- 1.2. Support authority for each 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 LAFCo responsibilities which require expansion of current local funding sources. Oppose unrelated responsibilities which dilute LAFCo ability to meet its primary mission.
- 1.4. Support alignment of responsibilities and authority of 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 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.

2. LAFCo Organization

- 2.1. Support the independence of LAFCo from local agencies.
- 2.2. Oppose the re-composition of any or all LAFCos without respect to the existing balance of powers that has evolved within each commission or the creation of special seats on a LAFCo.

- 2.3. Support representation of special districts on all LAFCos in counties with independent districts and oppose removal of special districts from any LAFCo.
- 2.4. Support communication and collaborative decision-making among neighboring LAFCos when growth pressures and multicounty agencies extend beyond a LAFCo's boundaries.

3. Agricultural and Open Space Protection

- 3.1. Support legislation which clarifies LAFCo authority to identify, encourage and insure the preservation of agricultural and open space lands.
- 3.2. Encourage a consistent definition of agricultural and open space lands.
- 3.3. Support policies which encourage cities, counties and special districts to direct development away from prime agricultural lands.
- 3.4. Support policies and tools which protect prime agricultural and open space lands.

4. Orderly Growth

- 4.1. Support the recognition and use of spheres of influence as the management tool to provide better planning of growth and development, and to preserve agricultural, and open space lands.
- 4.2. Support adoption of LAFCo spheres of influence by other agencies involved in determining and developing long-term growth and infrastructure plans.
- 4.3. Support orderly boundaries of local agencies and the elimination of islands within the boundaries of agencies.
- 4.4. Support communication between cities, counties, and special districts

through a collaborative process that resolves service, housing, land use, and fiscal issues prior to application to LAFCo.

- 4.5. Support cooperation between counties and cities on decisions related to development within the city's designated sphere of influence.

5. Service Delivery and Local Agency Effectiveness

- 5.1. Support the use of LAFCo resources to prepare and review Regional Transportation Plans and other growth plans to ensure reliable services, orderly growth, sustainable communities, and conformity with LAFCo's legislative mandates.
- 5.2. Support LAFCo authority and tools which provide communities with local governance and efficient service delivery options, including the authority to impose conditions that assure a proposal's conformity with LAFCo's legislative mandates.
- 5.3. Support the creation or reorganization of local governments in a deliberative, open process which will fairly evaluate the proposed agency's long-term financial viability, governance structure and ability to efficiently deliver proposed services.
- 5.4. Support the availability of tools for LAFCo to insure equitable distribution of revenues to local government agencies consistent with their service delivery responsibilities.

2011 Legislative Priorities

Primary Issues

Viability of Local Governments Support legislation that maintains or enhances LAFCo's ability to review and act to assure the efficient and sustainable delivery of local services and the financial viability of agencies providing those services to meet current and future needs. Support legislation which provides LAFCo and local communities with options for local governance and service delivery, including incorporation as a city or formation as a special district. Support efforts which provide tools to local agencies to address fiscal challenges and maintain services.

Authority of LAFCo Support legislation that maintains or enhances LAFCo's authority to condition proposals to address any or all financial, growth, service delivery, and agricultural and open space preservation issues.

Agriculture and Open Space Protection Preservation of prime agriculture and open space lands that maintain the quality of life in California. Support policies that recognize LAFCo's ability to protect and mitigate the loss of prime agricultural and open space lands, and that encourage other agencies to coordinate with local LAFCos on land preservation and orderly growth.

Water Availability Promote adequate water supplies and infrastructure planning for current and planned growth. Support policies that assist LAFCo in obtaining accurate and reliable water supply information to evaluate current and cumulative water demands for service expansions and boundary changes including impacts of expanding private and mutual water company service areas on orderly growth.

Issues of Interest

Housing	Provision of territory and services to support affordable housing and the consistency of regional land use plans with local LAFCo policies.
Transportation	Effects of Regional Transportation Plans and expansion of transportation systems on future urban growth and service delivery needs, and the ability of local agencies to provide those services.
Flood Control	The ability and effectiveness of local agencies to maintain and improve levees and the public safety of uninhabited territory proposed for annexation to urban areas which is at risk for flooding. Support legislation that includes assessment of agency viability in decisions involving new funds for levee repair.
Adequate Municipal Services in Inhabited Territory	Expedited processes for inhabited annexations should be consistent with LAFCo law and be fiscally viable. Funding sources should be identified for extension of municipal services to underserved inhabited communities, including option for annexation of contiguous disadvantaged unincorporated communities.

**CALAFCO Daily Legislative Report
as of 7/26/2011**

1

AB 54 (Solorio D) Drinking water.

Current Text: Amended: 7/11/2011 [pdf](#) [html](#)

Introduced: 12/6/2010

Last Amended: 7/11/2011

Status: 7/11/2011-Read second time and amended. Re-referred to Com. on APPR.

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

Calendar:

8/15/2011 10 a.m. - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS, KEHOE, Chair

Summary:

Would specify that any corporation organized for or engaged in the business of selling, distributing, supplying, or delivering water for irrigation purposes, and any corporation organized for or engaged in the business of selling, distributing, supplying, or delivering water for domestic use that provides in its articles or bylaws that the water shall be sold, distributed, supplied, or delivered only to owners of its shares and that those shares are appurtenant to certain lands shall be known as a mutual water company. This bill contains other related provisions and other current laws.

Attachments:

[CALAFCO Support Letter](#)

Position: Support

Subject: Water

CALAFCO Comments: Requires mutual water companies to respond to LAFCo requests for information, requires Mutuals to provide a map of boundaries to LAFCo, adds authority for LAFCo to request MSR data from mutuals and include compliance with safe drinking water standards in MSRs.

AB 912 (Gordon D) Local government: organization.

Current Text: Chaptered: 7/25/2011 [pdf](#) [html](#)

Introduced: 2/17/2011

Last Amended: 5/27/2011

Status: 7/25/2011-Chaptered by the Secretary of State, Chapter Number 109, Statutes of 2011

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

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires a local agency formation commission, where the commission is considering a change of organization that consists of a dissolution, disincorporation, incorporation, establishment of a subsidiary district, consolidation, or merger, to either order a change of organization subject to confirmation of the voters, as specified, or order the change of organization without an election if the change of organization meets certain requirements. This bill would authorize the commission, where the commission is considering a change of organization that consists of the dissolution of a district that is consistent with a prior action of the commission, to immediately order the dissolution if the dissolution was initiated by the district board, or if the dissolution was initiated by an affected local agency, by the commission, or by petition, hold at least one noticed public hearing on the proposal, and order the dissolution without an election, unless a majority protest exists, as specified.

Attachments:

[CALAFCO Support Letter](#)

[CALAFCO Request for Governor's Signature](#)

Position: Support

Subject: Special District Consolidations, Special District Powers

CALAFCO Comments: Allows a commission to dissolve a special district - under specific circumstances - without a vote unless there is a majority protest.

AB 1430 (Committee on Local Government) The Cortese-Knox-Hertzberg Local Government

Reorganization Act of 2000 omnibus bill.**Current Text:** Amended: 6/22/2011 [pdf](#) [html](#)**Introduced:** 4/5/2011**Last Amended:** 6/22/2011**Status:** 7/1/2011-From consent calendar. Ordered to third reading. Ordered to inactive file at the request of Senator Simitian.

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

Summary:

Current law defines various terms for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. This bill would revise various definitions within that act, and would make other conforming and technical changes. This bill contains other related provisions and other current laws.

Attachments:[CALAFCO Letter of Support](#)**Position:** Sponsor**Subject:** CKH General Procedures**CALAFCO Comments:** CALAFCO Sponsored bill. Makes technical, non-substantive changes to Cortese-Knox-Hertzberg. Includes major definitions update.**[ABX1 36](#) (Solorio D) Vehicle license fees.****Current Text:** Introduced: 7/1/2011 [pdf](#) [html](#)**Introduced:** 7/1/2011**Status:** 7/5/2011-From printer.

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

Summary:

Current law, as proposed to be amended by SB 89 of the 2011-12 Regular Session, would require that a specified amount of motor vehicle license fees deposited to the credit of the Motor Vehicle License Fee Account in the Transportation Tax Fund be allocated by the Controller, as specified, according to a specified order, with moneys allocated on or after July 1, 2004, but before July 1, 2011, first to the County of Orange, next to each city and county meeting specified criteria, and on or after July 1, 2011, to the Local Law Enforcement Services Account in the Local Revenue Fund 2011, for allocation to cities, counties, and cities and counties. This bill would instead require for all of those times that a specified portion of those revenues be distributed first to the County of Orange. By authorizing within the Motor Vehicle License Fee Account in the Transportation Tax Fund, a continuously appropriated fund, to be used for a new purpose, the bill would make an appropriation. This bill would become operative only if SB 89 is chaptered, as provided. This bill contains other related provisions and other current laws.

Position: Watch**Subject:** Tax Allocation**CALAFCO Comments:** This bill is under consideration as a fix to the SB 89 shift of VLF from cities to law enforcement programs. It would unwind the SB 89 transfer of VLF funds that dramatically affect incorporations and inhabited annexations. Currently only affects Orange county.**[SB 89](#) (Committee on Budget and Fiscal Review) Vehicles: vehicle license fee and registration fee.****Current Text:** Chaptered: 7/1/2011 [pdf](#) [html](#)**Introduced:** 1/10/2011**Last Amended:** 6/27/2011**Status:** 6/30/2011-Chaptered by Secretary of State - Chapter 35, Statutes of 2011.

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

Summary:

Would require the Legislature to determine and appropriate annually an amount for the use of the DMV and the FTB for the enforcement of the Vehicle License Fee Law. The bill would deem, for the 2011-12 fiscal year, \$25,000,000 as the cost to the DMV for the collection of the motor vehicle license fee. This bill contains other related provisions and other current laws.

Attachments:[CALAFCO Veto Request](#)

Position: Oppose

Subject: Annexation Proceedings, Incorporation Proceedings

CALAFCO Comments: This budget-related bill redirects VLF from cities to statewide public safety programs. Most impacted are cities formed after 2006 and inhabited annexations after 2006. Will likely result in disincorporations. Significantly this will also make most all future incorporations and inhabited annexations financially impossible. This language was added at the last minutes and voted on by the Members with little knowledge of the content of the bill. No one outside of the Capitol was aware of the language until after the bill passed.

SB 244 (Wolk D) Land use: general plan: disadvantaged unincorporated communities.

Current Text: Amended: 7/1/2011 [pdf](#) [html](#)

Introduced: 2/10/2011

Last Amended: 7/1/2011

Status: 7/1/2011-Read second time and amended. Re-referred to Com. on APPR.

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

Calendar:

8/17/2011 9 a.m. - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS, FUENTES, Chair

Summary:

Would require, on or before the next adoption of its housing element, a city or county to review and update the land use element of its general plan to include an analysis of the presence of island, fringe, or legacy unincorporated communities, as defined, and would require the updated general plan to include specified information. This bill would also require the city or county planning agency, after the initial revision and update of the general plan, to review, and if necessary amend, the general plan to update the information, goals, and program of action relating to these communities therein. By adding to the duties of city and county officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

Attachments:

[CALAFCO Letter of Concern - 29 March 2011](#)

Position: None at this time

Subject: Disadvantaged Communities

CALAFCO Comments: Amended to require LAFCo review of disadvantaged unincorporated communities. It adds a definition for disadvantaged unincorporated communities, requires LAFCo to review water, sewer and fore services to the communities in the next SOI update, places more emphasis on LAFCo recommendations on reorganizations for efficient and effective services, requires LAFCo to identify service deficiencies to these communities in MSR, and specifically requires LAFCo to assess alternatives for efficient and affordable infrastructure and services, including consolidations, in MSR. Bill requires LAFCo to look at communities "in or adjacent to the sphere of influence."

2

AB 46 (John A. Pérez D) Local government: cities.

Current Text: Amended: 6/28/2011 [pdf](#) [html](#)

Introduced: 12/6/2010

Last Amended: 6/28/2011

Status: 6/28/2011-Read second time and amended. Ordered to third reading.

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

Summary:

Would provide that every city with a population of less than 150 people as of January 1, 2010, would be disincorporated into that city's respective county as of 91 days after the effective date of the bill, unless a county board of supervisors determines, by majority vote within the 90-day period following enactment of these provisions, that continuing such a city within that county's boundaries would serve a public purpose if the board of supervisors determines that the city is in an isolated rural location that makes it impractical for the residents of the community to organize in another form of local governance. The bill would also require the local agency formation commission within the county to oversee the terms and conditions of the disincorporation of the city, as specified. This bill contains other related provisions.

Position: None at this time

Subject: Disincorporation/dissolution

CALAFCO Comments: As written this bill applies only to Vernon, California. It bypasses much of the C-K-H disincorporation process, leaving LAFCo only the responsibility of assigning assets and liabilities following disincorporation.

AB 119 (Committee on Budget) State government.

Current Text: Chaptered: 6/29/2011 [pdf](#) [html](#)

Introduced: 1/10/2011

Last Amended: 6/8/2011

Status: 6/29/2011-Chaptered by the Secretary of State, Chapter Number 31, Statutes of 2011

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

Summary:

Would delete the requirement that the California Victim Compensation and Government Claims Board provide notice to the chairpersons of the committees in each house of the Legislature that consider appropriations and the annual budget act, and the chairperson of the Joint Legislative Budget Committee, prior to allowing either the use of a current year appropriation to pay claims for prior year costs of \$500,000 or more, or claims from a single provider of goods or services with respect to a single department that exceed \$500,000 within one year. This bill contains other related provisions and other current laws.

Position: None at this time

Subject: Service Reviews/Spheres, Special District Principle Acts

CALAFCO Comments: Language has been added to this budget bill which changes the requirement for special districts to respond to SOI requests for information from a state mandate to a local requirement. This change would eliminate the state requirement to reimburse special districts for the costs of responding to a LAFCo request. It is not anticipated to have any actual change in process.

AB 187 (Lara D) State Auditor: audits: high-risk local government agency audit program.

Current Text: Amended: 6/22/2011 [pdf](#) [html](#)

Introduced: 1/25/2011

Last Amended: 6/22/2011

Status: 7/11/2011-In committee: Placed on APPR. suspense file.

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

Summary:

Would authorize the State Auditor to establish a high-risk local government agency audit program to identify, audit, and issue reports on any local government agency, including any city, county, or special district, or any publicly created entity that the State Auditor identifies as being at high risk for the potential of waste, fraud, abuse, or mismanagement or that has major challenges associated with its economy, efficiency, or effectiveness. The bill would also authorize the State Auditor to consult with the Controller, Attorney General, and other state agencies in identifying local government agencies that are at high risk.

Position: None at this time

Subject: Financial Viability of Agencies, Service Reviews/Spheres

CALAFCO Comments: Would allow the State Auditor to audit and issue reports on any local agency it identifies at being at high risk for waste, fraud, abuse or mismanagement.

AB 307 (Nestande R) Joint powers agreements: public agency: federally recognized Indian tribe.

Current Text: Amended: 6/22/2011 [pdf](#) [html](#)

Introduced: 2/9/2011

Last Amended: 6/22/2011

Status: 7/14/2011-In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 12 pursuant to Assembly Rule 77.

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

Summary:

Current law authorizes 2 or more public agencies, as defined, to enter into an agreement to exercise common powers. Current law also permits certain federally recognized Indian tribes to enter into joint powers agreements with particular parties and for limited purposes. This bill

would include a federally recognized Indian tribe as a public agency that may enter into a joint powers agreement. This bill would also make conforming changes by conforming related code sections. This bill contains other related provisions.

Position: Watch

Subject: Municipal Services

CALAFCO Comments: Would allow any federally recognized Indian tribe to act as a public agency to participate in any Joint Powers Authority. Significantly expands current law on Indian tribe participation in a JPA. NOTE: There is a LAFCo question on whether this would allow a tribe to enter into a JPA with a city and district and circumvent the LAFCo process for delivery of municipal services. Counsel is currently evaluating this potential and the options for LAFCo.

AB 781 (John A. Pérez D) Local government: counties: unincorporated areas.

Current Text: Amended: 7/12/2011 [pdf](#) [html](#)

Introduced: 2/17/2011

Last Amended: 7/12/2011

Status: 7/15/2011-Measure version as amended on July 12 corrected.

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

Calendar:

8/15/2011 10 a.m. - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS, KEHOE, Chair

Summary:

Would create a community services district in the unincorporated area of a county if that unincorporated area of the county was previously a city that was disincorporated by statute and had, immediately prior to disincorporation, provided fire protection, water, telecommunications, gas, or electric utility services, or maintained streets or roads. The district would continue to provide those services within the territory in which the disincorporated city provided those services, and would be a successor in interest as to any contract entered into by the disincorporated city with respect to the provision of those services. The bill would, for a one-year period, limit the authority of the community services district to increase gas or electric utility rates within that territory. This bill contains other related provisions and other current laws.

Position: Watch

Subject: Disincorporation/dissolution, Special District Principle Acts

CALAFCO Comments: This bill was gutted and amended on 20 June to create a CSD in any unincorporated area that was previously a city and was disincorporated by the legislature. It is specifically targeted at Vernon. It also contains language directing LAFCo on the terms and conditions of the disincorporation.

AB 1265 (Nielsen R) Local government: Williamson Act.

Current Text: Chaptered: 7/15/2011 [pdf](#) [html](#)

Introduced: 2/18/2011

Last Amended: 6/30/2011

Status: 7/15/2011-Chaptered by the Secretary of State, Chapter Number 90, Statutes of 2011

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

Summary:

Current law, the Williamson Act, authorizes a city or county to enter into 10-year contracts with owners of land devoted to agricultural use, whereby the owners agree to continue using the property for that purpose, and the city or county agrees to value the land accordingly for purposes of property taxation. Current law sets forth procedures for reimbursing cities and counties for property tax revenues not received as a result of these contracts. This bill would, beginning January 1, 2011, and until January 1, 2016, authorize a county, in any fiscal year in which payments authorized for reimbursement to a county for lost revenue are less than 1/2 of the participating county's actual foregone general fund property tax revenue, to revise the term for newly renewed and new contracts and require the assessor to value the property, as specified, based on the revised contract term. The bill would provide that a landowner may choose to nonrenew and begin the cancellation process. The bill would also provide that any increased revenues generated by properties under a new contract shall be paid to the county. This bill contains other related provisions.

Attachments:

[CALAFCO Support Letter](#)
[CALAFCO Letter of Support - Senate](#)
[CALAFCO Request for Governor's Signature](#)

Position: Support

Subject: Ag Preservation - Williamson

CALAFCO Comments: Creates an interim solution to the loss of state subventions for Williamson Act lands by giving counties and alternative landowner-funding approach.

ACA 17 (Logue R) State-mandated local programs.

Current Text: Introduced: 2/15/2011 [pdf](#) [html](#)

Introduced: 2/15/2011

Status: 4/14/2011-Referred to Com. on L. GOV.

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

Summary:

Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, the state is required to provide a subvention of funds to reimburse the local government. With regard to certain mandates imposed on a city, county, city and county, or special district that have been determine to be payable, the Legislature is required either to appropriate, in the annual Budget Act, the full payable amount of the mandate, determined as specified, or to suspend the operation of the mandate for the fiscal year. The California Constitution provides that the Legislature is not required to appropriate funds for specified mandates.

Position: None at this time

Subject: LAFCo Administration

CALAFCO Comments: Changes state mandate law in a proposed constitutional amendment. Included is specific language that releases mandate responsibility if the local agency can change an individual or applicant for the cost of providing the mandated service. Would likely exempt some mandates to LAFCo from state funding.

SB 46 (Correa D) Public officials: compensation disclosure.

Current Text: Amended: 6/2/2011 [pdf](#) [html](#)

Introduced: 12/9/2010

Last Amended: 6/2/2011

Status: 6/6/2011-Read second time. Ordered to third reading.

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

Summary:

Would, commencing on January 1, 2013, and continuing until January 1, 2019, require every designated employee and other person, except a candidate for public office, who is required to file a statement of economic interests to include, as a part of that filing, a compensation disclosure form that provides compensation information for the preceding calendar year, as specified. This bill contains other related provisions and other current laws.

Position: Oppose

Subject: LAFCo Administration

CALAFCO Comments: Similar to a 2010 bill, this would require all those who file a Form 700 to also file an extensive compensation and reimbursement disclosure report. Would require all local agencies, including LAFCo, to annually post the forms on their website.

SB 191 (Committee on Governance and Finance) Validations.

Current Text: Amended: 5/16/2011 [pdf](#) [html](#)

Introduced: 2/8/2011

Last Amended: 5/16/2011

Status: 6/6/2011-Ordered to inactive file on request of Senator Wolk.

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

Summary:

This bill would enact the First Validating Act of 2011, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Attachments:[CALAFCO Support Letter](#)**Position:** Support**Subject:** LAFCo Administration**CALAFCO Comments:** One of three annual acts which validate the boundaries of all local agencies.**[SB 192](#) (Committee on Governance and Finance) Validations.****Current Text:** Amended: 5/16/2011 [pdf](#) [html](#)**Introduced:** 2/8/2011**Last Amended:** 5/16/2011**Status:** 5/19/2011-Ordered to inactive file on request of Assembly Member Charles Calderon.

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

Summary:

This bill would enact the Second Validating Act of 2011, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Attachments:[CALAFCO Support Letter](#)**Position:** Support**Subject:** LAFCo Administration**CALAFCO Comments:** One of three annual acts which validate the boundaries of all local agencies.**[SB 193](#) (Committee on Governance and Finance) Validations.****Current Text:** Amended: 5/16/2011 [pdf](#) [html](#)**Introduced:** 2/8/2011**Last Amended:** 5/16/2011**Status:** 5/19/2011-Ordered to inactive file on request of Assembly Member Charles Calderon.

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

Summary:

This bill would enact the Third Validating Act of 2011, 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 Letter](#)**Position:** Support**Subject:** LAFCo Administration**CALAFCO Comments:** One of three annual acts which validate the boundaries of all local agencies.**[SB 436](#) (Kehoe D) Land use: mitigation lands: nonprofit organizations.****Current Text:** Amended: 7/13/2011 [pdf](#) [html](#)**Introduced:** 2/16/2011**Last Amended:** 7/13/2011**Status:** 7/13/2011-Read second time and amended. Re-referred to Com. on APPR.

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

Calendar:

8/17/2011 9 a.m. - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS, FUENTES, Chair

Summary:

The Planning and Zoning Law authorizes a state or local public agency, if the agency requires a property owner to transfer to the agency an interest in real property to mitigate an adverse impact upon natural resources caused by permitting the development of a project or facility, to authorize a nonprofit organization to hold title to and manage that interest in real

property, provided that the nonprofit organization meets specified requirements. This bill would revise these provisions and would, until January 1, 2022, authorize a state or local public agency to provide funds to a nonprofit organization to acquire land or easements that satisfy the agency's mitigation obligations, including funds that have been set aside for the long-term management of any lands or easements conveyed to a nonprofit organization, as specified. This bill would require a nonprofit organization that holds funds on behalf of the Department of Fish and Game for the long-term management of land to comply with certain requirements, including certification by the department, and oversight by the Controller under specified circumstances. The bill would also state the findings and declarations of the Legislature with respect to the preservation of natural resources through mitigation, and would state that it is in the best interest of the public to allow state and local public agencies and nonprofit organizations to utilize the tools and strategies they need for improving the effectiveness, cost efficiency, and durability of mitigation for California's natural resources.

Attachments:

[CALAFCO Support Letter](#)

Position: Support

Subject: Ag/Open Space Protection

CALAFCO Comments: Would allow a local agency to provide funds to a non profit to acquire land or easements to satisfy an agency's mitigation requirements. May be an important tool for LAFCo in agricultural and open space preservation.

SB 668 (Evans D) Local government: Williamson Act.

Current Text: Amended: 6/22/2011 [pdf](#) [html](#)

Introduced: 2/18/2011

Last Amended: 6/22/2011

Status: 7/7/2011-In Senate. Concurrence in Assembly amendments pending.

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

Summary:

Would, until January 1, 2016, authorize a nonprofit land-trust organization, a nonprofit entity, or a public agency to enter into a contract with a landowner who has also entered into a Williamson Act contract, upon approval of the city or county that holds the Williamson Act contract, to keep that landowner's land in contract under the Williamson Act, for a period of up to 10 years in exchange for the open-space district's, land-trust organization's, or nonprofit entity's payment of all or a portion of the foregone property tax revenue to the county, where the state has failed to reimburse, or reduced the subvention to, the city or county for property tax revenues not received as a result of Williamson Act contracts.

Position: None at this time

Subject: Ag Preservation - Williamson

CALAFCO Comments: Would allow an open space district, land trust or non profit to contract with a Williamson Act landowner to keep land in Williamson Act in exchange for paying all or a portion of the foregone property tax to the county if the state has failed to provide subventions.

3

AB 506 (Wieckowski D) Local government: bankruptcy: neutral evaluation.

Current Text: Amended: 7/12/2011 [pdf](#) [html](#)

Introduced: 2/15/2011

Last Amended: 7/12/2011

Status: 7/12/2011-Read second time and amended. Re-referred to Com. on RLS.

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

Summary:

Under current law, any taxing agency or instrumentality of the state may file a petition and prosecute to completion bankruptcy proceedings permitted under the laws of the United States. This bill would express the intent of the Legislature to enact legislation that would provide an alternative dispute resolution procedures that cities, counties, and special districts may use before they seek financial relief through the provisions of Chapter 9 of the federal Bankruptcy Code.

Position: Watch

Subject: Financial Viability of Agencies

CALAFCO Comments: This bill creates a complex "neutral evaluator" process which a local agency must follow prior to being able to file Chapter 9 bankruptcy.

[AB 1266](#) (Nielsen R) Local government: Williamson Act: agricultural preserves: advisory board.

Current Text: Introduced: 2/18/2011 [pdf](#) [html](#)

Introduced: 2/18/2011

Status: 7/14/2011-From consent calendar. Ordered to third reading. Ordered to inactive file at the request of Senator La Malfa.

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

Summary:

Current law, the Williamson Act, authorizes a city or county to enter into contracts to establish agricultural preserves. Current law also authorizes the legislative body of a city or county to appoint an advisory board to advise the legislative body on agricultural preserve matters. This bill would specify matters on which the advisory board may advise the legislative body of a county or city. This bill would also state that the advisory board is not the exclusive mechanism through which the legislative body can receive advice on or address matters regarding agricultural preserves.

Position: None at this time

Subject: Ag Preservation - Williamson

CALAFCO Comments: Specifies additional responsibilities for the county or city Williamson Act advisory board. May also be a placeholder for more significant modifications to the Williamson Act.

[SB 27](#) (Simitian D) Public retirement: final compensation: computation: retirees.

Current Text: Amended: 7/7/2011 [pdf](#) [html](#)

Introduced: 12/6/2010

Last Amended: 7/7/2011

Status: 7/7/2011-Read second time and amended. Re-referred to Com. on APPR.

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

Calendar:

8/17/2011 9 a.m. - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS, FUENTES, Chair

Summary:

The State Teachers' Retirement Law (STRL) establishes the Defined Benefit Program of the State Teachers' Retirement System, which provides a defined benefit to members of the system based on final compensation, credited service, and age at retirement, subject to certain variations. STRL also establishes the Defined Benefit Supplement Program, which provides supplemental retirement, disability, and other benefits, payable either in a lump-sum payment, an annuity, or both to members of the State Teachers' Retirement Plan. STRL defines creditable compensation for these purposes as remuneration that is payable in cash to all persons in the same class of employees, as specified, for performing creditable service. This bill would revise the definition of creditable compensation for these purposes and would identify certain payments, reimbursements, and compensation that are creditable compensation to be applied to the Defined Benefit Supplement Program. The bill would prohibit one employee from being considered a class. The bill would revise the definition of compensation with respect to the Defined Benefit Supplement Program to include remuneration earnable within a 5-year period, which includes the last year in which the member's final compensation is determined, when it is in excess of 125% of that member's compensation earnable in the year prior to that 5-year period, as specified. The bill would prohibit a member who retires on or after January 1, 2013, who elects to receive his or her retirement benefit under the Defined Benefit Supplemental Program as a lump-sum payment from receiving that sum until 180 days have elapsed following the effective date of the member's retirement. This bill contains other related provisions and other current laws.

Position: None at this time

Subject: LAFCo Administration

CALAFCO Comments:

[SB 235](#) (Negrete McLeod D) Water conservation districts: reduction in number of directors.

Current Text: Chaptered: 7/25/2011 [pdf](#) [html](#)

Introduced: 2/9/2011

Last Amended: 6/9/2011

Status: 7/25/2011-Chaptered by the Secretary of State, Chapter Number 122, Statutes of 2011

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

Summary:

The Water Conservation District Law of 1931 generally governs the formation of water conservation districts and specifies the powers and purposes of those districts. This bill would authorize a water conservation district with a board of directors consisting of 7 directors, to reduce the number of directors to 5, consistent with specified requirements. The bill would not apply to districts within the County of Ventura.

Position: None at this time

Subject: Special District Principle Acts

CALAFCO Comments: Allows specified water districts to reorganize their board of directors to reduce the number of directors, by action of the Board.

SB 288 (Negrete McLeod D) Local government: independent special districts.

Current Text: Chaptered: 7/8/2011 [pdf](#) [html](#)

Introduced: 2/14/2011

Last Amended: 3/29/2011

Status: 7/8/2011-Chaptered by Secretary of State - Chapter 66, Statutes of 2011.

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

Summary:

Current law authorizes the governing board of a special district, by resolution, to provide for the establishment of a revolving fund, in an amount not to exceed \$1,000, to be used to make change and pay small bills directly, and requires the resolution establishing the fund to make specified designations relating to the purposes for which the fund may be expended, the district officer with authority and responsibility over the fund, the necessity for the fund, and the maximum amount of the fund. This bill would additionally authorize the governing board of an independent special district, as defined, to provide, by resolution, for the establishment of a revolving fund in an amount not to exceed 110% of 1/12 of the independent special district's adopted budget for that fiscal year, and would require the resolution establishing the fund to make specified designations relating to the purposes for which the fund may be expended, the district officer with authority and responsibility over the fund, the necessity for the fund, and the maximum amount of the fund. This bill contains other current laws.

Position: None at this time

Subject: Special District Powers, Special District Principle Acts

CALAFCO Comments: Allows special districts as defined by C-K-H to set up special revolving funds.

SB 618 (Wolk D) Local government: solar-use easement.

Current Text: Amended: 7/6/2011 [pdf](#) [html](#)

Introduced: 2/18/2011

Last Amended: 7/6/2011

Status: 7/6/2011-Read second time and amended. Re-referred to Com. on APPR.

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

Calendar:

8/17/2011 9 a.m. - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS, FUENTES, Chair

Summary:

Would authorize the parties to a Williamson Act contract to mutually agree to rescind the contract in order to simultaneously enter into a solar-use easement that would require that the land be used for solar photovoltaic facilities for a term no less than 10 years. This bill would require a county or city to include certain, and authorizes a county or city to include other, restrictions, conditions, or covenants in the deed or instrument granting a solar-use easement. This bill would provide that a solar-use easement would be automatically renewed annually, unless either party filed a notice of nonrenewal. This bill would provide that a solar-use easement may only be extinguished on all or a portion of the parcel by nonrenewal, termination, or by returning the land to its previous contract under the Williamson Act. This bill would require that if the landowner extinguishes the contract either by filing a notice of

nonrenewal or by terminating the solar-use easement, the landowner shall restore the property to the conditions that existed before the easement by the time the easement terminates. This bill would authorize a landowner to terminate a solar-use easement by complying with certain procedures, and paying a termination fee based upon the termination value of the property, as determined by the county assessor. This bill would provide that specified parties may bring an action to enforce the easement if it is violated. This bill contains other related provisions and other current laws.

Position: None at this time

Subject: Ag Preservation - Williamson

CALAFCO Comments: Allows renewable energy generation (wind, solar farms) as an acceptable use for Williamson Act lands.

SB 878 (DeSaulnier D) Regional planning: Bay Area.

Current Text: Amended: 6/9/2011 [pdf](#) [html](#)

Introduced: 2/18/2011

Last Amended: 6/9/2011

Status: 6/9/2011-From committee with author's amendments. Read second time and amended. Re-referred to Com. on T. & H.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chapered
Dead	1st House				2nd House				Conc.			

Summary:

Would require the joint policy committee to submit a report to the Legislature by January 31, 2013, on, among other things, methods and strategies for developing and implementing a multiagency set of policies and guidelines relative to the Bay Area region's sustainable communities strategy, including recommendations on organizational reforms for the regional agencies. The bill would require preparation of a work plan for a regional economic development strategy to be submitted to the Legislature on that date. The bill would also require the member agencies to report on public outreach efforts that they individually or jointly perform. The bill would require public meetings in each of the region's 9 counties and creation of advisory committees, as specified. By imposing new duties on local agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

Position: None at this time

Subject: Sustainable Community Plans

CALAFCO Comments: Provides legislative direction to the Bay Area counties on development of their sustainable communities strategy and requires the "joint committee" to report back to the Legislature by 1 January 2013.

Total Measures: 26

Total Tracking Forms: 26

7/26/2011 9:35:15 AM

Loss of City MVLF, Restoration of COPS (SLESA) Funds - Estimated FY2011-12 Impact

Does NOT include positive impact of NO Booking fees

City	County	Population*	Lost Motor Vehicle License Fee (general purpose)				COPS (SLESA)
			New Incorp R&T11005(c)	New Annex R&T11005(d)	Per Capita R&T11005(e)	Total	
ALAMEDA	Alameda	75,823	-	-	265,381	265,381	119,042
ALBANY	Alameda	17,021	-	-	59,574	59,574	100,000
BERKELEY	Alameda	108,119	-	-	378,417	378,417	169,747
DUBLIN	Alameda	48,821	-	-	170,874	170,874	100,000
EMERYVILLE	Alameda	10,227	-	-	35,795	35,795	100,000
FREMONT	Alameda	218,128	-	-	763,448	763,448	342,461
HAYWARD	Alameda	153,104	-	12,952	535,864	548,816	240,373
LIVERMORE	Alameda	85,312	-	131	298,592	298,723	133,940
NEWARK	Alameda	44,380	-	-	155,330	155,330	100,000
OAKLAND	Alameda	430,666	-	-	1,507,331	1,507,331	676,146
PIEDMONT	Alameda	11,262	-	-	39,417	39,417	100,000
PLEASANTON	Alameda	70,711	-	131	247,489	247,619	111,016
SAN LEANDRO	Alameda	83,183	-	-	291,141	291,141	130,597
UNION CITY	Alameda	75,054	-	-	262,689	262,689	117,835
AMADOR	Amador	216	-	-	756	756	100,000
IONE	Amador	7,842	-	-	27,447	27,447	100,000
JACKSON	Amador	4,371	-	-	15,299	15,299	100,000
PLYMOUTH	Amador	1,074	-	-	3,759	3,759	100,000
SUTTER CREEK	Amador	2,945	-	174	10,308	10,482	100,000
BIGGS	Butte	1,809	-	523	6,332	6,855	100,000
CHICO	Butte	88,228	-	454,374	308,798	763,172	138,518
GRIDLEY	Butte	6,454	-	4,317	22,589	26,906	100,000
OROVILLE	Butte	14,687	-	36,807	51,405	88,211	100,000
PARADISE	Butte	26,725	-	87	93,538	93,625	100,000
ANGELS	Calaveras	3,593	-	-	12,576	12,576	100,000
COLUSA	Colusa	5,947	-	-	20,815	20,815	100,000
WILLIAMS	Colusa	5,349	-	-	18,722	18,722	100,000
ANTIOCH	Contra Costa	102,330	-	-	358,155	358,155	160,658
BRENTWOOD	Contra Costa	52,492	-	262	183,722	183,984	100,000
CLAYTON	Contra Costa	10,990	-	-	38,465	38,465	100,000
CONCORD	Contra Costa	125,864	-	131	440,524	440,655	197,606
DANVILLE	Contra Costa	43,574	-	-	152,509	152,509	100,000
EL CERRITO	Contra Costa	23,666	-	-	82,831	82,831	100,000
HERCULES	Contra Costa	24,693	-	-	86,426	86,426	100,000

Loss of City MVLF, Restoration of COPS (SLESA) Funds - Estimated FY2011-12 Impact

Does NOT include positive impact of NO Booking fees

City	County	Population*	Lost Motor Vehicle License Fee (general purpose)				COPS (SLESA)
			New Incorp R&T11005(c)	New Annex R&T11005(d)	Per Capita R&T11005(e)	Total	
LAFAYETTE	Contra Costa	24,411	-	-	85,439	85,439	100,000
MARTINEZ	Contra Costa	36,892	-	-	129,122	129,122	100,000
MORAGA	Contra Costa	16,525	-	-	57,838	57,838	100,000
OAKLEY	Contra Costa	35,646	-	6,847	124,761	131,608	100,000
ORINDA	Contra Costa	17,866	-	-	62,531	62,531	100,000
PINOLE	Contra Costa	19,604	-	-	68,614	68,614	100,000
PITTSBURG	Contra Costa	64,967	-	-	227,385	227,385	101,998
PLEASANT HILL	Contra Costa	33,844	-	-	118,454	118,454	100,000
RICHMOND	Contra Costa	105,630	-	-	369,705	369,705	165,839
SAN PABLO	Contra Costa	32,131	-	-	112,459	112,459	100,000
SAN RAMON	Contra Costa	64,860	-	322,671	227,010	549,681	101,830
WALNUT CREEK	Contra Costa	66,584	-	-	233,044	233,044	104,537
CRESCENT CITY	Del Norte	7,762	-	-	27,167	27,167	100,000
PLACERVILLE	El Dorado	10,429	-	87	36,502	36,589	100,000
SOUTH LAKE TAHOE	El Dorado	24,087	-	-	84,305	84,305	100,000
CLOVIS	Fresno	96,868	-	21,369	339,038	360,407	152,083
COALINGA	Fresno	19,109	-	-	66,882	66,882	100,000
FIREBAUGH	Fresno	6,941	-	-	24,294	24,294	100,000
FOWLER	Fresno	5,764	-	262	20,174	20,436	100,000
FRESNO	Fresno	502,303	-	31,487	1,758,061	1,789,547	788,616
HURON	Fresno	8,082	-	-	28,287	28,287	100,000
KERMAN	Fresno	14,381	-	2,311	50,334	52,645	100,000
KINGSBURG	Fresno	11,504	-	-	40,264	40,264	100,000
MENDOTA	Fresno	9,966	-	-	34,881	34,881	100,000
ORANGE COVE	Fresno	11,049	-	-	38,672	38,672	100,000
PARLIER	Fresno	13,658	-	174	47,803	47,977	100,000
REEDLEY	Fresno	26,227	-	65,066	91,795	156,861	100,000
SAN JOAQUIN	Fresno	4,071	-	-	14,249	14,249	100,000
SANGER	Fresno	25,664	-	1,265	89,824	91,089	100,000
SELMA	Fresno	23,435	-	5,364	82,023	87,387	100,000
ORLAND	Glenn	7,501	-	7,370	26,254	33,624	100,000
WILLOWS	Glenn	6,505	-	-	22,768	22,768	100,000
ARCATA	Humboldt	17,712	-	-	61,992	61,992	100,000
BLUE LAKE	Humboldt	1,178	-	-	4,123	4,123	100,000

Loss of City MVLF, Restoration of COPS (SLESA) Funds - Estimated FY2011-12 Impact

Does NOT include positive impact of NO Booking fees

City	County	Population*	Lost Motor Vehicle License Fee (general purpose)				COPS (SLESA)
			New Incorp R&T11005(c)	New Annex R&T11005(d)	Per Capita R&T11005(e)	Total	
EUREKA	Humboldt	27,208	-	-	95,228	95,228	100,000
FERNDALE	Humboldt	1,444	-	-	5,054	5,054	100,000
FORTUNA	Humboldt	11,374	-	-	39,809	39,809	100,000
RIO DELL	Humboldt	3,295	-	131	11,533	11,663	100,000
TRINIDAD	Humboldt	323	-	-	1,131	1,131	100,000
BRAWLEY	Imperial	27,743	-	-	97,101	97,101	100,000
CALEXICO	Imperial	40,075	-	-	140,263	140,263	100,000
CALIPATRIA	Imperial	8,233	-	-	28,816	28,816	100,000
EL CENTRO	Imperial	45,365	-	8,373	158,778	167,151	100,000
HOLTVILLE	Imperial	6,641	-	-	23,244	23,244	100,000
IMPERIAL	Imperial	13,374	-	436	46,809	47,245	100,000
WESTMORLAND	Imperial	2,444	-	-	8,554	8,554	100,000
BISHOP	Inyo	3,643	-	-	12,751	12,751	100,000
ARVIN	Kern	16,918	-	-	59,213	59,213	100,000
BAKERSFIELD	Kern	338,952	-	39,249	1,186,332	1,225,581	532,155
CALIFORNIA CITY	Kern	15,014	-	-	52,549	52,549	100,000
DELANO	Kern	54,447	-	3,140	190,565	193,704	100,000
MARICOPA	Kern	1,153	-	-	4,036	4,036	100,000
MCFARLAND	Kern	13,942	-	-	48,797	48,797	100,000
RIDGECREST	Kern	28,726	-	-	100,541	100,541	100,000
SHAFTER	Kern	16,208	-	1,657	56,728	58,385	100,000
TAFT	Kern	9,264	-	-	32,424	32,424	100,000
TEHACHAPI	Kern	13,886	-	305	48,601	48,906	100,000
WASCO	Kern	25,541	-	-	89,394	89,394	100,000
AVENAL	Kings	16,737	-	-	58,580	58,580	100,000
CORCORAN	Kings	26,047	-	76,972	91,165	168,136	100,000
HANFORD	Kings	53,266	-	5,887	186,431	192,318	100,000
LEMOORE	Kings	25,461	-	-	89,114	89,114	100,000
CLEARLAKE	Lake	14,390	-	-	50,365	50,365	100,000
LAKEPORT	Lake	5,146	-	3,445	18,011	21,456	100,000
SUSANVILLE	Lassen	18,600	-	44	65,100	65,144	100,000
AGOURA HILLS	Los Angeles	23,387	-	-	81,855	81,855	100,000
ALHAMBRA	Los Angeles	90,561	-	-	316,964	316,964	142,181
ARCADIA	Los Angeles	56,719	-	-	198,517	198,517	100,000

Loss of City MVLF, Restoration of COPS (SLESA) Funds - Estimated FY2011-12 Impact

Does NOT include positive impact of NO Booking fees

City	County	Population*	Lost Motor Vehicle License Fee (general purpose)				COPS (SLESA)
			New Incorp R&T11005(c)	New Annex R&T11005(d)	Per Capita R&T11005(e)	Total	
ARTESIA	Los Angeles	17,608	-	-	61,628	61,628	100,000
AVALON	Los Angeles	3,559	-	-	12,457	12,457	100,000
AZUSA	Los Angeles	49,207	-	-	172,225	172,225	100,000
BALDWIN PARK	Los Angeles	81,604	-	-	285,614	285,614	128,118
BELL	Los Angeles	38,982	-	-	136,437	136,437	100,000
BELL GARDENS	Los Angeles	47,002	-	-	164,507	164,507	100,000
BELLFLOWER	Los Angeles	77,513	-	-	271,296	271,296	121,695
BEVERLY HILLS	Los Angeles	36,224	-	-	126,784	126,784	100,000
BRADBURY	Los Angeles	963	-	-	3,371	3,371	100,000
BURBANK	Los Angeles	108,469	-	-	379,642	379,642	170,296
CALABASAS	Los Angeles	23,788	-	-	83,258	83,258	100,000
CARSON	Los Angeles	98,329	-	-	344,152	344,152	154,377
CERRITOS	Los Angeles	55,074	-	-	192,759	192,759	100,000
CLAREMONT	Los Angeles	37,780	-	-	132,230	132,230	100,000
COMMERCE	Los Angeles	13,581	-	-	47,534	47,534	100,000
COMPTON	Los Angeles	99,769	-	-	349,192	349,192	156,637
COVINA	Los Angeles	49,720	-	-	174,020	174,020	100,000
CUDAHY	Los Angeles	26,029	-	-	91,102	91,102	100,000
CULVER CITY	Los Angeles	40,870	-	-	143,045	143,045	100,000
DIAMOND BAR	Los Angeles	61,019	-	6,585	213,567	220,152	100,000
DOWNEY	Los Angeles	113,715	-	-	398,003	398,003	178,533
DUARTE	Los Angeles	23,124	-	-	80,934	80,934	100,000
EL MONTE	Los Angeles	126,464	-	-	442,624	442,624	198,548
EL SEGUNDO	Los Angeles	17,076	-	-	59,766	59,766	100,000
GARDENA	Los Angeles	61,947	-	-	216,815	216,815	100,000
GLENDALE	Los Angeles	207,902	-	-	727,657	727,657	326,406
GLENDORA	Los Angeles	52,830	-	-	184,905	184,905	100,000
HAWAIIAN GARDENS	Los Angeles	15,922	-	-	55,727	55,727	100,000
HAWTHORNE	Los Angeles	90,145	-	-	315,508	315,508	141,528
HERMOSA BEACH	Los Angeles	19,608	-	-	68,628	68,628	100,000
HIDDEN HILLS	Los Angeles	2,040	-	-	7,140	7,140	100,000
HUNTINGTON PARK	Los Angeles	64,929	-	-	227,252	227,252	101,939
INDUSTRY	Los Angeles	804	-	-	2,814	2,814	100,000
INGLEWOOD	Los Angeles	119,212	-	-	417,242	417,242	187,163

Loss of City MVLF, Restoration of COPS (SLESA) Funds - Estimated FY2011-12 Impact

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City	County	Population*	Lost Motor Vehicle License Fee (general purpose)				COPS (SLESA)
			New Incorp R&T11005(c)	New Annex R&T11005(d)	Per Capita R&T11005(e)	Total	
IRWINDALE	Los Angeles	1,727	-	-	6,045	6,045	100,000
LA CANADA FLINTRIDGE	Los Angeles	21,608	-	-	75,628	75,628	100,000
LA HABRA HEIGHTS	Los Angeles	6,193	-	-	21,676	21,676	100,000
LA MIRADA	Los Angeles	50,477	-	-	176,670	176,670	100,000
LA PUENTE	Los Angeles	43,360	-	-	151,760	151,760	100,000
LA VERNE	Los Angeles	34,051	-	-	119,179	119,179	100,000
LAKESWOOD	Los Angeles	83,674	-	-	292,859	292,859	131,368
LANCASTER	Los Angeles	145,875	-	-	510,563	510,563	229,024
LAWDALE	Los Angeles	33,641	-	-	117,744	117,744	100,000
LOMITA	Los Angeles	21,153	-	-	74,036	74,036	100,000
LONG BEACH	Los Angeles	494,709	-	-	1,731,482	1,731,482	776,693
LOS ANGELES	Los Angeles	4,094,764	-	-	14,331,674	14,331,674	6,428,779
LYNWOOD	Los Angeles	73,295	-	-	256,533	256,533	115,073
MALIBU	Los Angeles	13,765	-	-	48,178	48,178	100,000
MANHATTAN BEACH	Los Angeles	36,843	-	-	128,951	128,951	100,000
MAYWOOD	Los Angeles	30,034	-	-	105,119	105,119	100,000
MONROVIA	Los Angeles	39,984	-	-	139,944	139,944	100,000
MONTEBELLO	Los Angeles	65,781	-	-	230,234	230,234	103,276
MONTEREY PARK	Los Angeles	65,027	-	-	227,595	227,595	102,092
NORWALK	Los Angeles	110,178	-	-	385,623	385,623	172,979
PALMDALE	Los Angeles	152,622	-	-	534,177	534,177	239,617
PALOS VERDES ESTATES	Los Angeles	14,208	-	-	49,728	49,728	100,000
PARAMOUNT	Los Angeles	58,109	-	-	203,382	203,382	100,000
PASADENA	Los Angeles	151,576	-	-	530,516	530,516	237,974
PICO RIVERA	Los Angeles	67,288	-	-	235,508	235,508	105,642
POMONA	Los Angeles	163,683	-	-	572,891	572,891	256,982
RANCHO PALOS VERDES	Los Angeles	43,525	-	-	152,338	152,338	100,000
REDONDO BEACH	Los Angeles	68,105	-	-	238,368	238,368	106,925
ROLLING HILLS	Los Angeles	1,983	-	-	6,941	6,941	100,000
ROLLING HILLS ESTATES	Los Angeles	8,191	-	-	28,669	28,669	100,000
ROSEMEAD	Los Angeles	57,756	-	-	202,146	202,146	100,000
SAN DIMAS	Los Angeles	37,011	-	-	129,539	129,539	100,000
SAN FERNANDO	Los Angeles	25,366	-	-	88,781	88,781	100,000
SAN GABRIEL	Los Angeles	42,984	-	-	150,444	150,444	100,000

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City	County	Population*	Lost Motor Vehicle License Fee (general purpose)				COPS (SLESA)
			New Incorp R&T11005(c)	New Annex R&T11005(d)	Per Capita R&T11005(e)	Total	
SAN MARINO	Los Angeles	13,673	-	-	47,856	47,856	100,000
SANTA CLARITA	Los Angeles	177,641	-	376,748	621,744	998,491	278,896
SANTA FE SPRINGS	Los Angeles	17,997	-	-	62,990	62,990	100,000
SANTA MONICA	Los Angeles	92,703	-	-	324,461	324,461	145,544
SIERRA MADRE	Los Angeles	11,146	-	-	39,011	39,011	100,000
SIGNAL HILL	Los Angeles	11,465	-	-	40,128	40,128	100,000
SOUTH EL MONTE	Los Angeles	22,627	-	-	79,195	79,195	100,000
SOUTH GATE	Los Angeles	102,816	-	-	359,856	359,856	161,421
SOUTH PASADENA	Los Angeles	25,881	-	-	90,584	90,584	100,000
TEMPLE CITY	Los Angeles	35,892	-	-	125,622	125,622	100,000
TORRANCE	Los Angeles	149,717	-	-	524,010	524,010	235,056
VERNON	Los Angeles	96	-	-	336	336	100,000
WALNUT	Los Angeles	32,659	-	-	114,307	114,307	100,000
WEST COVINA	Los Angeles	112,953	-	-	395,336	395,336	177,336
WEST HOLLYWOOD	Los Angeles	38,036	-	-	133,126	133,126	100,000
WESTLAKE VILLAGE	Los Angeles	8,905	-	-	31,168	31,168	100,000
WHITTIER	Los Angeles	87,250	-	-	305,375	305,375	136,983
CHOWCHILLA	Madera	19,051	-	3,271	66,679	69,949	100,000
MADERA	Madera	58,243	-	17,139	203,851	220,989	100,000
BELVEDERE	Marin	2,175	-	-	7,613	7,613	100,000
CORTE MADERA	Marin	9,816	-	-	34,356	34,356	100,000
FAIRFAX	Marin	7,492	-	-	26,222	26,222	100,000
LARKSPUR	Marin	12,398	-	-	43,393	43,393	100,000
MILL VALLEY	Marin	14,144	-	262	49,504	49,766	100,000
NOVATO	Marin	53,357	-	87	186,750	186,837	100,000
ROSS	Marin	2,422	-	-	8,477	8,477	100,000
SAN ANSELMO	Marin	12,744	-	-	44,604	44,604	100,000
SAN RAFAEL	Marin	58,822	-	-	205,877	205,877	100,000
SAUSALITO	Marin	7,596	-	-	26,586	26,586	100,000
TIBURON	Marin	9,000	-	-	31,500	31,500	100,000
FORT BRAGG	Mendocino	7,104	-	-	24,864	24,864	100,000
POINT ARENA	Mendocino	501	-	-	1,754	1,754	100,000
UKIAH	Mendocino	15,959	-	-	55,857	55,857	100,000
WILLITS	Mendocino	5,102	-	-	17,857	17,857	100,000

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			New Incorp R&T11005(c)	New Annex R&T11005(d)	Per Capita R&T11005(e)	Total	
ATWATER	Merced	27,755	-	262	97,143	97,404	100,000
DOS PALOS	Merced	5,041	-	-	17,644	17,644	100,000
GUSTINE	Merced	5,311	-	-	18,589	18,589	100,000
LIVINGSTON	Merced	14,051	-	174	49,179	49,353	100,000
LOS BANOS	Merced	36,421	-	-	127,474	127,474	100,000
MERCED	Merced	80,985	-	14,566	283,448	298,013	127,146
ALTURAS	Modoc	2,925	-	-	10,238	10,238	100,000
MAMMOTH LAKES	Mono	7,717	-	-	27,010	27,010	100,000
CARMEL-BY-THE-SEA	Monterey	4,102	-	-	14,357	14,357	100,000
DEL REY OAKS	Monterey	1,654	-	-	5,789	5,789	100,000
GONZALES	Monterey	9,114	-	174	31,899	32,073	100,000
GREENFIELD	Monterey	17,898	-	611	62,643	63,254	100,000
KING CITY	Monterey	12,140	-	-	42,490	42,490	100,000
MARINA	Monterey	28,136	-	-	98,476	98,476	100,000
MONTEREY	Monterey	30,641	-	-	107,244	107,244	100,000
PACIFIC GROVE	Monterey	15,683	-	-	54,891	54,891	100,000
SALINAS	Monterey	156,516	-	305	547,806	548,111	245,730
SAND CITY	Monterey	329	-	-	1,152	1,152	100,000
SEASIDE	Monterey	34,918	-	-	122,213	122,213	100,000
SOLEDAD	Monterey	28,361	-	174	99,264	99,438	100,000
AMERICAN CANYON	Napa	16,836	-	1,396	58,926	60,322	100,000
CALISTOGA	Napa	5,370	-	-	18,795	18,795	100,000
NAPA	Napa	78,791	-	6,149	275,769	281,918	123,702
SAINT HELENA	Napa	6,041	-	-	21,144	21,144	100,000
YOUNTVILLE	Napa	4,072	-	-	14,252	14,252	100,000
GRASS VALLEY	Nevada	13,031	-	8,504	45,609	54,112	100,000
NEVADA CITY	Nevada	3,088	-	44	10,808	10,852	100,000
TRUCKEE	Nevada	16,280	-	-	56,980	56,980	100,000
ALISO VIEJO	Orange	46,123	-	-	161,431	161,431	100,000
ANAHEIM	Orange	353,643	-	-	1,237,751	1,237,751	555,220
BREA	Orange	40,377	-	-	141,320	141,320	100,000
BUENA PARK	Orange	84,141	-	-	294,494	294,494	132,101
COSTA MESA	Orange	117,178	-	-	410,123	410,123	183,969
CYPRESS	Orange	49,981	-	-	174,934	174,934	100,000

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			New Incorp R&T11005(c)	New Annex R&T11005(d)	Per Capita R&T11005(e)	Total	
DANA POINT	Orange	37,326	-	-	130,641	130,641	100,000
FOUNTAIN VALLEY	Orange	58,741	-	-	205,594	205,594	100,000
FULLERTON	Orange	138,610	-	13,563	485,135	498,698	217,618
GARDEN GROVE	Orange	175,618	-	-	614,663	614,663	275,720
HUNTINGTON BEACH	Orange	203,484	-	2,573	712,194	714,767	319,470
IRVINE	Orange	217,686	-	-	761,901	761,901	341,767
LA HABRA	Orange	63,184	-	14,042	221,144	235,186	100,000
LA PALMA	Orange	16,304	-	-	57,064	57,064	100,000
LAGUNA BEACH	Orange	25,354	-	-	88,739	88,739	100,000
LAGUNA HILLS	Orange	33,811	-	-	118,339	118,339	100,000
LAGUNA NIGUEL	Orange	67,666	-	-	236,831	236,831	106,236
LAGUNA WOODS	Orange	18,747	-	-	65,615	65,615	100,000
LAKE FOREST	Orange	78,720	-	-	275,520	275,520	123,590
LOS ALAMITOS	Orange	12,270	-	-	42,945	42,945	100,000
MISSION VIEJO	Orange	100,725	-	-	352,538	352,538	158,138
NEWPORT BEACH	Orange	86,738	-	61,621	303,583	365,204	136,179
ORANGE	Orange	142,708	-	-	499,478	499,478	224,052
PLACENTIA	Orange	52,305	-	-	183,068	183,068	100,000
RANCHO SANTA MARGA	Orange	49,945	-	-	174,808	174,808	100,000
SAN CLEMENTE	Orange	68,763	-	3,227	240,671	243,898	107,958
SAN JUAN CAPISTRANO	Orange	37,233	-	-	130,316	130,316	100,000
SANTA ANA	Orange	357,754	-	-	1,252,139	1,252,139	561,674
SEAL BEACH	Orange	26,010	-	-	91,035	91,035	100,000
STANTON	Orange	39,799	-	-	139,297	139,297	100,000
TUSTIN	Orange	75,773	-	-	265,206	265,206	118,964
VILLA PARK	Orange	6,307	-	-	22,075	22,075	100,000
WESTMINSTER	Orange	94,294	-	-	330,029	330,029	148,042
YORBA LINDA	Orange	69,273	-	-	242,456	242,456	108,759
AUBURN	Placer	13,578	-	-	47,523	47,523	100,000
COLFAX	Placer	1,993	-	-	6,976	6,976	100,000
LINCOLN	Placer	41,111	-	1,090	143,889	144,979	100,000
LOOMIS	Placer	6,743	-	-	23,601	23,601	100,000
ROCKLIN	Placer	56,019	-	-	196,067	196,067	100,000
ROSEVILLE	Placer	115,781	-	174	405,234	405,408	181,776

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PORTOLA	Plumas	2,248	-	-	7,868	7,868	100,000
BANNING	Riverside	28,751	-	-	100,629	100,629	100,000
BEAUMONT	Riverside	34,217	-	12,516	119,760	132,276	100,000
BLYTHE	Riverside	22,625	-	-	79,188	79,188	100,000
CALIMESA	Riverside	7,555	-	-	26,443	26,443	100,000
CANYON LAKE	Riverside	11,225	-	-	39,288	39,288	100,000
CATHEDRAL CITY	Riverside	52,841	-	218	184,944	185,162	100,000
COACHELLA	Riverside	42,591	-	1,047	149,069	150,115	100,000
CORONA	Riverside	150,416	-	-	526,456	526,456	236,153
DESERT HOT SPRINGS	Riverside	26,811	-	-	93,839	93,839	100,000
EASTVALE	Riverside	66,614	2,905,040	-	233,149	3,138,189	104,584
HEMET	Riverside	75,820	-	2,704	265,370	268,074	119,037
INDIAN WELLS	Riverside	5,144	-	-	18,004	18,004	100,000
INDIO	Riverside	83,675	-	26,559	292,863	319,421	131,370
JURUPA	Riverside	132,000	5,756,538	-	462,000	6,218,538	207,240
LA QUINTA	Riverside	44,421	-	6,498	155,474	161,971	100,000
LAKE ELSINORE	Riverside	50,983	-	3,663	178,441	182,104	100,000
MENIFEE	Riverside	88,468	3,645,994	-	309,638	3,955,631	138,895
MORENO VALLEY	Riverside	188,537	-	-	659,880	659,880	296,003
MURRIETA	Riverside	101,487	-	-	355,205	355,205	159,335
NORCO	Riverside	27,370	-	-	95,795	95,795	100,000
PALM DESERT	Riverside	52,067	-	-	182,235	182,235	100,000
PALM SPRINGS	Riverside	48,040	-	-	168,140	168,140	100,000
PERRIS	Riverside	55,133	-	-	192,966	192,966	100,000
RANCHO MIRAGE	Riverside	17,180	-	-	60,130	60,130	100,000
RIVERSIDE	Riverside	304,051	-	69,340	1,064,179	1,133,519	477,360
SAN JACINTO	Riverside	36,933	-	392	129,266	129,658	100,000
TEMECULA	Riverside	105,029	-	413,206	367,602	780,808	164,896
WILDOMAR	Riverside	40,926	1,688,311	-	143,240	1,831,551	100,000
CITRUS HEIGHTS	Sacramento	88,115	-	-	308,403	308,403	138,341
ELK GROVE	Sacramento	143,885	-	-	503,598	503,598	225,899
FOLSOM	Sacramento	72,590	-	-	254,065	254,065	113,966
GALT	Sacramento	24,264	-	-	84,924	84,924	100,000
ISLETON	Sacramento	844	-	-	2,954	2,954	100,000

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			New Incorp R&T11005(c)	New Annex R&T11005(d)	Per Capita R&T11005(e)	Total	
RANCHO CORDOVA	Sacramento	62,899	-	-	220,147	220,147	100,000
SACRAMENTO	Sacramento	486,189	-	-	1,701,662	1,701,662	763,317
HOLLISTER	San Benito	37,301	-	436	130,554	130,990	100,000
SAN JUAN BAUTISTA	San Benito	1,895	-	-	6,633	6,633	100,000
ADELANTO	San Bernardino	28,540	-	-	99,890	99,890	100,000
APPLE VALLEY	San Bernardino	70,297	-	-	246,040	246,040	110,366
BARSTOW	San Bernardino	24,281	-	10,074	84,984	95,057	100,000
BIG BEAR LAKE	San Bernardino	6,278	-	-	21,973	21,973	100,000
CHINO	San Bernardino	84,742	-	1,701	296,597	298,298	133,045
CHINO HILLS	San Bernardino	78,971	-	-	276,399	276,399	123,984
COLTON	San Bernardino	51,918	-	8,896	181,713	190,609	100,000
FONTANA	San Bernardino	190,356	-	731,560	666,246	1,397,806	298,859
GRAND TERRACE	San Bernardino	12,717	-	-	44,510	44,510	100,000
HESPERIA	San Bernardino	88,479	-	11,688	309,677	321,364	138,912
HIGHLAND	San Bernardino	52,503	-	-	183,761	183,761	100,000
LOMA LINDA	San Bernardino	22,760	-	-	79,660	79,660	100,000
MONTCLAIR	San Bernardino	37,535	-	32,620	131,373	163,993	100,000
NEEDLES	San Bernardino	5,809	-	-	20,332	20,332	100,000
ONTARIO	San Bernardino	174,536	-	-	610,876	610,876	274,022
RANCHO CUCAMONGA	San Bernardino	178,904	-	131	626,164	626,295	280,879
REDLANDS	San Bernardino	71,926	-	349	251,741	252,090	112,924
RIALTO	San Bernardino	100,260	-	-	350,910	350,910	157,408
SAN BERNARDINO	San Bernardino	205,493	-	108,851	719,226	828,076	322,624
TWENTYNINE PALMS	San Bernardino	30,832	-	-	107,912	107,912	100,000
UPLAND	San Bernardino	76,106	-	2,442	266,371	268,813	119,486
VICTORVILLE	San Bernardino	112,097	-	-	392,340	392,340	175,992
YUCAIPA	San Bernardino	52,063	-	-	182,221	182,221	100,000
YUCCA VALLEY	San Bernardino	21,292	-	-	74,522	74,522	100,000
CARLSBAD	San Diego	106,804	-	-	373,814	373,814	167,682
CHULA VISTA	San Diego	237,595	-	-	831,583	831,583	373,024
CORONADO	San Diego	26,973	-	-	94,406	94,406	100,000
DÉL MAR	San Diego	4,660	-	-	16,310	16,310	100,000
EL CAJON	San Diego	99,637	-	262	348,730	348,991	156,430
ENCINITAS	San Diego	65,171	-	218	228,099	228,317	102,318

Loss of City MVLF, Restoration of COPS (SLESA) Funds - Estimated FY2011-12 Impact

Does NOT include positive impact of NO Booking fees

City	County	Population*	Lost Motor Vehicle License Fee (general purpose)				COPS (SLESA)
			New Incorp R&T11005(c)	New Annex R&T11005(d)	Per Capita R&T11005(e)	Total	
ESCONDIDO	San Diego	147,514	-	4,317	516,299	520,616	231,597
IMPERIAL BEACH	San Diego	28,680	-	-	100,380	100,380	100,000
LA MESA	San Diego	58,150	-	87	203,525	203,612	100,000
LEMON GROVE	San Diego	26,131	-	-	91,459	91,459	100,000
NATIONAL CITY	San Diego	63,773	-	1,614	223,206	224,819	100,124
OCEANSIDE	San Diego	183,095	-	-	640,833	640,833	287,459
POWAY	San Diego	52,056	-	-	182,196	182,196	100,000
SAN DIEGO	San Diego	1,376,173	-	-	4,816,606	4,816,606	2,160,592
SAN MARCOS	San Diego	84,391	-	1,701	295,369	297,069	132,494
SANTEE	San Diego	58,044	-	-	203,154	203,154	100,000
SOLANA BEACH	San Diego	13,783	-	-	48,241	48,241	100,000
VISTA	San Diego	97,513	-	523	341,296	341,819	153,095
SAN FRANCISCO	San Francisco	856,095	-	-	2,996,333	2,996,333	1,344,069
ESCALON	San Joaquin	7,185	-	-	25,148	25,148	100,000
LATHROP	San Joaquin	17,969	-	4,535	62,892	67,427	100,000
LODI	San Joaquin	63,549	-	5,015	222,422	227,437	100,000
MANTECA	San Joaquin	68,847	-	19,188	240,965	260,153	108,090
RIPON	San Joaquin	15,468	-	2,442	54,138	56,580	100,000
STOCKTON	San Joaquin	292,133	-	2,835	1,022,466	1,025,300	458,649
TRACY	San Joaquin	82,107	-	-	287,375	287,375	128,908
ARROYO GRANDE	San Luis Obispo	17,145	-	-	60,008	60,008	100,000
ATASCADERO	San Luis Obispo	28,590	-	-	100,065	100,065	100,000
EL PASO DE ROBLES	San Luis Obispo	30,072	-	2,268	105,252	107,520	100,000
GROVER BEACH	San Luis Obispo	13,276	-	-	46,466	46,466	100,000
MORRO BAY	San Luis Obispo	10,608	-	-	37,128	37,128	100,000
PISMO BEACH	San Luis Obispo	8,716	-	-	30,506	30,506	100,000
SAN LUIS OBISPO	San Luis Obispo	44,948	-	3,576	157,318	160,894	100,000
ATHERTON	San Mateo	7,554	-	-	26,439	26,439	100,000
BELMONT	San Mateo	26,507	-	-	92,775	92,775	100,000
BRISBANE	San Mateo	3,993	-	-	13,976	13,976	100,000
BURLINGAME	San Mateo	29,342	-	-	102,697	102,697	100,000
COLMA	San Mateo	1,637	-	-	5,730	5,730	100,000
DALY CITY	San Mateo	108,383	-	131	379,341	379,471	170,161
EAST PALO ALTO	San Mateo	33,524	-	-	117,334	117,334	100,000

Loss of City MVLF, Restoration of COPS (SLESA) Funds - Estimated FY2011-12 Impact

Does NOT include positive impact of NO Booking fees

City	County	Population*	Lost Motor Vehicle License Fee (general purpose)				COPS (SLESA)
			New Incorp R&T11005(c)	New Annex R&T11005(d)	Per Capita R&T11005(e)	Total	
FOSTER CITY	San Mateo	30,719	-	-	107,517	107,517	100,000
HALF MOON BAY	San Mateo	13,371	-	-	46,799	46,799	100,000
HILLSBOROUGH	San Mateo	11,537	-	-	40,380	40,380	100,000
MENLO PARK	San Mateo	32,185	-	-	112,648	112,648	100,000
MILLBRAE	San Mateo	21,968	-	-	76,888	76,888	100,000
PACIFICA	San Mateo	40,431	-	-	141,509	141,509	100,000
PORTOLA VALLEY	San Mateo	4,725	-	-	16,538	16,538	100,000
REDWOOD CITY	San Mateo	78,568	-	-	274,988	274,988	123,352
SAN BRUNO	San Mateo	44,294	-	-	155,029	155,029	100,000
SAN CARLOS	San Mateo	29,155	-	87	102,043	102,130	100,000
SAN MATEO	San Mateo	97,535	-	-	341,373	341,373	153,130
SOUTH SAN FRANCISCO	San Mateo	65,872	-	-	230,552	230,552	103,419
WOODSIDE	San Mateo	5,738	-	-	20,083	20,083	100,000
BUELLTON	Santa Barbara	4,833	-	-	16,916	16,916	100,000
CARPINTERIA	Santa Barbara	14,586	-	87	51,051	51,138	100,000
GOLETA	Santa Barbara	31,099	-	-	108,847	108,847	100,000
GUADALUPE	Santa Barbara	6,570	-	-	22,995	22,995	100,000
LOMPOC	Santa Barbara	43,079	-	-	150,777	150,777	100,000
SANTA BARBARA	Santa Barbara	94,154	-	218	329,539	329,757	147,822
SANTA MARIA	Santa Barbara	93,225	-	31,007	326,288	357,294	146,363
SOLVANG	Santa Barbara	5,555	-	-	19,443	19,443	100,000
CAMPBELL	Santa Clara	40,860	-	36,196	143,010	179,206	100,000
CUPERTINO	Santa Clara	56,431	-	2,224	197,509	199,733	100,000
GILROY	Santa Clara	52,027	-	1,003	182,095	183,098	100,000
LOS ALTOS	Santa Clara	28,863	-	-	101,021	101,021	100,000
LOS ALTOS HILLS	Santa Clara	9,042	-	8,068	31,647	39,715	100,000
LOS GATOS	Santa Clara	30,802	-	2,922	107,807	110,729	100,000
MILPITAS	Santa Clara	71,552	-	436	250,432	250,868	112,337
MONTE SERENO	Santa Clara	3,666	-	-	12,831	12,831	100,000
MORGAN HILL	Santa Clara	40,246	-	11,033	140,861	151,894	100,000
MOUNTAIN VIEW	Santa Clara	75,787	-	87	265,255	265,342	118,986
PALO ALTO	Santa Clara	65,408	-	-	228,928	228,928	102,691
SAN JOSE	Santa Clara	1,023,083	-	327,338	3,580,791	3,908,128	1,606,240
SANTA CLARA	Santa Clara	118,830	-	-	415,905	415,905	186,563

Loss of City MVLF, Restoration of COPS (SLESA) Funds - Estimated FY2011-12 Impact

Does NOT include positive impact of NO Booking fees

City	County	Population*	Lost Motor Vehicle License Fee (general purpose)				COPS (SLESA)
			New Incorp R&T11005(c)	New Annex R&T11005(d)	Per Capita R&T11005(e)	Total	
SARATOGA	Santa Clara	31,997	-	8,068	111,990	120,057	100,000
SUNNYVALE	Santa Clara	140,450	-	-	491,575	491,575	220,507
CAPITOLA	Santa Cruz	10,198	-	-	35,693	35,693	100,000
SANTA CRUZ	Santa Cruz	59,684	-	-	208,894	208,894	100,000
SCOTTS VALLEY	Santa Cruz	11,903	-	-	41,661	41,661	100,000
WATSONVILLE	Santa Cruz	52,543	-	174	183,901	184,075	100,000
ANDERSON	Shasta	10,826	-	2,835	37,891	40,726	100,000
REDDING	Shasta	91,561	-	-	320,464	320,464	143,751
SHASTA LAKE	Shasta	10,325	-	-	36,138	36,138	100,000
LOYALTON	Sierra	888	-	-	3,108	3,108	100,000
DORRIS	Siskiyou	890	-	-	3,115	3,115	100,000
DUNSMUIR	Siskiyou	1,923	-	-	6,731	6,731	100,000
ETNA	Siskiyou	781	-	87	2,734	2,821	100,000
FORT JONES	Siskiyou	675	-	-	2,363	2,363	100,000
MONTAGUE	Siskiyou	1,523	-	-	5,331	5,331	100,000
MOUNT SHASTA	Siskiyou	3,706	-	87	12,971	13,058	100,000
TULELAKE	Siskiyou	1,024	-	-	3,584	3,584	100,000
WEED	Siskiyou	3,030	-	-	10,605	10,605	100,000
YREKA	Siskiyou	7,443	-	-	26,051	26,051	100,000
BENICIA	Solano	28,086	-	-	98,301	98,301	100,000
DIXON	Solano	17,644	-	131	61,754	61,885	100,000
FAIRFIELD	Solano	106,753	-	-	373,636	373,636	167,602
RIO VISTA	Solano	8,324	-	-	29,134	29,134	100,000
SUISUN CITY	Solano	28,962	-	1,352	101,367	102,719	100,000
VACAVILLE	Solano	97,305	-	3,532	340,568	344,100	152,769
VALLEJO	Solano	121,435	-	-	425,023	425,023	190,653
CLOVERDALE	Sonoma	8,636	-	-	30,226	30,226	100,000
COTATI	Sonoma	7,535	-	-	26,373	26,373	100,000
HEALDSBURG	Sonoma	11,931	-	1,483	41,759	43,241	100,000
PETALUMA	Sonoma	58,401	-	-	204,404	204,404	100,000
ROHNERT PARK	Sonoma	43,398	-	-	151,893	151,893	100,000
SANTA ROSA	Sonoma	163,436	-	14,348	572,026	586,374	256,595
SEBASTOPOL	Sonoma	7,943	-	392	27,801	28,193	100,000
SONOMA	Sonoma	10,078	-	436	35,273	35,709	100,000

Loss of City MVLF, Restoration of COPS (SLESA) Funds - Estimated FY2011-12 Impact

Does NOT include positive impact of NO Booking fees

City	County	Population*	Lost Motor Vehicle License Fee (general purpose)				COPS (SLESA)
			New Incorp R&T11005(c)	New Annex R&T11005(d)	Per Capita R&T11005(e)	Total	
WINDSOR	Sonoma	26,955	-	262	94,343	94,604	100,000
CERES	Stanislaus	43,219	-	611	151,267	151,877	100,000
HUGHSON	Stanislaus	6,240	-	392	21,840	22,232	100,000
MODESTO	Stanislaus	211,536	-	10,510	740,376	750,886	332,112
NEWMAN	Stanislaus	10,824	-	-	37,884	37,884	100,000
OAKDALE	Stanislaus	19,854	-	6,803	69,489	76,292	100,000
PATTERSON	Stanislaus	21,251	-	5,975	74,379	80,353	100,000
RIVERBANK	Stanislaus	22,201	-	1,744	77,704	79,448	100,000
TURLOCK	Stanislaus	71,181	-	12,298	249,134	261,432	111,754
WATERFORD	Stanislaus	8,860	-	2,442	31,010	33,452	100,000
LIVE OAK	Sutter	8,791	-	-	30,769	30,769	100,000
YUBA CITY	Sutter	65,372	-	21,282	228,802	250,084	102,634
CORNING	Tehama	7,409	-	1,526	25,932	27,458	100,000
RED BLUFF	Tehama	13,828	-	349	48,398	48,747	100,000
TEHAMA	Tehama	438	-	-	1,533	1,533	100,000
DINUBA	Tulare	21,542	-	21,543	75,397	96,940	100,000
EXETER	Tulare	10,752	-	-	37,632	37,632	100,000
FARMERSVILLE	Tulare	10,971	-	349	38,399	38,747	100,000
LINDSAY	Tulare	11,800	-	3,532	41,300	44,832	100,000
PORTERVILLE	Tulare	52,960	-	229,128	185,360	414,488	100,000
TULARE	Tulare	59,535	-	93,718	208,373	302,091	100,000
VISALIA	Tulare	125,971	-	140,948	440,899	581,846	197,774
WOODLAKE	Tulare	7,927	-	174	27,745	27,919	100,000
SONORA	Tuolumne	4,804	-	87	16,814	16,901	100,000
CAMARILLO	Ventura	66,690	-	5,931	233,415	239,346	104,703
FILLMORE	Ventura	15,787	-	-	55,255	55,255	100,000
MOORPARK	Ventura	37,576	-	-	131,516	131,516	100,000
OJAI	Ventura	8,226	-	-	28,791	28,791	100,000
OXNARD	Ventura	200,004	-	-	700,014	700,014	314,006
PORT HUENEME	Ventura	22,445	-	-	78,558	78,558	100,000
SAN BUENAVENTURA	Ventura	109,946	-	218	384,811	385,029	172,615
SANTA PAULA	Ventura	30,048	-	1,788	105,168	106,956	100,000
SIMI VALLEY	Ventura	126,902	-	174	444,157	444,331	199,236
THOUSAND OAKS	Ventura	130,209	-	4,099	455,732	459,831	204,428

Loss of City MVLF, Restoration of COPS (SLESA) Funds - Estimated FY2011-12 Impact

Does NOT include positive impact of NO Booking fees

City	County	Population*	Lost Motor Vehicle License Fee (general purpose)				COPS (SLESA)
			New Incorp R&T11005(c)	New Annex R&T11005(d)	Per Capita R&T11005(e)	Total	
DAVIS	Yolo	66,570	-	-	232,995	232,995	104,515
WEST SACRAMENTO	Yolo	48,426	-	-	169,491	169,491	100,000
WINTERS	Yolo	7,098	-	-	24,843	24,843	100,000
WOODLAND	Yolo	57,288	-	-	200,508	200,508	100,000
MARYSVILLE	Yuba	12,867	-	-	45,035	45,035	100,000
WHEATLAND	Yuba	3,558	-	-	12,453	12,453	100,000
		32,269,622	13,995,883	4,159,666	112,943,679	131,099,228	72,908,035

Note: Recently incorporated cities get a special boosted population for purposes of these revenue allocations.

150% of actual population in the first year, 140% in the second year, 130% in the third, 120% in the fourth, 110% in the fifth and actual population from then on.

The R&T11005(b) allocation continues for these new cities indefinitely even after their 5 year "bump" ends.

R&T11005(c) provides a special allocation of VLF to cities that incorporated after 2004

R&T11005(d) provides a special allocation of VLF to cities that annexed areas after 2004

R&T11005(e) allocates the remainder of VLF revenue to cities on a per capita basis ... estimated at \$3.50 per capita for FY2011-12

For more background on these revenues see "The California Municipal Revenue Sources Handbook" 2008 Edition.



2011 June 21, 2011

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TO: LAFCo Executive Officers
FROM: CALAFCO Legislative Committee
REPORT BY: Keene Simonds, Napa LAFCo
SUBJECT: **Board-Approved Amendments to Government Code Section 56133**

On April 29, 2011, the CALAFCO Board unanimously approved a proposal from the Legislative Committee to amend Government Code (G.C.) Section 56133 and its provisions governing the LAFCo approval process for cities and special districts to provide new and extended outside services. Three substantive changes underlie the Board-approved amendments. The first change expands LAFCos' existing authority in approving new and extended services beyond agencies' spheres of influence irrespective of public health and safety threats. The second change clarifies LAFCos' sole authority in determining the application of the statute. The third change deemphasizes the approval of contracts or agreements in favor of emphasizing the approval of service extensions.

The Board-approved amendments would – if passed into law – significantly expand LAFCos' individual discretion in administering G.C. Section 56133. Markedly, enhancing discretion highlights the Legislative Committee's principal motive in proposing the amendments given the current statute limits LAFCos' ability to accommodate new and extended services beyond spheres of influence that are otherwise logical given local conditions unless addressing public health or safety threats. The Legislative Committee, nevertheless, recognizes the importance of establishing specific safeguards to help uniformly guide LAFCos in exercising their expanded discretion consistent with our collective responsibilities to facilitate orderly and efficient municipal growth and development. Most notably, this includes explicitly tying the expanded discretion with the municipal service review process.

Additional materials are attached to this communication further detailing the Board-approved amendments to G.C. Section 56133. This includes a one-page informational flyer summarizing the key changes with implementing examples as well as addressing frequently asked questions that have been raised in the two plus years the Legislative Committee has expended on this important rewrite. The Legislative Committee welcomes your questions and comments. Towards this end, to help expedite follow up, these regional coordinators are available to discuss the Board-approved amendments as well as make presentations to individual LAFCos if interested:

Northern: Scott Browne, Nevada
Steve Lucas, Butte

Coastal: Neelima Palacherla, Santa Clara
Keene Simonds, Napa

Central: Marjorie Blum, Stanislaus
Ted Novelli, Amador

Southern: Kathy McDonald, San Bernardino
George Spiliotis, Riverside

Thank you again for your attention to this matter and the Legislative Committee looks forward to working with you on any questions or comments.

1215 K Street, Suite 1650
Sacramento, CA 95814

Voice 916-442-6536
Fax 916-442-6535

www.calafco.org

Attachments: 1) Informational Flyer on the Board-Approved Amendments to G.C. Section 56133
2) Board Approved Amendments to G.C. Section 56133 (Track-Changes)
3) Legislative History of G.C. Section 56133

June 2011

The Proposal: Three Changes ...

The CALAFCO Board has unanimously approved a proposal from the Legislative Committee to amend Government Code (G.C.) Section 56133 and its provisions governing the LAFCo approval process for cities and districts to provide new and extended outside services. Three key changes underlie the Board-approved amendments. The **first** and most significant change expands LAFCo's existing authority in approving new and extended services beyond agencies' spheres of influence irrespective of public health and safety threats so long as LAFCo make three findings at noticed public hearings. These findings involve determining the extension 1) was contemplated in a municipal service review and 2) will not result in adverse impacts on open-space and agricultural lands or growth nor is a 3) later change of organization expected or desired based on local policies. The **second** change clarifies LAFCo's sole authority in determining the application of the statute. The **third** change deemphasizes the approval of contracts and emphasizes the approval of service extensions.

Why the Changes ...

The CALAFCO Board and Legislative Committee believes the three changes proposed for G.C. Section 56133 will measurably strengthen a LAFCo's ability to effectively regulate outside service extensions in concert with our evolving role in regional growth management. Specifically, if passed into law, the changes will provide LAFCo more flexibility in accommodating service extensions lying beyond spheres of influence that are otherwise sensible given local conditions while clarifying the determination of when the statute and its exemptions apply rests solely with LAFCo. The changes would also strike unnecessary references to "contract or agreement approval" given these documents are generally prepared only after the proposed service extensions have been considered and approved by LAFCo. Examples showing how these changes could be implemented follow.

- LAFCo would have the authority, subject to making certain findings, to approve new or extended outside services beyond spheres of influence for public facilities, such as fire stations and schools, where the connection to the affected agency's infrastructure is a potential option.
- LAFCo would have the authority, subject to making certain findings, to approve new or extended outside services beyond spheres of influence for private uses supporting permitted intensity increases, such as residential construction or commercial additions.
- LAFCo would avoid delays and other transaction costs tied to disagreements with agencies regarding the constitution of "new" and "extended" services as well as determining when exemptions apply. Notably, this includes determining when a contract service proposed between two public agencies qualifies for exemption if it is "consistent with the level of service contemplated by the existing provider."

FAQs

Does providing LAFCo with more flexibility to approve services beyond spheres of influence undermine LAFCo's ability to curb sprawl?

No. The proposed changes include measured safeguards to protect against inappropriate urban development by requiring LAFCo to make three specific findings (consistency with a municipal service review, no adverse agricultural or growth inducing impacts, and no expectation of future annexation) at noticed hearings before approving new or extended services beyond spheres.

Will these changes create new pressures on LAFCo to accommodate development beyond agencies' spheres they would otherwise reject?

The proposed changes do not effect LAFCo's existing right and duty to deny outside service requests deemed illogical and inconsistent with their policies.

How long has CALAFCO been discussing the proposal?

The Legislative Committee has spent two plus years working on the proposal before Board approval in April 2011.

Questions or Comments

The following regional coordinators are available for questions or comments on the proposed changes to G.C. Section 56133. The regional coordinators are also available to make presentations to interested LAFCos.

- Scott Browne, Nevada
- Steve Lucas, Butte
- Marjorie Blom, Stanislaus
- Ted Novelli, Amador
- Neelima Palacherla, Santa Clara
- Keene Simonds, Napa
- Kathy McDonald, San Bernardino
- George Spiliotis, Riverside

Contact: William Chiat, Exec. Dir.
(916) 442-6536
wchiat@calafco.org

**Proposed Amendments to G.C. Section 56133
(Approved by the CALAFCO Board on April 29, 2011)**

(a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional ~~boundaries-boundary~~ only if it first requests and receives written approval from the commission ~~in the affected county~~. The commission may delegate approval of requests made pursuant to subdivisions (b) and (c)(1) below to the Executive Officer.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional ~~boundaries-boundary~~ but within its sphere of influence in anticipation of a later change of organization.

(c) If consistent with adopted policy, ~~the~~ commission may authorize a city or district to provide new or extended services outside its jurisdictional ~~boundaries-boundary~~ and outside its sphere of influence under any of the following circumstances:

(1) ~~to~~ To respond to an existing or impending threat to the public health or safety of the residents of the affected territory if both of the following requirements are met:

(+A) The entity applying for ~~the contract~~ approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.

(±B) The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, or sewer system corporation as defined in Section 230.6 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.

(2) To support existing or planned uses involving public or private properties subject to approval at a noticed public hearing that includes all of the following determinations:

(A) The extension of service or service deficiency was identified and evaluated in a municipal service review prepared by the commission pursuant to section 56430.

(B) The effect of the extension of service would not result in adverse impacts on open space or agricultural lands or result in adverse growth inducing impacts.

(C) A later change of organization involving the subject property and the affected agency is not feasible or desirable based on the adopted policies of the commission.

(d) The executive officer, within 30 days of receipt of a request for approval by a city or district ~~of a contract~~ to extend services outside its jurisdictional boundary, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request is determined not to be complete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete, unless the commission has delegated approval of ~~those~~ requests made under this section to the executive officer. The commission or executive officer shall approve, disapprove, or approve with conditions the ~~contract for~~ extended services. If the extended services are ~~contract is~~ disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.

(e) This section does not apply to ~~contracts or agreements solely involving~~ two or more public agencies where the commission determines the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider.

(f) This section does not apply to ~~contracts for~~ the transfer of nonpotable or nontreated water.

(g) This section does not apply to ~~contracts or agreements solely involving~~ the provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county.

(h) This section does not apply to an extended service that a city or district was providing on or before January 1, 2001.

(i) This section does not apply to a local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.

(j) The application of this section rests solely within the jurisdiction of the commission in the county in which the extension of service is proposed.

Government Code Section 56133
Outside agency service/Extraterritorial service

Legislative History (new language underlined, deleted language ~~crossed-out~~)

Introduced on March 3, 1993 in AB 1335 (Gotch). "The Gotch Bill" as drafted by CALAFCO.

A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county. This section does not apply to contracts or agreements solely involving two or more public agencies.

Added, Statutes of 1993, chapter 1307, section 2, AB 1335 (Gotch). "The Gotch Bill" as adopted by Legislature. Effective January 1, 1994.

A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county. The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization. This section does not apply to contracts or agreements solely involving two or more public agencies. This section does not apply to contracts for the transfer of nonpotable or nontreated water. This section does not apply to contracts or agreements solely involving the provision of surplus water to agricultural lands for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county. This section shall not apply to an extended service that a city or district was providing on January 1, 1993.

Amended, Statutes of 1994, chapter 654, section 2, AB 3350 (Gotch). One-year clean up of the Gotch Bill. Changing effective date of grandfathering clause to effective date of original Gotch Bill. Effective September 20, 1994.

A city or district may provide new or extended

services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county. The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization. This section does not apply to contracts or agreements solely involving two or more public agencies. This section does not apply to contracts for the transfer of nonpotable or nontreated water. This section does not apply to contracts or agreements solely involving the provision of surplus water to agricultural lands for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county. This section shall not apply to an extended service that a city or district was providing on January 1, ~~1993~~ 1994.

Amended, Statutes of 1997, chapter 175, section 1, AB 637 (Alby)
Exempts local publicly owned power utility where no acquisition or construction of electrical facilities outside agency boundaries. Effective January 1, 1998.

A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county. The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization. This section does not apply to contracts or agreements solely involving two or more public agencies. This section does not apply to contracts for the transfer of nonpotable or nontreated water. This section does not apply to contracts or agreements solely involving the provision of surplus water to agricultural lands for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any

project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county. This section shall not apply to an extended service that a city or district was providing on January 1, 1994. This section does not apply to a local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services, which do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.

Amended, Statutes of 1999, chapter 779, section 1, SB 807 (Committee on Agriculture and Water Resources). Health or safety threats outside spheres.

New formant with sub-sections.

(a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization.

(c) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries and outside its sphere of influence to respond to an existing or impending threat to the public health or safety of the residents of the affected territory if both of the following requirements are met:

(1) The entity applying for the contract approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.

(2) The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, or sewer system corporation as defined in Section 230.6 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.

(d) This section does not apply to contracts or agreements solely involving two or more public agencies. This section does not apply to contracts for the transfer of nonpotable or nontreated water. This section does not apply to contracts or agreements solely involving the provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county. This section does not apply to an extended service that a city or district was providing on January 1, 1994. This section does not apply to a local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.

Amended, Statutes of 2000, chapter 761, section 47 AB 2838 (Hertzberg). The Local Governmental Reorganization Act of 2000. Effective January 1, 2001.

(a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization.

(c) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries and outside its sphere of influence to respond to an existing or impending threat to the public health or safety of the residents of the affected territory if both of the following requirements are met:

(1) *The entity applying for the contract approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.*

(2) *The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, or sewer system corporation as defined in Section 230.6 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.*

(d) The executive officer, within 30 days of receipt of a request for approval by a city or district of a contract to extend services outside its jurisdictional boundary, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request is determined not to be complete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete, unless the commission has delegated approval of those requests to the executive officer. The commission or executive officer shall approve, disapprove, or approve with conditions the contract for extended services. If the contract is disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.

(e) This section does not apply to contracts or agreements solely involving two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider. This section does not apply to contracts for the transfer of nonpotable or nontreated water. This section does not apply to contracts or agreements solely involving the provision of surplus water

to agricultural lands ~~for projects that serve conservation purposes~~ and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county. This section does not apply to an extended service that a city or district was providing on January 1, 1994. This section does not apply to a local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.

Amended, Statutes of 2002, chapter 548, section 6, AB 2227. Harman. Change of grandfathering date. Effective January 1, 2003.

(a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization.

(c) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries and outside its sphere of influence to respond to an existing or impending threat to the public health or safety of the residents of the affected territory if both of the following requirements are met:

(1) The entity applying for the contract approval has provided the commission with documentation of a threat to the health and safety

of the public or the affected residents.

(2) The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, or sewer system corporation as defined in Section 230.6 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.

(d) The executive officer, within 30 days of receipt of a request for approval by a city or district of a contract to extend services outside its jurisdictional boundary, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request is determined not to be complete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete, unless the commission has delegated approval of those requests to the executive officer. The commission or executive officer shall approve, disapprove, or approve with conditions the contract for extended services. If the contract is disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.

(e) This section does not apply to contracts or agreements solely involving two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider. This section does not apply to contracts for the transfer of nonpotable or nontreated water. This section does not apply to contracts or agreements solely involving the provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural

industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county. This section does not apply to an extended service that a city or district was providing on or before January 1, ~~1994~~ 2001. This section does not apply to a local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.

**Proposed Amendments to G.C. Section 56133
(Approved by the CALAFCO Board on April 29, 2011)**

(a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional ~~boundaries~~ boundary only if it first requests and receives written approval from the commission ~~in the affected county~~. The commission may delegate approval of requests made pursuant to subdivisions (b) and (c)(1) below to the Executive Officer.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional ~~boundaries~~ boundary but within its sphere of influence in anticipation of a later change of organization.

(c) If consistent with adopted policy, ~~the~~ commission may authorize a city or district to provide new or extended services outside its jurisdictional ~~boundaries~~ boundary and outside its sphere of influence under any of the following circumstances:

~~(1) to~~ (1) To respond to an existing or impending threat to the public health or safety of the residents of the affected territory if both of the following requirements are met:

~~(+A)~~ (A) The entity applying for ~~the contract~~ approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.

~~(2B)~~ (B) The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, or sewer system corporation as defined in Section 230.6 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.

(2) To support existing or planned uses involving public or private properties subject to approval at a noticed public hearing that includes all of the following determinations:

(A) The extension of service or service deficiency was identified and evaluated in a municipal service review prepared by the commission pursuant to section 56430.

(B) The effect of the extension of service would not result in adverse impacts on open space or agricultural lands or result in adverse growth inducing impacts.

(C) A later change of organization involving the subject property and the affected agency is not feasible or desirable based on the adopted policies of the commission.

(d) The executive officer, within 30 days of receipt of a request for approval by a city or district ~~of a contract~~ to extend services outside its jurisdictional boundary, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request is determined not to be complete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete, unless the commission has delegated approval of ~~those~~ requests made under this section to the executive officer. The commission or executive officer shall approve, disapprove, or approve with conditions the ~~contract for~~ extended services. If the extended services are ~~contract is~~ disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.

(e) This section does not apply to ~~contracts or agreements solely involving~~ two or more public agencies where the commission determines the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider.

~~(f)~~ This section does not apply to ~~contracts for~~ the transfer of nonpotable or nontreated water.

~~(g)~~ This section does not apply to ~~contracts or agreements solely involving~~ the provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county.

~~(h)~~ This section does not apply to an extended service that a city or district was providing on or before January 1, 2001.

~~(i)~~ This section does not apply to a local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.

~~(j)~~ The application of this section rests solely within the jurisdiction of the commission in the county in which the extension of service is proposed.

Government Code Section 56133
Outside agency service/Extraterritorial service

Legislative History (new language underlined, deleted language ~~crossed-out~~)

Introduced on March 3, 1993 in AB 1335 (Gotch). "The Gotch Bill" as drafted by CALAFCO.

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Added, Statutes of 1993, chapter 1307, section 2, AB 1335 (Gotch). "The Gotch Bill" as adopted by Legislature. Effective January 1, 1994.

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Amended, Statutes of 1994, chapter 654, section 2, AB 3350 (Gotch). One-year clean up of the Gotch Bill. Changing effective date of grandfathering clause to effective date of original Gotch Bill. Effective September 20, 1994.

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services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county. The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization. This section does not apply to contracts or agreements solely involving two or more public agencies. This section does not apply to contracts for the transfer of nonpotable or nontreated water. This section does not apply to contracts or agreements solely involving the provision of surplus water to agricultural lands for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county. This section shall not apply to an extended service that a city or district was providing on January 1, ~~1993~~ 1994.

Amended, Statutes of 1997, chapter 175, section 1, AB 637 (Alby)
Exempts local publicly owned power utility where no acquisition or construction of electrical facilities outside agency boundaries. Effective January 1, 1998.

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project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county. This section shall not apply to an extended service that a city or district was providing on January 1, 1994. This section does not apply to a local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services, which do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.

Amended, Statutes of 1999, chapter 779, section 1, SB 807 (Committee on Agriculture and Water Resources). Health or safety threats outside spheres.

New formant with sub-sections.

(a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization.

(c) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries and outside its sphere of influence to respond to an existing or impending threat to the public health or safety of the residents of the affected territory if both of the following requirements are met:

(1) The entity applying for the contract approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.

(2) The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, or sewer system corporation as defined in Section 230.6 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.

(d) This section does not apply to contracts or agreements solely involving two or more public agencies. This section does not apply to contracts for the transfer of nonpotable or nontreated water. This section does not apply to contracts or agreements solely involving the provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county. This section does not apply to an extended service that a city or district was providing on January 1, 1994. This section does not apply to a local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.

Amended, Statutes of 2000, chapter 761, section 47 AB 2838 (Hertzberg). The Local Governmental Reorganization Act of 2000. Effective January 1, 2001.

(a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization.

(c) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries and outside its sphere of influence to respond to an existing or impending threat to the public health or safety of the residents of the affected territory if both of the following requirements are met:

(1) *The entity applying for the contract approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.*

(2) *The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, or sewer system corporation as defined in Section 230.6 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.*

(d) The executive officer, within 30 days of receipt of a request for approval by a city or district of a contract to extend services outside its jurisdictional boundary, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request is determined not to be complete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete, unless the commission has delegated approval of those requests to the executive officer. The commission or executive officer shall approve, disapprove, or approve with conditions the contract for extended services. If the contract is disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.

(e) This section does not apply to contracts or agreements solely involving two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider. This section does not apply to contracts for the transfer of nonpotable or nontreated water. This section does not apply to contracts or agreements solely involving the provision of surplus water

to agricultural lands ~~for projects that serve conservation purposes~~ and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county. This section does not apply to an extended service that a city or district was providing on January 1, 1994. This section does not apply to a local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.

Amended, Statutes of 2002, chapter 548, section 6, AB 2227. Harman. Change of grandfathering date. Effective January 1, 2003.

(a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization.

(c) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries and outside its sphere of influence to respond to an existing or impending threat to the public health or safety of the residents of the affected territory if both of the following requirements are met:

(1) The entity applying for the contract approval has provided the commission with documentation of a threat to the health and safety

of the public or the affected residents.

(2) The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, or sewer system corporation as defined in Section 230.6 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.

(d) The executive officer, within 30 days of receipt of a request for approval by a city or district of a contract to extend services outside its jurisdictional boundary, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request is determined not to be complete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete, unless the commission has delegated approval of those requests to the executive officer. The commission or executive officer shall approve, disapprove, or approve with conditions the contract for extended services. If the contract is disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.

(e) This section does not apply to contracts or agreements solely involving two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider. This section does not apply to contracts for the transfer of nonpotable or nontreated water. This section does not apply to contracts or agreements solely involving the provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural

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