



Lou Ann Texeira
Executive Officer

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April 9, 2014
Agenda Item 9

April 9, 2014 (Agenda)

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

Legislative Report - Update and Positions

Dear Members of the Commission:

The second year of the 2013-14 legislative session is underway. A summary of LAFCO and local government related bills tracked by CALAFCO is attached to this report (Attachment 1). The Priority 1 bills are those with the most relevance to LAFCO.

CALAFCO is requesting support from its member LAFCOs on the following three bills:

- **AB 2762 (Assembly Local Government Committee - ALGC)** - Each year, CALAFCO sponsors an omnibus bill which makes non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act). On behalf of CALAFCO, the ALGC has introduced AB 2762 which makes technical changes, clarifications and corrections to the CKH Act (Attachment 2).
- **AB 1729 (Logue) – Williamson Act** - This bill would reinstate the Williamson Act alternative funding mechanism. (Attachment 3)
- **AB 2156 (Achadjian) - Local Agency Formation Commissions: Studies** - This bill would specifically define "joint powers agency" and "joint powers authority" for purposes of the CKH Act, and include joint powers agencies and joint powers authorities among the entities from which LAFCO is authorized to request information in order to conduct studies considered relevant by each commission, such as municipal service reviews (Attachment 4).

Attached are draft letters of support for the Commission's consideration.

RECOMMENDATION - Provide input and direction to staff.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment 1 – CALAFCO Legislative Report
Attachment 2 – Draft Letter Supporting AB 2762
Attachment 3 – Draft Letter Supporting AB 1729
Attachment 4 – Draft Letter Supporting AB 2156



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April 9, 2014

Honorable Katcho Achadjian, Chair
Assembly Local Government Committee
California State Assembly
State Capitol, Room 4098
Sacramento, CA 95814

RE: Support of AB 2762: Local Government Committee Omnibus Bill

Dear Assembly Member Achadjian:

The Contra Costa Local Agency Formation Commission (LAFCO) is pleased to support AB 2762, the Assembly Local Government Committee bill which makes non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act). The bill is also supported by the California Association of Local Agency Formation Commissions (CALAFCO).

This annual bill includes technical changes to the CKH Act which governs the work of LAFCOs. These changes are necessary as commissions implement the CKH Act, during which small inconsistencies are discovered, or clarifications are needed to make the law as unambiguous as possible. AB 2762 makes several minor technical changes, corrects obsolete and incorrect code references, and makes minor updates to outdated sections.

We are grateful to your Committee staff and counsel, all of whom worked diligently on this language to ensure there is no substantive change, yet increases the clarity of the CKH Act for all stakeholders.

This legislation helps insure that the CKH Act remains a vital and practical law that is consistently applied around the State. We appreciate your Committee's authorship and support of this bill, and your support of the mission of LAFCOs.

Sincerely,

Dwight Meadows
Chair, Contra Costa LAFCO

c: Members, Assembly Local Government Committee
Misa Yokoi-Shelton, Associate Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

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April 9, 2014

The Honorable Mike Gatto, Chair
Assembly Appropriations Committee
California State Capitol, Rm 2114
Sacramento, CA 95814

RE: AB 1729 (Logue) – Williamson Act – SUPPORT

Dear Assembly Member Gatto:

On behalf of the Contra Costa Local Agency Formation Commission (LAFCO), we write to express our support for AB 1729, as amended, by Assembly Member Logue. This bill would reinstate the Williamson Act alternative funding mechanism.

The Williamson Act was intended to be a partnership between the State, counties and landowners to preserve agricultural resources. Counties, in exchange for implementing the State goal of farm and ranch land preservation, were to receive a partial replacement of their foregone property tax from the land enrolled in the program. State subventions have not been paid since 2009, and counties are struggling to meet their responsibilities under the Williamson Act and as a result, farmland protection continues to be at risk.

AB 1729 would reinstate the program, providing counties subvention funding from the State. Since 1963, LAFCOs have worked within each county to meet their legislative mandate of balancing growth and development with discouraging sprawl and protecting California's important agricultural lands. The Williamson Act, and its role in LAFCO law, has proven an effective tool for many LAFCOs to reduce sprawl and protect prime agricultural lands. The ramifications of eliminating State subventions without an alternative funding mechanism causes us great concern.

Contra Costa County has been implementing the Williamson Act since 1968 when the Board of Supervisors adopted an ordinance authorizing the creation of Agricultural Preserves and the execution of Land Conservation Contracts pursuant to State law. At present, Contra Costa County has 417 parcels of agricultural land with Land Conservation Contracts, covering approximately 48,000 acres.

Without financial incentives to maintain these contracts, the ability of LAFCOs to meet its Legislative intent to preserve agricultural and open-space lands, is compromised.

For these reasons, Contra Costa LAFCO respectfully urges your Committee's support of the Williamson Act and requests an "Aye" vote on AB 1729 when it is heard in your committee.

Sincerely,

Dwight Meadows
Chair, Contra Costa LAFCO

cc: Members, Assembly Local Government Committee
Misa Yokoi-Shelton, Associate Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
Honorable Dan Logue, California State Assembly

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April 9, 2014

Honorable Katcho Achadjian, Chair
Assembly Local Government Committee
California State Assembly
State Capitol, Room 4098
Sacramento, CA 95814

RE: SUPPORT of AB 2156: Local Agency Formation Commissions: Studies

Dear Assembly Member Achadjian:

The Contra Costa Local Agency Formation Commission (LAFCO) is pleased to support AB 2156, as amended and authored by you. This bill would specifically define "joint powers agency" and "joint powers authority" for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH Act"), and include joint powers agencies and joint powers authorities (JPAs) among the entities from which LAFCo is authorized to request information in order to conduct studies considered relevant by each commission.

Pursuant to the CKH Act, LAFCos are charged with evaluating the provision of municipal services and conducting studies of existing governmental agencies including their service area and service capacities. As many local agencies across the State provide municipal services through JPAs, having access to the information that outlines service areas and specific services being delivered by these entities is critical to conducting comprehensive studies that support LAFCos core missions of encouraging the efficient delivery of local services and evaluating local agency boundaries.

AB 2156 is substantively informed by, and consistent with, the earlier work of California Forward and the Legislative Analyst Office Report of October 2011, the latter of which specifically addresses the relationship between LAFCo and JPAs.

We support the California Association of Local Agency Formations Commissions (CALAFCO) efforts to work on this legislation that creates an even stronger association between JPAs and LAFCos. Many LAFCos are seeing JPAs being formed as a way to extend services without oversight thus circumventing the LAFCo review and approval process. Such actions inhibit the ability of LAFCo to fulfill the part of our mission that relates to assuring adequate, efficient and accountable government services.

AB 2156 is consistent with LAFCo's mission to promote the efficient and sustainable delivery of local services to meet current and future needs, and is an important first step in the development of the relationship between LAFCos and JPAs. For these reasons, Contra Costa LAFCO supports AB 2156 as amended, and we thank you for authoring this important piece of legislation.

Sincerely,

Dwight Meadows
Chair, Contra Costa LAFCO

cc: Members, Assembly Local Government Committee
Misa Yokoi-Shelton, Associate Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus