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Executive Officer

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March 11, 2009 (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

CALAFCO has an active legislative program, including a Legislative Committee, of which your staff is a member. In November 2008, the CALAFCO Legislative Committee kicked off the 2009-10 legislative session. The committee met again in January 2009, to formulate a list of legislative items/issues to submit to the Legislature.

In general, CALAFCO legislative items fall into the following categories:

1. *Omnibus items*: These are technical, non substantial edits to the Cortese-Knox-Hertzberg Act (“CKH Act”) or other LAFCO related laws (e.g., numbering errors, misspellings, incorrect cross references, etc.).
2. *Significant changes in law*: These are significant changes to the CKH Act or other LAFCO related laws. For example, this year CALAFCO will seek legislation to revise the financial disclosure language in the CKH Act; change requirements for railroad landowner agreement to annexations; and other potential legislation.
3. *Other*: These are other legislative ideas. For example, other ideas discussed this year include growth in unincorporated areas, authority for agricultural mitigation, and policy issues relating to the implementation of SB 375.

February 27, 2009 was the deadline for introducing bills into the 2009-10 legislative session; we understand that over 2,600 bills were introduced. The CALAFCO Executive Director reports that there are approximately 28 bills of interest to CALAFCO; many of which are currently spot bills. The list of bills of interest to CALAFCO is attached and is also available on the CALAFCO website.

The bills are grouped by priority: *Priority 1* - bills that CALAFCO sponsored, supports or will have a significant effect on LAFCOs; *Priority 2* - bills that affect individual LAFCOs, those which affect special district principle acts, and other bills that may impact LAFCO processes; and *Priority 3* - bills that may be of interest to or have an indirect effect on LAFCOs, and legislation that may impact administrative functions, such as changes to the Brown Act or employment law.

In addition, listed below is a brief update of legislation that CALAFCO has been working on.

1. **Financial Disclosure:** [AB 528 \(Silva\)](#), as introduced, will clean up the financial disclosure language in the CKH Act to conform to legislative changes made in 2008 to the Political Reform Act (AB 1998). CALAFCO is working with Fair Political Practices Commission staff on amendments.
2. **Senate Omnibus Bill:** [SB 113 \(Senate Local Government Committee\)](#) currently contains three items requested by CALAFCO. CALAFCO is working with Senate Committee staff on these and other amendments.
3. **Assembly Omnibus Bill:** The Assembly Local Government Committee has not yet introduced its Omnibus bill. The deadline for Committee bills is later this month. The Republican Caucus has agreed to include a number of CALAFCO's proposals in addition to technical changes to the CKH Act, including adding a one-year window to establish a sphere of influence (SOI) for a new district; adding permissive language to the Revenue & Taxation law that would allow a LAFCO to proceed with processing an annexation when a master property tax exchange agreement is already in place; and clarification of the protest process including recommendations from a recent San Mateo court decision.
4. **Conform CKH Act to SB 375:** [SB 215 \(Wiggins\)](#) Senator Wiggins, Chair of the Senate Local Government Committee, introduced legislation to conform the CKH Act to SB 375.
5. **Distribution of Liabilities:** [AB 1109 \(Blakeslee\)](#) was introduced as a spot bill pending further discussion with CALAFCO and other stakeholders. This is an attempt to further clarify the process and role of LAFCOs in dealing with agency liabilities in a dissolution or disincorporation.

In addition to the above, there are several pending CALAFCO legislative items which have not yet been placed into proposed legislation.

The CALAFCO Legislative Report is updated daily and is available on the CALAFCO website at 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 26.

Please contact the LAFCO office if you have any questions.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment - Summary of Current CALAFCO Legislation

California Association of Local Agency Formation Commissions

SUMMARY OF CURRENT LAFCo LEGISLATION as of 3/2/2009

[AB 528 \(Silva\)](#) Local government: reorganization: expenditure reporting.

Last Amend:

Status: 02/26/2009-From printer. May be heard in committee March 28.

Location: 02/25/2009-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
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Summary: Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act requires contributions and expenditures for political purposes on boundary changes approved by a local agency formation commission be disclosed and reported to the commission to the same extent and subject to the same requirements of the Political Reform Act of 1974 as provided for local initiative measures. This bill would revise these provisions to require the expenditures to be disclosed and reported pursuant to the Political Reform Act of 1974.

Position: Sponsor

Priority: 1

Notes: This CALAFCO sponsored bill conforms C-K-H financial disclosure requirements with the provisions in the Political Reform Act that were signed into law last year from AB 1998, which CALAFCO also sponsored.

[AB 1109 \(Blakeslee\)](#) The Cortese-Knox-Hertzberg Act of 2000.

Last Amend:

Status: 02/27/2009-Introduced. To print.

Location: 02/27/2009-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
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Summary: Existing law makes various findings and declarations regarding boundaries, community development, available housing, and development within the state. This bill would make a technical, nonsubstantive change to this provision.

Position: None at this time

Priority: 1

Notes: Placeholder bill for legislation clarifying LAFCos role in allocating liabilities of local agencies in a dissolution or disincorporation.

[SB 113\(Committee on Local Government\)](#) Local Government Omnibus Act of 2009.

Last Amend:

Status: 02/09/2009-Set for hearing April 15.

Location: 02/05/2009-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
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Calendar: 04/15/09 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

Summary: Existing law authorizes the board of supervisors of a county to acquire and convey property to the United States for use for any military purpose authorized by any law of the United States, as specified. This bill would repeal these provisions. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Support Letter](#)

Position: Support

Priority: 1

Notes: The Senate Local Government Bill makes non substantial changes to local government laws other than CKH. CALAFCO has a number of items in the 2009 bill.

[SB 163\(Cox\)](#) Local government: reorganization.

Last Amend:

Status: 02/15/2009-From print. May be acted upon on or after March 17.

Location: 02/14/2009-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
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Summary: Existing law, for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, makes various legislative findings and declarations regarding the use of local government reorganization. This bill would make a technical, nonsubstantive change to that provision.

Position: Watch

Priority: 1

Notes: This bill is a placeholder for an unidentified change to Cortese-Knox-Hertzberg.

[SB 215\(Wiggins\)](#) Local government: organization.

Last Amend:

Status: 02/24/2009-From print. May be acted upon on or after March 26.

Location: 02/23/2009-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
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Summary: Existing law, the Cortese-Knox-Hertzberg Act, requires a local agency formation commission, when reviewing a proposal for a change of organization or reorganization, to consider specified factors, including the proposal's consistency with city or county general and specific plans. This bill would modify that factor so that a commission would be required to consider the proposal's consistency with city or county general and specific plans, and any applicable transportation plan, when reviewing a proposal for a change of organization or reorganization. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: 1

Notes: Adds the SB 375 required "Sustainable Communities Strategy" and "Alternative Planning Strategy" to the factors a LAFCo must consider in reviewing applications in GC 56668 (g) and eliminates the now obsolete GC 56668.5 which allowed LAFCo to consider regional growth goals and policies.

[AB 432\(Nestande\)](#) Municipal utility districts.

Last Amend:

Status: 02/25/2009-From printer. May be heard in committee March 27.

Location: 02/24/2009-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
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Summary: The existing Municipal Utility District Act authorizes any public agency, as defined, together with unincorporated territory, or 2 or more public agencies, to organize and incorporate as a municipal utility district with the government of the district vested in a board of directors together with other officers as provided by the act. This bill would state the intent of the Legislature to enact legislation to reform the manner in which municipal utility districts are organized.

Position: None at this time

Priority: 2

Notes: Placeholder bill which states the intent of the Legislature to change the manner in which MUD are organized.

[AB 853\(Arambula\)](#) Local agencies: small community water systems.

Last Amend:

Status: 02/26/2009-Read first time. To print.

Location: 02/26/2009-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
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Summary: Existing law defines "small community water system" to mean a community water system that serves no more than 3,300 service connections or a yearlong population of no more than 10,000 persons. Under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the local area formation commission is responsible for the conducting organization and reorganization proceedings for special districts, as specified. This bill would require the local agency formation commission to conduct a feasibility review for the consolidation of a small community water system with one or more of the water systems in the county, if the board of supervisors of the county receives a written complaint from

a resident or group of residents of a small community water system, and a majority of the board votes to require the report by the commission.

Position: None at this time

Priority: 2

Notes: This bill would require LAFCo to conduct a feasibility review for the consolidation of a small community water system with one or more of the water systems in the county, if the board of supervisors of the county receives a written complaint from a resident or group of residents of a small community water system, and a majority of the board votes to require the report by the commission.

[AB 1172\(Galgiani\)](#) Eastern San Joaquin County Water District.

Last Amend:

Status: 02/27/2009-Introduced. To print.

Location: 02/27/2009-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
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Summary: Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, establishes procedures for the consolidation of special districts. 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 specify the powers and purposes of the Eastern San Joaquin County Water District on and after the date on which the San Joaquin Local Agency Formation Commission approves the consolidation of the Stockton-East Water District and the Central San Joaquin Water Conservation District. The bill would state the findings and declarations of the Legislature concerning the need for special legislation.

Position: None at this time

Priority: 2

[AB 1232\(Huffman\)](#) Local agency formation commissions: service reviews.

Last Amend:

Status: 02/27/2009-Introduced. To print.

Location: 02/27/2009-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
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Summary: Existing law establishes in each county a local agency formation commission. The commission is required to develop and determine the sphere of influence of each local governmental agency within the county and to enact policies designed to promote the logical and orderly development of areas within the sphere. Existing law requires the commission to conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission, make specific determinations, and prepare a written statement of those determinations. This bill would require a commission to make and include in the written statement projected cost and budget increases associated with future regulatory requirements, including, but not limited to, infrastructure replacement and upgrades. By increasing the duties of a local agency formation commission, 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: 2

Notes: This is a placeholder bill for potential legislation that may affect reviews and/or consolidation of wastewater districts in Marin County.

[AB 1436\(Portantino\)](#) Hospital districts.

Last Amend:

Status: 02/27/2009-Introduced. To print.

Location: 02/27/2009-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
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Summary: The existing Local Health Care District Law provides for the formation of local health care districts and specifies district powers, including the power to establish, maintain, and operate, or provide assistance in the operation of, one or more health facilities, or health services, including, but not limited to, outpatient programs, services, and facilities retirement programs, services, and facilities or other health care programs, services, and facilities and activities at any location within or without the district for the benefit of the district and the people served by the district. This bill would provide that this power includes ownership and would revise the definition of health care facilities for purposes of this power to expressly include public hospitals, as defined.

Position: None at this time
Priority: 2

Notes: Adds ownership of public hospitals to the powers of hospital districts.

[SB 101](#)(Committee on Local Government) Validations.

Last Amend:

Status: 02/09/2009-Set for hearing March 4.

Location: 02/05/2009-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
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Calendar: 03/04/09 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

Summary: This bill would enact the First Validating Act of 2009, 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

Priority: 2

Notes: Annual bills which validate errors and omissions made by local officials, including the boundaries of all local agencies.

[SB 102](#)(Committee on Local Government) Validations.

Last Amend:

Status: 02/09/2009-Set for hearing March 4.

Location: 02/05/2009-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
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Calendar: 03/04/09 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

Summary: This bill would enact the Second Validating Act of 2009, 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

Priority: 2

Notes: Annual bills which validate errors and omissions made by local officials, including the boundaries of all local agencies.

[SB 103](#)(Committee on Local Government) Validations.

Last Amend:

Status: 02/09/2009-Set for hearing March 4.

Location: 02/05/2009-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
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Calendar: 03/04/09 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

Summary: This bill would enact the Third Validating Act of 2009, 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

Priority: 2

Notes: Annual bills which validate errors and omissions made by local officials, including the boundaries of all local agencies.

[SB 162\(Cox\)](#) Local government: fire suppression.

Last Amend:

Status: 02/15/2009-From print. May be acted upon on or after March 17.

Location: 02/14/2009-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
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Summary: Existing law, for the purposes of assessments for fire suppression, defines fire suppression to mean firefighting and fire prevention, including, but not limited to, vegetation removal or management undertaken, in whole or in part, for the reduction of a fire hazard. This bill would make a technical, nonsubstantive change to this provision.

Position: Watch

Priority: 2

Notes: This is likely a placeholder for a more substantial change to fire agency law.

[SB 211\(Simitian\)](#) Regional district: County of Santa Cruz.

Last Amend:

Status: 02/24/2009-From print. May be acted upon on or after March 26.

Location: 02/23/2009-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
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Summary: Existing law generally authorizes the formation of a district by a petition requesting the creation and maintenance of a district, describing the exterior boundaries, signed by at least 5,000 electors residing within the territory proposed to be included in the district, and presented to the board of supervisors of the county containing the largest area within the proposed district. This bill, in addition, would permit the formation of a regional district in the County of Santa Cruz to be initiated by a resolution of the county board of supervisors, after a hearing noticed in accordance with specified procedures, in lieu of the petition and related proceedings required under the above provisions. This bill contains other existing laws.

Position: None at this time

Priority: 2

Notes: Allows Santa Cruz Board of Supervisors to create a park and open space district outside of LAFCo process.

[SB 263\(Strickland\)](#) Local government: community service districts.

Last Amend:

Status: 02/25/2009-From print. May be acted upon on or after March 27.

Location: 02/24/2009-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
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Summary: Existing law, the Community Services District Law, authorizes the establishment of community services districts to provide various services to the geographic area within each district, and further authorizes specified community services districts that own roads that are not formally dedicated to, or kept open for use by, the public for the purpose of vehicular travel, to limit access to those roads to the landowners and residents of that district. This bill would include the Santa Rita Hills Community Services District as one of the specified community services districts authorized to limit access to roads it owns to the landowners and residents of that district.

Position: None at this time

Priority: 2

Notes: Adds the Santa Rita Hills CSD as one of the specified community services districts authorized to limit access to roads it owns to the landowners and residents of that district.

[AB 9\(John A. Perez\)](#) Political Reform Act of 1974: expenditures.

Last Amend:

Status: 02/05/2009-Referred to Com. on E. & R.

Location: 02/05/2009-A E. & R.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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Summary: Under the Political Reform Act of 1974, an "expenditure" means a payment, a forgiveness of a loan, a payment of a loan by a 3rd party, or an enforceable promise to make a payment, unless it is clear from the surrounding circumstances that it is not made for political purposes. Under the act, a candidate or committee that makes an independent expenditure totaling \$1,000 or more in a calendar year to support or oppose a measure or qualification of a

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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Summary: The Planning and Zoning Law requires a city or county general plan to include specified mandatory elements, including a conservation element that considers, among other things, the identification of rivers, creeks, streams, flood corridors, riparian habitat, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management and a discussion and evaluation of water supply and demand. Before adopting or amending the general plan, the planning agency is required to refer the proposed action to specified entities. This bill would require the planning agency to additionally notify the California regional water quality control board servicing the area before adopting or amending the general plan. The bill would require the regional board, upon receiving this notice, to provide the planning agency with certain information regarding implementation of low-impact development water management to increase local water supplies by increasing stormwater recharge and reuse. By imposing new duties on local public officials, the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: None at this time

Priority: 3

[AB 466\(Coto\)](#) Santa Clara Valley Water District.

Last Amend:

Status: 02/25/2009-From printer. May be heard in committee March 27.

Location: 02/24/2009-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
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Summary: The Santa Clara Valley Water District Act establishes the Santa Clara Valley Water District and specifies its powers and purposes relating to water supply and flood management. The act requires the board of the district, until January 1, 2010, to consist of 2 directors who are appointed and 5 directors who are elected in accordance with specified procedures. The act requires the board of directors, on and after January 1, 2010, to consist of 5 directors who are elected in accordance with specified procedures. This bill would repeal certain provisions of the act relating to the board of the district. The bill would revise the composition of the board of the district by requiring the board to transition to an all-elected board that consists, on and after noon on January 3, 2011, of 7 directors who are elected pursuant to specified requirements. The board also would be required to adopt a resolution establishing the boundaries of the 7 districts. By imposing requirements on the district, the 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 494\(Caballero\)](#) Local planning: farmworker housing.

Last Amend:

Status: 02/25/2009-From printer. May be heard in committee March 27.

Location: 02/24/2009-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
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Summary: The Williamson Act authorizes any city or county to enter into a contract with the owner of agricultural land for the purpose of preserving that land in accordance with the conditions established by that contract and the act. The act authorizes a landowner subject to a Williamson Act contract to subdivide not more than 5 acres of land under contract to be sold or leased to a nonprofit organization, a city, a county, a housing authority, or a state agency and used for farmworker housing for at least 30 years, as specified, and the parcel is within a city or is in an unincorporated territory or sphere of influence that is contiguous to one or more parcels that are already zoned residential, commercial, or industrial and developed with existing residential, commercial, or industrial uses. This bill instead would authorize a landowner subject to a Williamson Act contract to subdivide not more than 10 acres of land under a Williamson Act contract to be sold or leased to a nonprofit organization, a city, a county, a housing authority, or a state agency and used for farmworker housing for at least 30 years, as specified, and the parcel is within a city or in an unincorporated territory or sphere of influence that is contiguous to one or more parcels that are already zoned residential, commercial, or industrial and developed with existing residential, commercial, or industrial uses, or has access to existing water and sewer service. This bill contains other related provisions and other existing laws.

Position: None at this time

Priority: 3

[AB 782\(Jeffries\)](#) Regional transportation plans: sustainable communities strategies.

Last Amend:

Status: 02/26/2009-Read first time. To print.

Location: 02/26/2009-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
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Summary: Existing law, the California Global Warming Solutions Act of 2006, requires the State Air Resources Board to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels of 1990, to be achieved by 2020, as specified. This bill would provide that upon the state board's acceptance that the sustainable communities strategy or an alternative planning strategy, if implemented, will achieve the greenhouse gas emissions reduction targets established by the state board, that acceptance shall be final, and no person or entity may initiate or maintain any judicial proceeding to review the propriety of the state board's acceptance. This bill contains other related provisions and other existing laws.

Position: None at this time

Priority: 3

Notes: Prevents entities from challenging a sustainable community strategy project once the strategy is approved by local and state agencies.

[ABX3 8\(Evans\)](#) State and local government.

Last Amend: 02/15/2009

Status: 02/15/2009-To third reading. Read third time, amended, and returned to third reading. Read third time. Urgency clause refused adoption. Motion to reconsider made by Senator Florez. Reconsideration granted. (Ayes 3

Location: 02/15/2009-S THIRD READING

Calendar: 03/02/09 11 SEN ASSEMBLY BILLS-THIRD READING FILE

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, including school districts, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. Existing law establishes a procedure for local governmental agencies to file claims for reimbursement of these costs with the Commission on State Mandates. These procedures require the Controller to pay any eligible claim by August 15 or 45 days after the date the appropriation for the claim is effective, whichever is later. This bill would change the date the Controller is required to pay any eligible claim to October 15 or 60 days after the date the appropriation for the claim is effective, whichever date is later. This bill contains other related provisions and other existing laws.

Position: None at this time

Priority: 3

Notes: Makes changes to the dates and formulas for tax allocations. Will be of interest to those LAFcos conducting fiscal studies for incorporations and annexations.

[ACA 9\(Huffman\)](#) Local government bonds: special taxes: voter approval.

Last Amend:

Status: 02/10/2009-From printer. May be heard in committee March 9.

Location: 02/06/2009-A PRINT

Summary: The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit for a rate imposed by a city, county, or city and county to service bonded indebtedness, incurred to fund specified public improvements, facilities, and housing, and related costs, that is approved by 55% of the voters of the city, county, or city and county, as applicable. This additional exception would apply only if the proposition approved by the voters results in bonded indebtedness that includes specified accountability requirements. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: 3

[SB 115\(Lowenthal\)](#) Public employment.

Last Amend:

Status: 02/05/2009-To Com. on JUD.

Location: 02/05/2009-S JUD.

Summary: The California Constitution requires Members of the Legislature, and all public officers and employees, to take and subscribe a specified oath of office. The California Constitution permits inferior officers and employees to be

