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Executive Officer

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April 8, 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 most recently met on March 26 to continue work on the 2009 CALAFCO legislative platform.

February 27, 2009 was the deadline for introducing bills into the 2009-10 legislative session. The CALAFCO Executive Director reports that there are approximately 30 bills of interest to CALAFCO; many of which are currently spot bills. Attached is a summary of current LAFCO legislation, with high priority bills featured below.

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. SPONSOR
2. **Senate Omnibus Bill:** [SB 113 \(Senate Local Government Committee\)](#) currently contains a number of items requested by CALAFCO. CALAFCO is working with Senate Committee staff on these and other amendments. SUPPORT
3. **Local Government Reorganization:** [SB 163 \(Cox\)](#) is a placeholder bill for unidentified changes to the CKH Act. WATCH

4. **Community development: disadvantaged communities:** [SB 194 \(Florez\)](#) is a placeholder bill. The bill is intended to provide municipal services and infrastructure investment to disadvantaged unincorporated communities. Its intent, in part, is to address the role of regional agencies in addressing infrastructure deficits through annexation, consolidation and regionalization where appropriate. NO POSITION AT THIS TIME
5. **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. SUPPORT
6. **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. NO POSITION AT THIS TIME

The CALAFCO Legislative Report is updated daily and is available on the CALAFCO website. The website also includes direct links to the various bills. The next CALAFCO Legislative Committee meeting will be held on May 21, 2009.

Please contact the LAFCO office if you have any questions.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment - Summary of Current LAFCO Legislation

**California Association of Local Agency Formation Commissions
SUMMARY OF CURRENT LAFCo LEGISLATION as of 4/1/2009**

1

AB 528 (Silva) Local government: reorganization: expenditure reporting.
Last Amend: 03/31/2009
Status: 03/31/2009-From committee chair, with author's amendments: Amend, and re-refer to Com. on L. GOV. Read second time and amended.
Location: 03/31/2009-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
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Calendar: 04/22/09 1:30 p.m. - Room 127 ASM LOCAL GOVERNMENT
Summary: (1) 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. This bill contains other related provisions and other existing laws.
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: 03/02/2009-Read first time.
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: 03/09/2009-To Com. on RLS.

Location: 03/09/2009-S RLS.

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 194 (Florez) Community development: disadvantaged communities.

Last Amend:

Status: 03/09/2009-To Com. on RLS.

Location: 03/09/2009-S RLS.

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 provides for the allocation of funds for various economic development projects and programs administered by the Department of Housing and Community Development. This bill would make several findings and declarations of the Legislature relating to disadvantaged unincorporated communities. The bill would declare the intent of the Legislature to encourage investment in these communities.

Position: None at this time

Priority: 1

Notes: This is a placeholder bill at the moment. The bill is intended to provide municipal services and infrastructure investment to disadvantaged unincorporated communities. Its intent, in part, is to address the role of regional agencies (including, perhaps LAFCo) in addressing infrastructure deficits through annexation, consolidation and regionalization where appropriate.

SB 215 (Wiggins) Local government: organization.

Last Amend: 03/26/2009

Status: 03/26/2009-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on L. GOV.

Location: 03/26/2009-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: 04/01/09 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

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, thus imposing a state-mandate. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Support Letter](#)

Position: Support

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 155 (Mendoza) Local government: bankruptcy proceedings.

Last Amend: 03/27/2009

Status: 03/31/2009-Re-referred to Com. on L. GOV.

Location: 03/31/2009-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

Calendar: 04/22/09 1:30 p.m. - Room 127 ASM LOCAL GOVERNMENT

Summary: Under existing 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 provide that a local public entity may only file under federal bankruptcy law with the approval of the California Debt and Investment Advisory Commission, as specified.

Position: None at this time

Priority: 2

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

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: 03/23/2009-Referred to Com. on L. GOV.

Location: 03/23/2009-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: 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: 03/26/2009-Referred to Com. on L. GOV.

Location: 03/26/2009-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: 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: 03/31/2009-Referred to Com. on L. GOV.

Location: 03/31/2009-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
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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: 03/02/2009-Read first time.

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: 03/26/2009-To Com. on L. GOV.

Location: 03/26/2009-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
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Calendar: 04/15/09 1:30 p.m. - Room 447 ASM 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: 03/26/2009-To Com. on L. GOV.

Location: 03/26/2009-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
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Calendar: 04/15/09 1:30 p.m. - Room 447 ASM 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: 03/26/2009-To Com. on L. GOV.

Location: 03/26/2009-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
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Calendar: 04/15/09 1:30 p.m. - Room 447 ASM 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: 03/09/2009-To Com. on RLS.

Location: 03/09/2009-S RLS.

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) Park district formation: County of Santa Cruz.

Last Amend: 03/26/2009

Status: 03/26/2009-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on L. GOV.

Location: 03/26/2009-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: 04/01/09 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

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 authorize the formation of a district in the County of Santa Cruz, except as specified, if the exterior boundaries of the proposed district are coterminous with the exterior boundaries of the county

and are initiated by a specified 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: 03/16/2009-Set for hearing May 6.

Location: 03/09/2009-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

Calendar: 05/06/09 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

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.

SB 575 (Steinberg) Local planning: housing element.

Last Amend:

Status: 03/19/2009-To Coms. on T. & H. and APPR.

Location: 03/19/2009-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 requires every city, county, and city and county to revise the housing element of its general plan as frequently as is appropriate to reflect the results of the periodic review. Existing law further requires that all local governments within the regional jurisdiction of the San Diego Association of Governments adopt their 5th revision no more than 5 years from the 4th revision. This bill instead would require that all local governments within the regional jurisdiction of the San Diego Association of Governments adopt their 5th revision no later than an unspecified period of time.

Position: None at this time

Priority: 2

Notes: This is the clean-up bill for SB 375. Currently a placeholder, other elements are likely to be amended in as agreements are reached.

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

Calendar: 05/05/09 1:30 p.m. - Room 444 ASM ELECTIONS AND REDISTRICTING

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 measure shall file a report of that disclosure with the Fair Political Practices Commission. This bill clarifies existing law that an expenditure includes

the payment of public moneys by a state agency or local government agency, or by an agent of that agency, for a communication to the electorate within the jurisdiction of that agency regarding a clearly identified measure, except if the communication constitutes a fair and impartial presentation of the facts relating to the measure or the communication is otherwise required by law.

Position: None at this time

Priority: 3

Notes: Adds that monies expended by a public agency to communicate information on a measure to the public must be reported to the FPPC.

AB 300 (Caballero) Subdivisions: water supply.

Last Amend:

Status: 03/04/2009-Referred to Coms. on L. GOV. and W.,P. & W.

Location: 03/04/2009-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
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Calendar: 04/15/09 1:30 p.m. - Room 447 ASM LOCAL GOVERNMENT

Summary: The Subdivision Map Act prohibits approval of a tentative map, or a parcel map for which a tentative map was not required, or a development agreement for a subdivision of property of more than 500 dwelling units, except as specified, including the design of the subdivision or the type of improvement, unless the legislative body of a city or county or the designated advisory agency provides written verification from the applicable public water system that a sufficient water supply is available or, in addition, a specified finding is made by the local agency that sufficient water supplies are, or will be, available prior to completion of the project. This bill would require, until January 1, 2020, the legislative body of a city or county or the designated advisory agency to approve or disapprove the subdivider's water savings projections attributable to voluntary demand management measures, as defined, after being reviewed by the retail water supplier and verified for accuracy, as specified, by the public water system or the local agency if there is no public water system. Water savings projections would be authorized to be calculated using the water savings projections adopted by the California Urban Water Conservation Council. Water savings projections for measures for which the California Urban Water Conservation Council does not have adopted findings would be required to be based on substantial evidence in the record and included in the water supply assessment adopted by the water supplier. If a project applicant proposes to use a new voluntary water reduction demand management measure that is not based on water savings projections adopted by the California Urban Water Conservation Council, the legislative body of a city or county or the advisory agency would be required to have the project applicant enter into an agreement with the water utility to implement and monitor the actual water savings over time, as specified. The public water system would be required to prepare a written report of the projected water demand versus the actual water use 5 years after the project has been fully developed. By adding to the duties of the public water system, 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

Notes: Requires the preparation of a water assessment report for projects which reduce water consumption, which requires consultation with affected agencies, including LAFCo.

AB 408 (Saldana) Local planning: water supplies.

Last Amend:

Status: 03/09/2009-Referred to Coms. on L. GOV. and W.,P. & W.

Location: 03/09/2009-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
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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: 03/16/2009-Referred to Com. on L. GOV.

Location: 03/16/2009-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

Calendar: 04/22/09 1:30 p.m. - Room 127 ASM LOCAL GOVERNMENT

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: 03/31/2009-Referred to Coms. on L. GOV. and AGRI.

Location: 03/31/2009-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

Calendar: 04/15/09 1:30 p.m. - Room 447 ASM LOCAL GOVERNMENT

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 588 (Cook) Local government finance.

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

Summary: The Vehicle License Fee 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 vehicle license fee revenues in the Motor Vehicle License Fee Account in a specified order, as provided. This bill would make a technical, nonsubstantive change to that provision.

Position: None at this time

Priority: 3

Notes: This is a placeholder bill that is focused on the local VLF allocation. May affect formulas for future annexations and incorporations.

AB 782 (Jeffries) Regional transportation plans: sustainable communities strategies.

Last Amend:

Status: 03/26/2009-Referred to Coms. on NAT. RES. and L. GOV.

Location: 03/26/2009-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
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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.

AB 1204 (Huber) Environment: California Environmental Quality Act (CEQA): sustainable community strategy.

Last Amend:

Status: 03/31/2009-Referred to Com. on NAT. RES.

Location: 03/31/2009-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
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Summary: The California Environmental Quality Act (CEQA) provides that a residential or mixed-use residential project that is consistent with the use designation, density, building intensity, and applicable policies for the project area in a sustainable community strategy or an alternative planning strategy and that, if implemented, achieves the greenhouse gas emission reduction targets and incorporates the mitigation measures required by an applicable prior environmental document is exempt from the requirement to reference, describe, or discuss growth inducing impacts or project specific or cumulative impacts from vehicles trips generated by the project on global warming or the regional transportation network in any findings or other determination for an exemption, a negative declaration, a mitigated negative declaration, a sustainable communities environmental assessment, an environmental impact report, or addenda prepared or adopted pursuant to CEQA. This bill would delete the restriction of this exemption to residential or mixed-use residential projects. By requiring a lead agency to determine whether the above exemption applies to additional projects, the bill would increase the level of service provided by a local agency, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: None at this time

Priority: 3

Notes: This bill would extend the CEQA exemption for projects within a sustainable communities strategy to all projects. Current law limits the exemption to residential and mixed-use projects.

ABX3 8 (Evans) State and local government.

Last Amend: 02/15/2009

Status: 02/15/2009-Read third time, amended, and returned to third reading. Read third time. Urgency clause refused adoption. (Ayes 19. Noes 13. Page 52.) Motion to reconsider made by Senator Florez. Reconsideration granted. (Ayes 3

Location: 02/15/2009-S THIRD READING

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 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.

SB 115 (Lowenthal) Public employment.

Last Amend: 03/24/2009

Status: 03/31/2009-From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 3. Noes 2.) Re-referred to Com. on APPR.

Location: 03/31/2009-S APPR.

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 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 exempted by law from this requirement. This bill would require that a public employee or applicant seeking public employment be permitted to decline to take and subscribe the oath of office based on moral, ethical, or religious beliefs that conflict with his or her ability to take and subscribe the oath without mental reservation, if he or she is otherwise willing and able to uphold the United States Constitution and the constitution and laws of this state and to complete the duties of employment. The bill would require that person to sign a statement that he or she declines to take and subscribe the oath required pursuant to existing law, based on moral, ethical, or religious beliefs that conflict with his or her ability to take that oath, as specified, and to take and subscribe a specified alternate statement to that effect. The bill would except from these provisions a public officer, employee, or applicant for public employment who is elected or who serves at the pleasure of an elected official. The bill would also make conforming changes and make a related statement of legislative findings.

Position: Watch

Priority: 3

SB 170 (Florez) Agricultural lands: cancellation of Williamson Act contracts.

Last Amend: 03/25/2009

Status: 03/31/2009-Set, first hearing. Hearing canceled at the request of author.

Location: 03/25/2009-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 a landowner to petition a county board or supervisors or a city council for cancellation of any Williamson Act contract for all or part of the subject land. The board or council is authorized to grant tentative approval for cancellation of a contract if it finds that cancellation is in the public interest. For these purposes, the board or council is required to find that other public concerns substantially outweigh the objectives of the Williamson Act and that either there is no proximate noncontracted land that is both available and suitable for the use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land. This bill would establish a rebuttable presumption that where a federally recognized Indian tribe has petitioned for a contract cancellation that tribal cultural centers, infrastructure, and housing are alternative uses that are public concerns that substantially outweigh the objectives of the act and that for tribal cultural centers, infrastructure, and housing, land contiguous to existing tribal land would provide more contiguous patterns of urban development than development of proximate noncontracted land.

Position: Watch

Priority: 3

Notes: This bill would allow cancellation of Williamson contracts for land to be annexed to Tribal properties and used for tribal development.

SB 406 (DeSaulnier) Land use: environmental quality.

Last Amend:

Status: 03/16/2009-Set for hearing April 15.

Location: 03/12/2009-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: The Planning and Zoning Law establishes the Planning Advisory and Assistance Council in the Office of Planning and Research, and prescribes the membership and duties of the council. Existing law authorizes the Department of Motor Vehicles to collect a surcharge imposed on vehicle registration fees by ordinance or resolution of a local entity. This bill would change the designated membership, as specified, of the Planning Advisory and Assistance Council and would require that the council work with the Strategic Growth Council, as specified. The bill would also require the council to report to the Legislature on specified regional performance measures and on the manner in which state agencies are implementing the 5-year infrastructure plan. The bill would authorize a municipal planning organization or council of governments to adopt a resolution to impose a \$2 motor vehicle registration surcharge on vehicles registered in the entity's jurisdiction that would be collected by the Department of Motor Vehicles and, after deducting its administrative costs, would be transmitted to the entity imposing the surcharge. The bill would require that the surcharge revenue be expended to develop and implement a regional blueprint plan and would specify that 5% of the surcharge revenue be transmitted to the council for performance of its functions. The bill would provide that the council is to perform specified new functions only when the council has received sufficient revenue from this source.

Position: None at this time

Priority: 3

Notes: This bill is sponsored by CALCOG and among other things begins to identify funding sources for SB 375 implementation.

Total rows: