



Local Agency Formation Commission
LAFCO of Napa County

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August 6, 2007
Agenda Item No. 8b

July 27, 2007

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Legislative Report (Discussion)

The Commission will receive a report from staff on the current session of the California Legislature. The report summarizes the adopted legislative positions of CALAFCO and is being presented for discussion.

Staff is a member of the California Association of Local Agency Formation Commissions (CALAFCO) Legislative Committee. The Legislative Committee meets on a quarterly basis to review and offer legislative recommendations to the CALAFCO Board of Directors. The CALAFCO Board recently met to review the work of the Legislative Committee and consider positions on bills that have either a direct impact on LAFCO law or the laws LAFCO helps to administer.

CALAFCO has adopted “support” positions for five bills for the current 2007-2008 session. These bills are summarized below. Also summarized below are several bills CALAFCO is currently watching. CALAFCO does not oppose any bills at this time.

Support Positions

Senate Bill 819 (Dennis Hollingsworth)

Existing law establishes a sunset date on the authority of LAFCO to consolidate two or more special districts formed under different enabling acts. SB 819 removes the sunset date and expands the authority of LAFCO to initiate proposals for the formation of new special districts. SB 819 was chaptered on July 20, 2007.

Assembly Bill 745 (Jim Silva)

Existing law authorizes LAFCO to adopt written policies and procedures requiring lobbying disclosures for persons attempting to influence pending Commission decisions. AB 745 extends this authority by allowing LAFCO to require lobbying disclosures relating to a proposal for a change of organization or reorganization that *will* be submitted to the Commission. AB 745 was chaptered on July 20, 2007.

Jack Gingles, Chair
Mayor, City of Calistoga

Juliana Inman, Commissioner
Councilmember, City of Napa

Cindy Coffey, Alternate Commissioner
Councilmember, City of American Canyon

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

Bill Dodd, Commissioner
County of Napa Supervisor, 4th 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

Assembly Bill 1262 (Anna Caballero)

Existing law requires LAFCO to review and update each local agency's sphere of influence by January 1, 2008 and every five years thereafter as necessary. As part of this process, the law requires, until January 1, 2008, that the city and county meet to discuss the sphere of influence and to notify LAFCO of any agreement. (The code section states that LAFCO shall "give great weight" to an agreement reached between a city and county regarding a proposed sphere in making its own determination.) AB 1262 would remove the sunset date and make the city/county meeting requirement a permanent feature of LAFCO law. AB 1262 was enrolled on July 20, 2007 and is awaiting consideration by the Governor.

Assembly Bill 1263 (Anna Caballero)

Existing law requires LAFCO to conduct municipal service reviews and make specific determinations in anticipation of updating an agency's sphere of influence. AB 1263 would revise the determinations LAFCO is required to make as part of the service review process. AB 1263 would also eliminate the requirement for the Office of Planning and Research to prepare service review guidelines. Due to the lack of opposition, the contents of AB 1263 have been added to CALAFCO's omnibus bill (AB 1744).

Assembly Bill 1744 (Assembly Committee on Local Government)

AB 1744 is CALAFCO's omnibus bill and contains a number of technical and non-controversial changes to LAFCO law. AB 1744 has been placed on the Senate consent calendar for enrollment.

Watch Positions

Senate Bill 162 (Negrete McLeod)

Existing law requires LAFCO to address certain factors in considering proposals involving change of organizations or reorganizations. SB 162 would require LAFCOs to also consider the effect of the proposal with respect to "environmental justice." (State law defines environmental justice as the "fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.) SB 162 is currently under review in the Assembly.

Assembly Bill 1019 (Sam Blakeslee)

Existing planning and zoning laws in California require cities and counties to adopt general plans that include housing elements, which must provide a satisfactory plan for meeting their assigned regional housing needs. AB 1019 would authorize a city and county to reach a mutually acceptable agreement on a revised determination of regional housing needs as a result of an annexation if the annexation occurs after the affected council of governments (i.e., ABAG) has made its final allocations. In the event a city and county cannot reach a mutually acceptable agreement, AB 1019 would allow either party to request the council of governments to consider and make a revised determination. AB 1019 was enrolled on July 20, 2007 and is awaiting consideration by the Governor.

Senate Bill 167 (Negrete McLeod)

The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 allocates funds for appropriation by the Legislature for certain land use planning activities. This bill would authorize 90 million for specific planning activities relating to sustainable and smart growth, including grants and loans to LAFCOs to prepare and adopt municipal service reviews and spheres of influence. SB 167 has been turned into a two-year bill.

Senate Bill 301 (Gloria Romero)

SB 301 would provide funding to interested residents to commission a study on costs of incorporating a community. SB 301 has been turned into a two-year bill.

Assembly Bill 1646 (Mark DeSaulnier)

Existing law provides for the formation of hospital districts. AB 1646 would authorize for the formation of public health districts. However, unlike a hospital district, the formation of a public health district would not be subject to the Cortese-Knox-Local Government Reorganization Act of 2000. AB 1646 has been turned into a two-year bill.

Attachments: none