



**Lou Ann Teixeira**  
*Executive Officer*

**MEMBERS**

**Helen Allen**  
*City Member*

**Federal Glover**  
*County Member*

**Martin McNair**  
*Public Member*

**Gayle B. Uilkema**  
*County Member*

**Dwight Meadows**  
*Special District Member*

**David A. Piepho**  
*Special District Member*

**Rob Schroder**  
*City Member*

**ALTERNATE MEMBERS**

**William Bristow**  
*Public Member*

**George H. Schmidt**  
*Special District Member*

**Mary N. Piepho**  
*County Member*

**Don Tatzin**  
*City Member*

March 12, 2008 (Agenda)

Contra Costa Local Agency Formation Commission  
651 Pine Street, Sixth Floor  
Martinez, CA 94553

**Legislative Update**

Dear Members of the Commission:

**RECOMMENDATION**

Receive the Legislative Update.

**DISCUSSION**

On November 9, 2007, the CALAFCO Board of Directors adopted new Legislative Policies and Priorities for the Association (Attachment 1). **Policies** were adopted in the following areas:

- LAFCo purpose and authority
- LAFCo organization
- Agriculture and open space protection
- Orderly growth
- Service and local agency effectiveness

The Board established **Legislative Priorities** for 2008 include:

- Primary Issues
- Viability of Local Governments
- Authority of LAFCo
- Agricultural and Open Space Protection
- Water Availability

Issues of Interest include:

- Housing
- Transportation
- Flood Control

CALAFCO has an active legislative program, including a Legislative Committee, of which your staff is a member. CALAFCO is currently tracking 12 bills that affect LAFCo. Attachment 2 provides a quick summary of these 12 bills; and Attachment 3 provides a comprehensive overview of all bills of interest to LAFCo. The CALAFCO Legislative Report is updated daily and is available on the CALAFCO website at [www.calafco.org/members](http://www.calafco.org/members). The website also includes direct links to the various bills.

The next CALAFCO Legislative Committee meeting will be held on March 21, 2008 in Sacramento. Contra Costa LAFCO staff plans to attend.

Please contact the LAFCO office if you have any questions.

Sincerely,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER

Attachments

Attachment 1 – CALAFCO Legislative Policies and Priorities

Attachment 2 – CALAFCO Legislative Update

Attachment 3 – Summary of Current CALAFCO Legislation



# CALAFCO Legislative Policies

Adopted by the Board of Directors on 9 November 2007

## 1. LAFCo Purpose and Authority

- 1.1. Support legislation which enhances LAFCo authority and powers to carryout 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 addition of unrelated responsibilities which dilute LAFCo ability to meet its primary missions.
- 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 their own jurisdiction.

## 2. LAFCo Organization

- 2.1. Support the independence of LAFCo from local agencies.
- 2.2. Oppose the recomposition of any or all LAFCos without respect to the existing balance of powers that has evolved within each commission or the creation of specials seats on a LAFCo.
- 2.3. Support representation of special districts on all LAFCos 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 mitigate the preservation of agricultural and open space lands.
- 3.2. Encourage a consistent definition of agricultural and open spaces lands in law and application.
- 3.3. Support policies which encourage cities, counties and special districts to direct development away from prime agricultural 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.
- 4.2. Support adoption of LAFCo spheres by other agencies involved in determining 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 districts through a collaborative process that resolves service, housing, land use, and fiscal issues prior to application to LAFCo.

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

**5. Service and Local Agency Effectiveness**

- 5.1. Support the use of LAFCo resources to review regional growth plans and scenarios to ensure reliable services, orderly growth and sustainable communities, and that assure 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 authority to condition proposals that assure 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 its ability to efficiently deliver proposed services.
- 5.4. Support availability of tools for LAFCo to mitigate and ensure equitable distribution of revenues to local government agencies consistent with their service responsibilities.

**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 impacts of the proposal.

**Agriculture and Open Space Protection** Preservation of prime agriculture, open space, and natural habitats that maintain the quality of life in California. Support that recognizes LAFCo ability to protect prime agricultural and open space lands, and that encourage other agencies to coordinate with local LAFCos on preservation and orderly growth.

**Water Availability** Insure adequate water supplies and infrastructure planning for current and planned growth. Support policies that assist LAFCo in obtaining accurate data 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** Infrastructure impact of transportation systems on future growth and services needs, and ability of local agencies to provide future services.

**Flood Control** The ability and effectiveness of local agencies to maintain and improve levees, and the public safety of uninhabited flood risk territory proposed for annexation to urban areas. Support legislation that includes assessment of agency viability in decisions involving new funds for levee repair.

**2008 Legislative Priorities**

**Primary Issues**

**Viability of Local Governments** Support legislation that maintain or enhances LAFCo's ability to review and act to assure the efficient and sustainable delivery of local services and the 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.



# LEGISLATIVE UPDATE

Tuesday, 26 February 2008

This Legislative Update summarizes the bills introduced in the legislature through the Friday, 22 February deadline for introduction of new legislation. Of course bills may be amended or “gut and amended” through the legislative session. To date **1,226** bills have been introduced in the Assembly and **772** in the Senate ... and this is the second year of a two-year session! The vast majority of these were introduced last Thursday and Friday.

Next meeting of the CALAFCO Legislative Committee is **Friday, 21 March 2008** in Sacramento.

## **BILLS INTRODUCED WHICH AFFECT LAFCOS**

---

### **1. Bills Supported or Sponsored by CALAFCO** *(click on links for current bill text)*

- ◆ [AB 1998](#) (Silva) – Will move AB 745 financial disclosure requirements from LAFCo to the FPPC. *CALAFCO sponsored.*
- ◆ [AB 2484](#) (Caballero) – Special district change in organization and addition or divestiture of powers. *CALAFCO sponsored.*
- ◆ [SB 301](#) (Romero) – Extension and or elimination of the VLF subventions sunset for incorporations and inhabited annexations. *CALAFCO support.*
- ◆ [SB 1458](#) (Senate Local Government Committee) – This County Services Area rewrite that was developed by the working group which included CALAFCO.

### **2. Bills Opposed by CALAFCO**

- ◆ [SB 1131](#) (Cox) – Will add special seats to the Calaveras LAFCo. *CALAFCO opposes this bill.*

### **3. LAFCo-Related Bills with No CALAFCO Position at This Time**

- ◆ [AB 2278](#) (Aghazarian) – Would authorize a Fire Protection District to negotiate property tax exchange agreements on its own behalf.
- ◆ [AB 2367](#) (Fuentes) – Changes from two to five years the number of years a city must maintain the rezoning after an annexation.
- ◆ [AB 2499](#) (Smyth) – Eliminates the word “completely” in the §56744 language of surrounded in prohibiting a LAFCo from creating an island.
- ◆ [AB 2686](#) (Nara) – Forms the Santa Ynez Water District. This was previously related to an issue considered for the omnibus bill.

- ◆ [SB 1191](#) (Alquist) – Adds broadband service to list of Community Service District powers.

#### 4. Remaining Legislation

- ◆ **Omnibus Bill** – The CALAFCO omnibus bill is expected to be introduced by the Assembly Local Government Committee this week. Committee bills are not subject to the 22 February deadline.
- ◆ **AB 1263** (Caballero) – This is a remaining bill from last year that the author is holding for any CALAFCO legislation that does not qualify for the omnibus bill. Language can be amended into AB 1263 through the summer.

**California Association of Local Agency Formation Commissions  
SUMMARY OF CURRENT LAFCO LEGISLATION as of 3/2/2008**

1

**AB 1263**

**(Caballero) Local agency formation commissions: statement.**

**Last Amend:** 05/21/2007

**Status:** 06/07/2007-In committee: Set, first hearing. Hearing canceled at the request of author.

**Location:** 05/21/2007-S L. GOV.

Dead/2YR | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** This bill will implement the changes recommended by the Legislative Committee, based on the survey and discussions among member LAFCOs.

**Position:** Sponsor

**Priority:** 1

**Notes:** This bill was sponsored last year by CALAFCO. All of the MSR/SOI improvement were moved to the Omnibus bill and were signed into law. The bill is being held by the Assembly Local Government Committee for use by CALAFCO this year for any of our items that fall out of the Omnibus bill.

**AB 1998**

**(Silva) Political Reform Act of 1974: local agency formation commissions.**

**Last Amend:**

**Status:** 02/15/2008-From printer. May be heard in committee March 16.

**Location:** 02/14/2008-A PRINT

Dead/2YR | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** Existing law provides for the existence, in each county, of a local agency formation commission (LAFCO), an administrative body vested with the authority and responsibility to control the process of municipal expansion by overseeing local agency boundary changes, including the incorporation, annexation, and reorganization of cities and special districts. The LAFCO for each county reviews and approves or disapproves proposed local government changes of organization; and, under specified circumstances, the determinations of the LAFCO are subject to voter approval through the circulation of a signature petition and a subsequent ballot measure. This bill would impose on a committee formed to support or oppose a LAFCO proposal, as defined, requirements regarding the filing of campaign statements. The bill would require the committee to file monthly campaign statements from the time circulation of a petition begins until a measure is placed on the ballot or the committee is terminated. After a LAFCO proposal measure is placed on the ballot, the bill would require a committee formed to support or oppose the proposal to file those campaign statements required of other committees formed to support or oppose ballot measures under the Political Reform Act of 1974. This bill contains other related provisions and other existing laws.

**Position:** Sponsor

**Priority:** 1

**Notes:** This bill will move the financial disclosure requirements from LAFCO to the FPPC. It is sponsored by CALAFCO.

**AB 2484**

**(Caballero) Local government: special districts.**

**Last Amend:**

**Status:** 02/22/2008-From printer. May be heard in committee March 23.

**Location:** 02/21/2008-A PRINT

Dead/2YR | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 defines "change of organization" to mean, among other things, a district formation, a consolidation of cities or special districts, or a merger or establishment of a subsidiary district. This bill would include within the definition of "change of organization" a proposal for the exercise of new or different functions or classes of services, or the divestiture of the power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district. This bill contains other related provisions and other existing laws.

**Position:** Sponsor

**Priority:** 1

**Notes:** This bill was prepared by the Legislative Committee and sponsored by CALAFCO.

**AB 3047 (Committee on Local Government) Local agency formation commissions: notice requirements.**

**Last Amend:**

**Status:** 02/28/2008-From printer. May be heard in committee March 29.

**Location:** 02/27/2008-A PRINT

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Summary:** The Cortese-Knox-Hertzberg Act of 2000 requires the local agency formation commission in each county to review and approve or disapprove proposals for changes of organization or reorganization of cities and districts within the county. The legislative body of the affected local agency is authorized to adopt by resolution a proposal for a change of organization or a reorganization. At least 20 days before the adoption of the resolution of application for organization or reorganization, the legislative body is authorized to give mailed notice of its intention to do so to the commission and to each interested agency and each subject agency. All provisions in the act governing the time within which an official or the commission is to act are required to be deemed directory, rather than mandatory, except for notice requirements and the specified requirements for conducting a hearing in relation to an application to initiate proceedings. This bill would instead authorize the legislative body to give mailed notice of its intention to adopt a resolution of application at least 21 days before the adoption of the resolution to the commission and to each interested agency and each subject agency. The bill also would make a conforming addition to the exceptions to the requirement that the time within which an official or the commission is to act is to be deemed directory, rather than mandatory.

**Position:** Sponsor

**Priority:** 1

**Notes:** This is the annual CALAFCO Omnibus Bill that contains technical changes to the Cortese-Knox-Hertzberg Act. Additional items will be amended into the bill during the session.

**SB 301**

**(Romero) Local government finance.**

**Last Amend:** 01/18/2008

**Status:** 01/30/2008-In Assembly. Read first time. Held at Desk.

**Location:** 01/30/2008-A DESK

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Summary:** The Vehicle License Fee (VLF) Law establishes, in lieu of any ad valorem property tax upon vehicles, an annual license fee for any vehicle subject to registration in this state. Under existing law, the Controller is required to allocate VLF revenues in the Motor Vehicle License Fee Account in a specified order to, among others, each city that was incorporated from an unincorporated territory after August 5, 2004, but before July 1, 2009. Existing law also requires cities that were incorporated before August 5, 2004, be allocated additional VLF revenues in an amount determined pursuant to a specified formula. For purposes of this formula, existing law specifies that the population of a city that is incorporated before August 5, 2004, is that city's actual population, as defined, residing in areas annexed after August 5, 2004, but before July 1, 2009. This bill would require that cities that are incorporated from an unincorporated territory after August 5, 2004, but before July 1, 2014, be allocated VLF revenues. This bill would specify, for purposes of this formula used to determine additional VLF revenues for cities that were incorporated before August 5, 2004, that the city's actual population is the population residing in areas annexed after August 5, 2004. This bill contains other related provisions and other existing laws.

**Attachments:**

Support Letter

**Position:** Support

**Priority:** 1

**Notes:** This bill has been amended to remove the AB 1602 sunset on VLF subventions for annexations and provide a five year extension to the sunset for incorporations.

**SB 375 (Steinberg) Transportation planning: travel demand models: sustainable communities strategy: environmental review.**

**Last Amend:** 01/28/2008

**Status:** 01/28/2008-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on APPR.

**Location:** 01/28/2008-A APPR.

Dead/2YR | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** Existing law requires certain transportation planning activities by the Department of Transportation and by designated regional transportation planning agencies, including development of a regional transportation plan. Existing law authorizes the California Transportation Commission, in cooperation with the regional agencies, to prescribe study areas for analysis and evaluation. This bill would require the commission, by July 1, 2009, to adopt guidelines for travel demand models used in the development of regional transportation plans by certain transportation planning entities. The bill would require the Department of Transportation to assist the commission, on request, in this regard, and would impose other related requirements. This bill contains other related provisions and other existing laws.

**Position:** Watch  
**Priority:** 1

**SB 1131**

**(Cox) Local Agency Formation Commission: Calaveras County.**

**Last Amend:**

**Status:** 02/07/2008-To Com. on L.GOV. Set for hearing March 5.

**Location:** 02/07/2008-S L. GOV.

Dead/2YR | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Calendar:** 03/05/08 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

**Summary:** The Cortese-Knox Local Government Reorganization Act of 1985 prescribes the composition of members of a Local Agency Formation Commission (LAFCO), and specifies the procedures for the selection of members for independent special district representation on the commission. This bill would increase from 2 to 3 the independent special district representatives seated on the Calaveras County Local Agency Formation Commission, and would require one member to be a permanent seat filled by a member of the Board of Directors of the Calaveras County Water District. This bill contains other related provisions and other existing laws.

**Attachments:**

CALAFCO Letter of Opposition

**Position:** Oppose  
**Priority:** 1

**Notes:** If passed this would be the first time that a special district obtained a special and permanent seat on a LAFCo. Based on the principles of balance on a commission and that commissioners represent the community not any one appointing agency, CALAFCO has taken an oppose position.

**SB 1458**

**(Committee on Local Government) Local government: the County Service Area Law.**

**Last Amend:**

**Status:** 02/28/2008-To Com. on L.GOV.

**Location:** 02/28/2008-S L. GOV.

Dead/2YR | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** The County Service Area Law authorizes the formation of county service areas to provide authorized services, as specified. This bill would revise and recast the County Services Area Law and make conforming changes.

**Position:** Support  
**Priority:** 1

**Notes:** This bill is the culmination of the work of the CSA Rewrite Work Group, of which CALAFCO was a participant. It significantly overhauls the CSA law and brings it into conformance with CKH.

**AB 1764**

**(Blakeslee) Land use: agricultural use.**

**Last Amend:**

**Status:** 01/28/2008-Referred to Coms. on NAT. RES. and AGRI.

**Location:** 01/28/2008-A NAT. RES.

Dead/2YR | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** Existing law, for purposes of the Williamson Act, defines agricultural use to mean the use of

land for the purposes of producing an agricultural commodity for commercial purposes. This bill would include in the definition of agricultural use producing plant products for biofuels. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Priority:** 2

**AB 1992 (DeVore) Public resources: unauthorized use.**

**Last Amend:**

**Status:** 02/15/2008-From printer. May be heard in committee March 16.

**Location:** 02/14/2008-A PRINT

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Summary:** Existing law makes it unlawful for any elected state or local officer, appointee, employee, or consultant to use, or permit others to use, state resources for a campaign activity, or personal or other purposes that are not authorized by law. Existing law also provides that the incidental and minimal use of state resources is not unlawful. This bill would expand these provisions to prohibit any elected official, officer, director, appointee, employee, agent, or consultant of any state or local agency, or any organization or association that represents local agencies that is funded, in whole or in part, by dues or other voluntary payments made by local agencies from using, or permitting others to use, state resources for a campaign activity, or personal or other purposes that are not authorized by law. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Priority:** 2

**Notes:** This bill would include LAFCo commissioners, staff, consultants and CALAFCO.

**AB 2367 (Fuentes) Local government: local agency formation commissions.**

**Last Amend:**

**Status:** 02/22/2008-From printer. May be heard in committee March 23.

**Location:** 02/21/2008-A PRINT

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Summary:** Existing law authorizes the local agency formation commission to approve the annexation of unincorporated territory consistent with the planned and probable use of the property based upon the review of general plan and rezoning designations. Existing law prohibits subsequent changes to the general plan for the annexed territory or zoning that is not in conformance to the rezoning designations for a period of 2 years after the completion of the annexation, unless the legislative body of the city makes a finding that a substantial change has occurred in the circumstances that necessitate a departure from the rezoning in the application to the commission, as specified. This bill would instead prohibit subsequent changes to the general plan for the annexed territory or zoning that is not in conformance to the rezoning designations for a period of 5 years after the completion of the annexation.

**Position:** None at this time

**Priority:** 2

**Notes:** This bill would change the number of years a city must wait to change the zoning of an annexed parcel from 2 to 5 years and removes the ability of a city to hold a public hearing to exempt itself from this provision.

**AB 2499 (Smyth) Local agency formation: incorporation or annexation.**

**Last Amend:**

**Status:** 02/22/2008-From printer. May be heard in committee March 23.

**Location:** 02/21/2008-A PRINT

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Summary:** Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, governs the procedures for the formation, change of organization, and reorganization of cities and special districts. That act also provides, unless otherwise determined by the local agency formation commission, that territory shall not be incorporated into, or annexed to, a city, if, as a result of that incorporation or annexation, unincorporated territory is completely surrounded by that city or by territory of that city, on one or more sides and the Pacific Ocean on the remaining sides. This bill would delete "completely" from this prohibition and thereby provide that, unless otherwise determined by the commission, territory shall not be incorporated into, or annexed to a city if, as a result of that incorporation or annexation, unincorporated territory is surrounded by that city or by territory of that city on one or more sides and the Pacific Ocean on the remaining sides.

**Position:** None at this time

**Priority:** 2

**Notes:** This bill would eliminate the word "completely" from the definition of surrounded in GC 56744. It appears to be a spot bill at this time.

**SB 1061 (Committee on Local Government) Validations.**

**Last Amend:**

**Status:** 02/28/2008-In Assembly. Read first time. Held at Desk.

**Location:** 02/28/2008-A DESK

Dead/2YR | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** This bill would enact the First Validating Act of 2008, 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 Letter of Support

**Position:** Support

**Priority:** 2

**SB 1062 (Committee on Local Government) Validations.**

**Last Amend:**

**Status:** 02/28/2008-In Assembly. Read first time. Held at Desk.

**Location:** 02/28/2008-A DESK

Dead/2YR | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** This bill would enact the Second Validating Act of 2008, 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 Letter of Support

**Position:** Support

**Priority:** 2

**SB 1063 (Committee on Local Government) Validations.**

**Last Amend:**

**Status:** 02/28/2008-In Assembly. Read first time. Held at Desk.

**Location:** 02/28/2008-A DESK

Dead/2YR | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** This bill would enact the Third Validating Act of 2008, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Attachments:**

CALAFCO Letter of Support

**Position:** Support

**Priority:** 2

**SB 1191 (Alquist) Local government: community service districts: broadband access.**

**Last Amend:**

**Status:** 02/20/2008-To Com. on L.GOV.

**Location:** 02/20/2008-S L. GOV.

Dead/2YR | 1st Desk | 1st Policy | 1st Fiscal | 1st Floor | 2nd Desk | 2nd Policy | 2nd Fiscal | 2nd Floor | Conf./Conc. | Enrolled | Vetoed | Chaptered

**Summary:** Existing law authorizes a community services district to be formed to, among other things, provide fire protection services, organize, promote, conduct, and advertise programs of community recreation, provide transportation services, abate graffiti, and construct, maintain, and operate mailboxes. This bill would authorize a community services district to acquire, own, improve, maintain, and operate broadband facilities and to provide broadband services, until a private person or entity is ready, willing, and able to acquire, construct, improve, maintain, and operate broadband facilities and to provide broadband services, and to sell those services at a comparable cost and quality of service to the district and its property owners, residents, and visitors.

**Position:** None at this time

**Priority:** 2

**Notes:** This was a power discussed during the CSD rewrite. It was removed from the list of powers based on the strong objection from private broadband service providers.

3

**AB 242 (Blakeslee) Land use: annexation: housing.**

**Last Amend:** 01/24/2008

**Status:** 02/07/2008-Referred to Com. on T. & H.

**Location:** 02/07/2008-S T. & H.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Calendar:** 03/11/08 1:30 p.m. - John L. Burton Hearing Room (4203) SEN TRANSPORTATION AND HOUSING

**Summary:** The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 authorizes local governments to annex portions of territory to other local governments, as specified. This bill would revise provisions governing the process for making the transfer of the county's regional housing needs allocation to the city. This bill contains other existing laws.

**Position:** None at this time

**Priority:** 3

**Notes:** In 2007 AB 1019 (Blakeslee) was signed into law. It was intended to address an issue in Santa Barbara County, however it now appears there are some potential unintended consequences related to when an annexing city and the county have to agree on any RHNA transfers. This bill is intended to clean up the process. LAFCo continues to have no role or responsibility in RHNA transfers in annexations as a result of this bill.

**AB 842 (Jones) Regional plans: traffic reduction.**

**Last Amend:** 01/17/2008

**Status:** 02/07/2008-Referred to Com. on T. & H.

**Location:** 02/07/2008-S T. & H.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Summary:** Existing law authorizes the California Transportation Commission to establish guidelines for the preparation of regional transportation plans. This bill would require the commission to update its guidelines for the preparation of regional transportation plans, including a requirement that each regional transportation plan provide for a 10% reduction in the growth increment of vehicle miles traveled. This bill contains other related provisions and other existing laws.

**Position:** None at this time

**Priority:** 3

**AB 2046 (Jones) Water supply assessments: groundwater.**

**Last Amend:**

**Status:** 02/28/2008-Referred to Com. on W.,P. & W.

**Location:** 02/28/2008-A W.,P. & W.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Summary:** Existing law requires a city or county that determines a project, as defined, is subject to the California Environmental Quality Act to identify any public water system that may supply water for the project and to request those public water systems to prepare a specified water supply assessment. If no public water system is identified, the city or county is required to prepare the water supply assessment. Existing law requires, if a water supply for a proposed project includes groundwater, that certain additional information be included in the water supply assessment, including a detailed description and analysis of the amount and location of groundwater that is projected to be pumped and an analysis of the sufficiency of the groundwater from the basin or basins from which the proposed project will be supplied to meet the projected water demand associated with the proposed project. This bill would require the water supply assessment to exclude from the amount of groundwater projected to be pumped and the groundwater included in the sufficiency analysis any source of groundwater that has not been determined by the State Department of Public Health or a local health officer to have been treated to the treatment standard applicable to the proposed use. By imposing new duties on cities and counties and local health officers with respect to that determination, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position:** None at this time  
**Priority:** 3

**AB 2182 (Caballero) Regional and local land use plans.**

**Last Amend:**

**Status:** 02/21/2008-From printer. May be heard in committee March 22.

**Location:** 02/20/2008-A PRINT

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Summary:** The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 allocates \$580,000,000 for revitalizing communities and making them more sustainable and livable by investing in sound land use planning, local parks, and urban greening, and specifically authorizes \$90,000,000 for planning grants and incentives to encourage, among other things, the development of specified regional and local land use plans. The act also requires that these funds be made available upon appropriation by the Legislature. This bill would establish the Sustainable Communities Regional and Local Land Use Planning Program within the Office of Planning and Research, and would allocate unspecified sums from the \$90,000,000 made available under the act for planning grants and incentives for the development of specified regional and local land use plans, for grants and loans to local governments, councils of governments, and other public agencies for these purposes, subject to specified criteria.

**Position:** None at this time

**Priority:** 3

**Notes:** This bill would provide-among other things-funds to COGs to prepare blueprint plans. CALAFCO should request that LAFCos be added to the list of agencies consulted for guidelines.

**AB 2230 (La Malfa) California Environmental Quality Act: filing fees and exemptions.**

**Last Amend:**

**Status:** 02/21/2008-From printer. May be heard in committee March 22.

**Location:** 02/20/2008-A PRINT

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Summary:** The California Environmental Quality Act (CEQA) declares legislative intent that all agencies of state government which regulate activities of private individuals, corporations, and public agencies which are found to affect the quality of the environment, give consideration to preventing environmental damage when regulating those activities. CEQA requires all lead agencies, as defined, to prepare an environmental impact report for any project which may have a significant effect on the environment. Existing law requires all project applicants and public agencies subject to CEQA to pay the filing fee for each proposed project, unless the project has no effect on fish or wildlife, the project is being undertaken by the department, or the project costs are payable to the department from specified sources. Existing law requires the Department of Fish and Game to impose and collect these filing fees, in prescribed amounts, to defray the costs of managing and protecting fish and wildlife trust resources. This bill would revise those exemptions from the payment of the filing fee to instead exempt a project that the lead agency has determined will have no effect on fish and wildlife, and also exempt from the payment of filing fee a project being undertaken by a public agency or the department.

**Position:** None at this time

**Priority:** 3

**Notes:** This bill would revise the CEQA exemptions from payment of the Fish & Game filing fee to exempt a project that the lead agency has determined will have no effect on fish and wildlife, and also exempt from the payment of filing fee for a project being undertaken by a public agency or the department.

**AB 2278 (Aghazarian) Local agencies.**

**Last Amend:**

**Status:** 02/22/2008-From printer. May be heard in committee March 23.

**Location:** 02/21/2008-A PRINT

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Summary:** Existing property tax law requires, in the event that a jurisdictional change affects the service area or service responsibility of one or more special districts, the board of supervisors of the county or counties in which the districts are located to negotiate any exchange of property tax revenues on behalf of the district or districts. This bill would authorize a fire protection district, as specified, to negotiate any exchange of property tax revenues on its own behalf when a jurisdictional change occurs that affects its service area or service responsibility.

**Position:** None at this time

**Priority:** 3

**Notes:** This bill would allow Fire Protection Districts to negotiate their own property tax exchange agreement in the event of an annexation or detachment, rather than the Board of Supervisors.

**AB 2686**

**(Nava) Santa Ynez Valley Water District.**

**Last Amend:**

**Status:** 02/25/2008-Read first time.

**Location:** 02/22/2008-A PRINT

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Summary:** Existing law authorizes various public entities, including special districts, to provide water service and regulate groundwater. This bill would enact the Santa Ynez Valley Water District Act. The bill would establish the Santa Ynez Valley Water District in Santa Barbara County. The bill would prescribe the composition of the board of directors of the district. The bill would specify the district's boundaries, powers, and purposes. The district would succeed to the powers, duties, responsibilities, obligations, liabilities, and jurisdiction of Improvement District No. 1 within the Santa Ynez River Water Conservation District, which entity would cease to exist. This bill contains other related provisions and other existing laws.

**Position:** None at this time

**Priority:** 3

**SB 303**

**(Ducheny) Local government: land use planning.**

**Last Amend:** 06/25/2007

**Status:** 07/03/2007-Set, first hearing. Held under submission.

**Location:** 07/03/2007-A L. GOV.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Summary:** The Planning and Zoning Law requires a city, county, or city and county to adopt a comprehensive, long-term general plan for the physical development of the city, county, or city and county that addresses a number of elements, including, among other things, a housing and an open-space element. Existing law provides that the general plan may be adopted as a single document or as a group of documents relating to subjects or geographic segments of the planning area. This bill would require the general plan, and each of its elements to encompass a planning and projection period of at least 20 years, except for the housing element, and would require each element, except for the housing, conservati on, and open-space elements, to be updated at least every 10 years. The bill would require the housing element to be updated as specified, and would require the conservation element and the open-space element to be updated concurrently with the housing element. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Priority:** 3

**SB 378**

**(Steinberg) Disaster Preparedness and Flood Prevention Bond Act of 2006.**

**Last Amend:** 06/04/2007

**Status:** 06/19/2007-To Com. on W.,P. & W.

**Location:** 06/19/2007-A W.,P. & W.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Summary:** The Disaster Preparedness and Flood Prevention Bond Act of 2006, which was enacted by the Legislature and approved by the voters at the November 7, 2006, statewide general election, authorizes the expenditure of \$4,090,000,000 in bond funds for specified disaster preparedness and flood prevention projects. Those projects include projects for the evaluation, repair, rehabilitation, reconstruction, or replacement of levees, weirs, bypasses, and facilities of the State Plan of Flood Control; improving or adding facilities to the State Plan of Flood Control to increase levels of flood prevention for urban areas; reducing the risk of levee failure in the delta; and protection, creation, and enhancement of flood protection corridors and bypasses through specified actions. The bill would require the Department of Water Resources (department), when evaluating levees and facilities pursuant to a specified project, to include an evaluation of the risk of the levees and facilities failing due to a seismic event. In implementing the projects for the protection, creation, and enhancement of flood protection corridors and bypasses through specified actions, the bill would require the department to give priority for projects and expenditures that result in a systemwide reduction of flood risks and for projects that address the needs of disadvantaged communities, as the bill would define that term. A grant program that would provide bond funds to rehabilitate, reconstruct, replace, or improve existing

flood levees, or construct new flood levees, or other management facilities that are a part of the State Plan of Flood Control would be required to comply with specified requirements. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Priority:** 3

**SB 732 (Steinberg) Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.**

**Last Amend:** 09/07/2007

**Status:** 09/10/2007-Placed on inactive file on request of Assembly Member Bass.

**Location:** 09/10/2007-A INACTIVE FILE

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Summary:** (1) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative statute approved by the voters at the November 7, 2006, statewide general election, among other things, makes \$580,000,000 in bond funds available for improving the sustainability and livability of the state's communities through investment in natural resources. This bill would require the various departments that are to implement the provisions of the initiative, among other things, to develop and adopt guidelines and regulations, consult with other entities, conduct studies, and follow certain procedures for establishing a project, or grant or loan program implementing the initiative. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Priority:** 3

**Notes:** CALAFCO had been following SB 167 (Negrete McLeod) which allocates some of the Proposition 84 funds as planning grants and loans. SB 167 died in the Senate Appropriations Committee.

However, most (but not all) of the programs created by SB 167 are now part of SB 732 (Steinberg), as amended May 25. While LAFCo is mentioned in the introduction, the bill no longer provides opportunities for LAFCos to seek some funds to assist with MSRs.

**SB 1732 (Romero) Local agencies.**

**Last Amend:**

**Status:** 02/25/2008-Read first time.

**Location:** 02/22/2008-S PRINT

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
----------	----------	------------	------------	-----------	----------	------------	------------	-----------	-------------	----------	--------	-----------

**Summary:** The Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and all persons be permitted to attend unless a closed session is authorized. The act prohibits any use of direct communication, personal intermediaries, or technological devices that is employed by a majority of the members of the legislative body to develop a collective concurrence as to action to be taken on an item, with an exception for an authorized teleconference. An appellate court in Wolfe v. City of Fremont (2006) 144 Cal.App.4th 533 held that a violation of this prohibition occurs only if a series of meetings by members of a body results in a collective concurrence. This bill would instead prohibit a majority of members of a legislative body of a local agency from using a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. It also would state the Legislature's declaration that it disapproves the holding of the court in the case named above to the extent it construes the prohibition on serial meetings and would state its intention that the changes made by this bill supersede that holding. This bill contains other related provisions and other existing laws.

**Position:** None at this time

**Priority:** 3

Total rows: 27