

## CALAFCO Daily Legislative Report as of 10/5/2011

1

October 12, 2011  
Agenda Item 15a

**AB 54 (Solorio D) Drinking water.**

**Current Text:** Enrolled: 9/21/2011 [pdf](#) [html](#)

**Introduced:** 12/6/2010

**Last Amended:** 8/30/2011

**Status:** 9/21/2011-Enrolled and presented to the Governor at 3:30 p.m.

| 2Year Dead | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
|            | 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:**

Would specify that any corporation organized for or engaged in the business of selling, distributing, supplying, or delivering water for irrigation purposes, and any corporation organized for or engaged in the business of selling, distributing, supplying, or delivering water for domestic use that provides in its articles or bylaws that the water shall be sold, distributed, supplied, or delivered only to owners of its shares and that those shares are appurtenant to certain lands shall be known as a mutual water company. This bill contains other related provisions and other current laws.

**Attachments:**

[CALAFCO Support Letter](#)

**Position:** Support

**Subject:** Water

**CALAFCO Comments:** Requires mutual water companies to respond to LAFCo requests for information, requires Mutuals to provide a map of boundaries to LAFCo, adds authority for LAFCo to request MSR data from mutuals and include compliance with safe drinking water standards in MSRs.

**AB 912 (Gordon D) Local government: organization.**

**Current Text:** Chaptered: 7/25/2011 [pdf](#) [html](#)

**Introduced:** 2/17/2011

**Last Amended:** 5/27/2011

**Status:** 7/25/2011-Chaptered by the Secretary of State, Chapter Number 109, Statutes of 2011

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

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires a local agency formation commission, where the commission is considering a change of organization that consists of a dissolution, disincorporation, incorporation, establishment of a subsidiary district, consolidation, or merger, to either order a change of organization subject to confirmation of the voters, as specified, or order the change of organization without an election if the change of organization meets certain requirements. This bill would authorize the commission, where the commission is considering a change of organization that consists of the dissolution of a district that is consistent with a prior action of the commission, to immediately order the dissolution if the dissolution was initiated by the district board, or if the dissolution was initiated by an affected local agency, by the commission, or by petition, hold at least one noticed public hearing on the proposal, and order the dissolution without an election, unless a majority protest exists, as specified.

**Attachments:**

[CALAFCO Support Letter](#)

[CALAFCO Request for Governor's Signature](#)

**Position:** Support

**Subject:** Special District Consolidations, Special District Powers

**CALAFCO Comments:** Allows a commission to dissolve a special district - under specific circumstances - without a vote unless there is a majority protest.

**AB 1430 (Committee on Local Government) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 omnibus bill.**

**Current Text:** Chaptered: 9/21/2011 [pdf](#) [html](#)

**Introduced:** 4/5/2011

**Last Amended:** 8/17/2011

**Status:** 9/21/2011-Chaptered by the Secretary of State, Chapter Number 300, Statutes of 2011

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

**Summary:**

Current law defines various terms for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. This bill would revise various definitions within that act, and would make other conforming and technical changes. This bill contains other related provisions and other current laws.

**Attachments:**

[CALAFCO Letter of Support](#)

**Position:** Sponsor

**Subject:** CKH General Procedures

**CALAFCO Comments:** CALAFCO Sponsored bill. Makes technical, non-substantive changes to Cortese-Knox-Hertzberg. Includes major definitions update.

[ABX1 36](#) **(Solorio D) Vehicle license fees.**

**Current Text:** Introduced: 7/1/2011 [pdf](#) [html](#)

**Introduced:** 7/1/2011

**Status:** 9/12/2011-Died at Desk.

|            |           |        |        |       |           |        |        |       |             |          |        |           |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 2Year Dead | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|            | 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:**

Current law, as proposed to be amended by SB 89 of the 2011-12 Regular Session, would require that a specified amount of motor vehicle license fees deposited to the credit of the Motor Vehicle License Fee Account in the Transportation Tax Fund be allocated by the Controller, as specified, according to a specified order, with moneys allocated on or after July 1, 2004, but before July 1, 2011, first to the County of Orange, next to each city and county meeting specified criteria, and on or after July 1, 2011, to the Local Law Enforcement Services Account in the Local Revenue Fund 2011, for allocation to cities, counties, and cities and counties. This bill would instead require for all of those times that a specified portion of those revenues be distributed first to the County of Orange. By authorizing within the Motor Vehicle License Fee Account in the Transportation Tax Fund, a continuously appropriated fund, to be used for a new purpose, the bill would make an appropriation. This bill would become operative only if SB 89 is chaptered, as provided. This bill contains other related provisions and other current laws.

**Position:** Watch

**Subject:** Tax Allocation

**CALAFCO Comments:** This bill is under consideration as a fix to the SB 89 shift of VLF from cities to law enforcement programs. It would unwind the SB 89 transfer of VLF funds that dramatically affect incorporations and inhabited annexations. Currently only affects Orange county.

[ABX1 41](#) **(Solorio D) Vehicle license fees.**

**Current Text:** Introduced: 8/31/2011 [pdf](#) [html](#)

**Introduced:** 8/31/2011

**Status:** 9/12/2011-Died at Desk.

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

**Summary:**

The Vehicle License Fee Law, in lieu of any ad valorem property tax upon vehicles, imposes an annual license fee on any vehicle subject to registration in this state in the amount, on and after July 1, 2011, of 0.65% of the market value of that vehicle, as provided. For all initial and renewal registrations due on and after May 1, 2009, but before July 1, 2011, current law also imposes an additional fee equal to 0.15% of the market value of specified vehicles, as determined by the Department of Motor Vehicles, to be deposited in the General Fund and transferred to the Local Safety and Protection Account. Current law continuously appropriates all moneys in the Local Safety and Protection Account without regard to fiscal year, to the Controller for allocation, as provided. This bill would, for all initial and renewal registrations due on and after January 1, 2012, impose an additional vehicle license fee equal to 0.15% of the market value of the above-described vehicles, as specified. It would also require all revenues from the additional license fee to be deposited in the General Fund. During the 2011-12 fiscal year, the bill would transfer an amount to the Local Law Enforcement Services Account in the Local Revenue Fund 2011, a continuously appropriated fund, for allocation to cities, counties, and cities and counties, as specified. The bill would require a transfer of revenues, during the 2012-13 fiscal year and each fiscal year thereafter to be allocated according the following order: first to be transferred to the Local Law Enforcement Services Account in the Local Revenue Fund 2011, as specified; and second, a total of \$35,000,000 to be transferred to the Bureau of Narcotics Enforcement and Bureau of Investigation and Intelligence Fund, which the bill would create as a continuously appropriated fund. Funds not transferred would

continue to be General Fund moneys. By depositing moneys into a continuously appropriated fund and by establishing a new, continuously appropriated fund, the bill would make an appropriation. This bill contains other related provisions and other current laws.

**Position:** None at this time

**Subject:** Financial Viability of Agencies

**CALAFCO Comments:** This bill is designed to fix the SB 89 cut in VLF funding to inhabited annexations and city incorporations since 2004.

**SB 89 (Committee on Budget and Fiscal Review) Vehicles: vehicle license fee and registration fee.**

**Current Text:** Chaptered: 7/1/2011 [pdf](#) [html](#)

**Introduced:** 1/10/2011

**Last Amended:** 6/27/2011

**Status:** 6/30/2011-Chaptered by Secretary of State - Chapter 35, Statutes of 2011.

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

**Summary:**

Would require the Legislature to determine and appropriate annually an amount for the use of the DMV and the FTB for the enforcement of the Vehicle License Fee Law. The bill would deem, for the 2011-12 fiscal year, \$25,000,000 as the cost to the DMV for the collection of the motor vehicle license fee. This bill contains other related provisions and other current laws.

**Attachments:**

[CALAFCO Veto Request](#)

**Position:** Oppose

**Subject:** Annexation Proceedings, Incorporation Proceedings

**CALAFCO Comments:** This budget-related bill redirects VLF from cities to statewide public safety programs. Most impacted are cities formed after 2006 and inhabited annexations after 2006. Will likely result in disincorporations. Significantly this will also make most all future incorporations and inhabited annexations financially impossible. This language was added at the last minutes and voted on by the Members with little knowledge of the content of the bill. No one outside of the Capital was aware of the language until after the bill passed.

**SB 244 (Wolk D) Local government: land use: general plan: disadvantaged unincorporated communities.**

**Current Text:** Enrolled: 9/16/2011 [pdf](#) [html](#)

**Introduced:** 2/10/2011

**Last Amended:** 9/8/2011

**Status:** 9/16/2011-Enrolled and presented to the Governor at 10:30 a.m.

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

**Summary:**

The Planning and Zoning Law requires a city or county to adopt a comprehensive, long-term general plan for the physical development of the city or county and of any land outside its boundaries that bears relation to its planning. That law also requires the general plan to contain specified mandatory elements, including a housing element for the preservation, improvement, and development of the community's housing. This bill would require, on or before the next adoption of its housing element, a city or county to review and update the land use element of its general plan to include an analysis of the presence of island, fringe, or legacy unincorporated communities, as defined, and would require the updated general plan to include specified information. This bill would also require the city or county planning agency, after the initial revision and update of the general plan, to review, and if necessary amend, the general plan to update the information, goals, and program of action relating to these communities therein. By adding to the duties of city and county officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

**Attachments:**

[CALAFCO Letter of Concern - 29 March 2011](#)

**Position:** None at this time

**Subject:** Disadvantaged Communities

**CALAFCO Comments:** Amended to require LAFCo review of disadvantaged unincorporated communities. It adds a definition for disadvantaged unincorporated communities, requires LAFCo to review water, sewer and fire services to the communities in the next SOI update, places more emphasis on LAFCo recommendations on reorganizations for efficient and effective services, requires LAFCo to identify service deficiencies to these communities in MSRs, and specifically requires LAFCo to assess alternatives for efficient and affordable infrastructure and services, including consolidations, in MSRs. Bill requires LAFCo to look at communities "in or adjacent to the sphere of influence."

**AB 46 (John A. Pérez D) Local government: cities.****Current Text:** Amended: 6/28/2011 [pdf](#) [html](#)**Introduced:** 12/6/2010**Last Amended:** 6/28/2011**Status:** 8/29/2011-Read third time. Refused passage. (Ayes 13. Noes 17. Page 2084.).

| 2Year<br>Dead | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf.<br>Conc. | Enrolled | Vetoed | Chaptered |
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|               | 1st House |        |        |       | 2nd House |        |        |       |                |          |        |           |

**Summary:**

Would provide that every city with a population of less than 150 people as of January 1, 2010, would be disincorporated into that city's respective county as of 91 days after the effective date of the bill, unless a county board of supervisors determines, by majority vote within the 90-day period following enactment of these provisions, that continuing such a city within that county's boundaries would serve a public purpose if the board of supervisors determines that the city is in an isolated rural location that makes it impractical for the residents of the community to organize in another form of local governance. The bill would also require the local agency formation commission within the county to oversee the terms and conditions of the disincorporation of the city, as specified. This bill contains other related provisions.

**Position:** None at this time**Subject:** Disincorporation/dissolution**CALAFCO Comments:** As written this bill applies only to Vernon, California. It bypasses much of the C-K-H disincorporation process, leaving LAFCo only the responsibility of assigning assets and liabilities following disincorporation.**AB 119 (Committee on Budget) State government.****Current Text:** Chaptered: 6/29/2011 [pdf](#) [html](#)**Introduced:** 1/10/2011**Last Amended:** 6/8/2011**Status:** 6/29/2011-Chaptered by the Secretary of State, Chapter Number 31, Statutes of 2011

| 2Year<br>Dead | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf.<br>Conc. | Enrolled | Vetoed | Chaptered |
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|               | 1st House |        |        |       | 2nd House |        |        |       |                |          |        |           |

**Summary:**

Would delete the requirement that the California Victim Compensation and Government Claims Board provide notice to the chairpersons of the committees in each house of the Legislature that consider appropriations and the annual budget act, and the chairperson of the Joint Legislative Budget Committee, prior to allowing either the use of a current year appropriation to pay claims for prior year costs of \$500,000 or more, or claims from a single provider of goods or services with respect to a single department that exceed \$500,000 within one year. This bill contains other related provisions and other current laws.

**Position:** None at this time**Subject:** Service Reviews/Spheres, Special District Principle Acts**CALAFCO Comments:** Language has been added to this budget bill which changes the requirement for special districts to respond to SOI requests for information from a state mandate to a local requirement. This change would eliminate the state requirement to reimburse special districts for the costs of responding to a LAFCo request. It is not anticipated to have any actual change in process.**AB 187 (Lara D) State Auditor: audits: high-risk local government agency audit program.****Current Text:** Chaptered: 10/4/2011 [pdf](#) [html](#)**Introduced:** 1/25/2011**Last Amended:** 8/15/2011**Status:** 10/4/2011-Chaptered by the Secretary of State, Chapter Number 451, Statutes of 2011

| 2Year<br>Dead | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf.<br>Conc. | Enrolled | Vetoed | Chaptered |
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|               | 1st House |        |        |       | 2nd House |        |        |       |                |          |        |           |

**Summary:**

Would authorize the State Auditor to establish a high-risk local government agency audit program to identify, audit, and issue reports on any local government agency, including any city, county, or special district, or any publicly created entity that the State Auditor identifies as being at high risk for the potential of waste, fraud, abuse, or mismanagement or that has major challenges associated with its economy, efficiency, or effectiveness. The bill would also authorize the State Auditor to consult with the Controller, Attorney General, and other state agencies in identifying local government agencies that are at high risk.

**Position:** None at this time  
**Subject:** Financial Viability of Agencies, Service Reviews/Spheres  
**CALAFCO Comments:** Would allow the State Auditor to audit and issue reports on any local agency it identifies at being at high risk for waste, fraud, abuse or mismanagement.

**AB 307 (Nestande R) Joint powers agreements: public agency: federally recognized Indian tribe.**

**Current Text:** Chaptered: 9/7/2011 [pdf](#) [html](#)

**Introduced:** 2/9/2011

**Last Amended:** 6/22/2011

**Status:** 9/6/2011-Chaptered by the Secretary of State, Chapter Number 266, Statutes of 2011

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| 2Year<br>Dead | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf.<br>Conc. | Enrolled | Vetoed | Chaptered |
|               | 1st House |        |        |       | 2nd House |        |        |       |                |          |        |           |

**Summary:**

Current law authorizes 2 or more public agencies, as defined, to enter into an agreement to exercise common powers. Current law also permits certain federally recognized Indian tribes to enter into joint powers agreements with particular parties and for limited purposes. This bill would include a federally recognized Indian tribe as a public agency that may enter into a joint powers agreement. This bill would also make conforming changes by conforming related code sections. This bill contains other related provisions.

**Position:** Watch

**Subject:** Municipal Services

**CALAFCO Comments:** Would allow any federally recognized Indian tribe to act as a public agency to participate in any Joint Powers Authority. Significantly expands current law on Indian tribe participation in a JPA. NOTE: There is a LAFCo question on whether this would allow a tribe to enter into a JPA with a city and district and circumvent the LAFCo process for delivery of municipal services. Counsel is currently evaluating this potential and the options for LAFCo.

**AB 781 (John A. Pérez D) Local government: counties: unincorporated areas.**

**Current Text:** Amended: 8/29/2011 [pdf](#) [html](#)

**Introduced:** 2/17/2011

**Last Amended:** 8/29/2011

**Status:** 8/30/2011-Measure version as amended on August 29 corrected.

|               |           |        |        |       |           |        |        |       |                |          |        |           |
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| 2Year<br>Dead | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf.<br>Conc. | Enrolled | Vetoed | Chaptered |
|               | 1st House |        |        |       | 2nd House |        |        |       |                |          |        |           |

**Summary:**

Would authorize the board of supervisors of a county in which a city that will be disincorporated pursuant to statute is located to vote to continue that city if, after receipt of an audit conducted by the State Auditor, the board of supervisors determines that the territory to be disincorporated is not expected to generate revenues sufficient to provide public services and facilities, maintain a reasonable reserve, and pay its obligations during the 5 years following disincorporation. The bill would require a city that is audited pursuant to these provisions to reimburse the State Auditor for the costs incurred to perform the audit, thereby imposing a state-mandated local program. This bill contains other related provisions and other current laws.

**Position:** Watch

**Subject:** Disincorporation/dissolution, Special District Principle Acts

**CALAFCO Comments:** This bill was gutted and amended on 20 June to create a CSD in any unincorporated area that was previously a city and was disincorporated by the legislature. It is specifically targeted at Vernon. It also contains language directing LAFCo on the terms and conditions of the disincorporation.

**AB 1265 (Nielsen R) Local government: Williamson Act.**

**Current Text:** Chaptered: 7/15/2011 [pdf](#) [html](#)

**Introduced:** 2/18/2011

**Last Amended:** 6/30/2011

**Status:** 7/15/2011-Chaptered by the Secretary of State, Chapter Number 90, Statutes of 2011

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| 2Year<br>Dead | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf.<br>Conc. | Enrolled | Vetoed | Chaptered |
|               | 1st House |        |        |       | 2nd House |        |        |       |                |          |        |           |

**Summary:**

Current law, the Williamson Act, authorizes a city or county to enter into 10-year contracts with owners of land devoted to agricultural use, whereby the owners agree to continue using the property for that purpose, and the city or county agrees to value the land accordingly for purposes of property taxation. Current law sets forth procedures for reimbursing cities and counties for property tax revenues not received as a result of these contracts. This bill would, beginning January 1, 2011, and until January 1, 2016, authorize a county, in any fiscal year in which payments

authorized for reimbursement to a county for lost revenue are less than 1/2 of the participating county's actual foregone general fund property tax revenue, to revise the term for newly renewed and new contracts and require the assessor to value the property, as specified, based on the revised contract term. The bill would provide that a landowner may choose to nonrenew and begin the cancellation process. The bill would also provide that any increased revenues generated by properties under a new contract shall be paid to the county. This bill contains other related provisions.

**Attachments:**

- [CALAFCO Support Letter](#)
- [CALAFCO Letter of Support - Senate](#)
- [CALAFCO Request for Governor's Signature](#)

**Position:** Support

**Subject:** Ag Preservation - Williamson

**CALAFCO Comments:** Creates an interim solution to the loss of state subventions for Williamson Act lands by giving counties and alternative landowner-funding approach.

**ACA 17 (Logue R) State-mandated local programs.**

**Current Text:** Introduced: 2/15/2011 [pdf](#) [html](#)

**Introduced:** 2/15/2011

**Status:** 4/14/2011-Referred to Com. on L. GOV.

|               |           |        |        |       |           |        |        |       |                |          |        |           |
|---------------|-----------|--------|--------|-------|-----------|--------|--------|-------|----------------|----------|--------|-----------|
| 2Year<br>Dead | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf.<br>Conc. | Enrolled | Vetoed | Chaptered |
|               | 1st House |        |        |       | 2nd House |        |        |       |                |          |        |           |

**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, the state is required to provide a subvention of funds to reimburse the local government. With regard to certain mandates imposed on a city, county, city and county, or special district that have been determine to be payable, the Legislature is required either to appropriate, in the annual Budget Act, the full payable amount of the mandate, determined as specified, or to suspend the operation of the mandate for the fiscal year. The California Constitution provides that the Legislature is not required to appropriate funds for specified mandates.

**Position:** None at this time

**Subject:** LAFCo Administration

**CALAFCO Comments:** Changes state mandate law in a proposed constitutional amendment. Included is specific language that releases mandate responsibility if the local agency can change an individual or applicant for the cost of providing the mandated service. Would likely exempt some mandates to LAFCo from state funding.

**SB 46 (Correa D) Public officials: compensation disclosure.**

**Current Text:** Amended: 6/2/2011 [pdf](#) [html](#)

**Introduced:** 12/9/2010

**Last Amended:** 6/2/2011

**Status:** 8/22/2011-In Assembly. Read first time. Held at Desk.

|               |           |        |        |       |           |        |        |       |                |          |        |           |
|---------------|-----------|--------|--------|-------|-----------|--------|--------|-------|----------------|----------|--------|-----------|
| 2Year<br>Dead | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf.<br>Conc. | Enrolled | Vetoed | Chaptered |
|               | 1st House |        |        |       | 2nd House |        |        |       |                |          |        |           |

**Summary:**

Would, commencing on January 1, 2013, and continuing until January 1, 2019, require every designated employee and other person, except a candidate for public office, who is required to file a statement of economic interests to include, as a part of that filing, a compensation disclosure form that provides compensation information for the preceding calendar year, as specified. This bill contains other related provisions and other current laws.

**Attachments:**

- [CALAFCO Opposition Letter](#)

**Position:** Oppose

**Subject:** LAFCo Administration

**CALAFCO Comments:** Similar to a 2010 bill, this would require all those who file a Form 700 to also file an extensive compensation and reimbursement disclosure report. Would require all local agencies, including LAFCo, to annually post the forms on their website.

**SB 191 (Committee on Governance and Finance) Validations.**

**Current Text:** Amended: 5/16/2011 [pdf](#) [html](#)

**Introduced:** 2/8/2011

**Last Amended:** 5/16/2011

**Status:** 6/6/2011-Ordered to inactive file on request of Senator Walk.

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

**Summary:**

This bill would enact the First Validating Act of 2011, 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

**Subject:** LAFCo Administration

**CALAFCO Comments:** One of three annual acts which validate the boundaries of all local agencies.

**[SB 192](#) (Committee on Governance and Finance) Validations.**

**Current Text:** Amended: 5/16/2011 [pdf](#) [html](#)

**Introduced:** 2/8/2011

**Last Amended:** 5/16/2011

**Status:** 8/30/2011-Ordered to inactive file on request of Senator Wolk.

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

**Summary:**

This bill would enact the Second Validating Act of 2011, 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

**Subject:** LAFCo Administration

**CALAFCO Comments:** One of three annual acts which validate the boundaries of all local agencies.

**[SB 193](#) (Committee on Governance and Finance) Validations.**

**Current Text:** Chaptered: 9/21/2011 [pdf](#) [html](#)

**Introduced:** 2/8/2011

**Last Amended:** 5/16/2011

**Status:** 9/21/2011-Chaptered by the Secretary of State, Chapter Number 303, Statutes of 2011

| 2Year Dead | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
|            | 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:**

This bill would enact the Third Validating Act of 2011, 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](#)

[CALAFCO Request for Governor's Signature](#)

**Position:** Support

**Subject:** LAFCo Administration

**CALAFCO Comments:** One of three annual acts which validate the boundaries of all local agencies.

**[SB 436](#) (Kehoe D) Land use: mitigation lands: nonprofit organizations.**

**Current Text:** Enrolled: 9/14/2011 [pdf](#) [html](#)

**Introduced:** 2/16/2011

**Last Amended:** 9/2/2011

**Status:** 9/14/2011-Enrolled and presented to the Governor at 11:30 a.m.

| 2Year Dead | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
|            | 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:**

Would, until January 1, 2022, require a special district or nonprofit organization that holds funds on behalf of a local agency, for the long-term management of land, to comply with certain requirements. The bill would also state the findings and declarations of the Legislature with respect to the preservation of natural resources through mitigation, and would state that it is in the best

interest of the public to allow state and local public agencies and nonprofit organizations to utilize the tools and strategies they need for improving the effectiveness, cost efficiency, and durability of mitigation for California's natural resources.

**Attachments:**

[CALAFCO Support Letter](#)

**Position:** Support

**Subject:** Ag/Open Space Protection

**CALAFCO Comments:** Would allow a local agency to provide funds to a non profit to acquire land or easements to satisfy an agency's mitigation requirements. May be an important tool for LAFCo in agricultural and open space preservation.

**SB 668 (Evans D) Local government: Williamson Act.**

**Current Text:** Chaptered: 9/7/2011 [pdf](#) [html](#)

**Introduced:** 2/18/2011

**Last Amended:** 6/22/2011

**Status:** 9/6/2011-Chaptered by the Secretary of State, Chapter Number 254, Statutes of 2011

| 2Year Dead | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
|            | 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:**

Would, until January 1, 2016, authorize a nonprofit land-trust organization, a nonprofit entity, or a public agency to enter into a contract with a landowner who has also entered into a Williamson Act contract, upon approval of the city or county that holds the Williamson Act contract, to keep that landowner's land in contract under the Williamson Act, for a period of up to 10 years in exchange for the open-space district's, land-trust organization's, or nonprofit entity's payment of all or a portion of the foregone property tax revenue to the county, where the state has failed to reimburse, or reduced the subvention to, the city or county for property tax revenues not received as a result of Williamson Act contracts.

**Position:** None at this time

**Subject:** Ag Preservation - Williamson

**CALAFCO Comments:** Would allow an open space district, land trust or non profit to contract with a Williamson Act landowner to keep land in Williamson Act in exchange for paying all or a portion of the foregone property tax to the county if the state has failed to provide subventions.

3

**AB 506 (Wieckowski D) Local government: bankruptcy: neutral evaluation.**

**Current Text:** Enrolled: 9/23/2011 [pdf](#) [html](#)

**Introduced:** 2/15/2011

**Last Amended:** 9/8/2011

**Status:** 9/23/2011-Enrolled and presented to the Governor at 3:30 p.m.

| 2Year Dead | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
|            | 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:**

Would prohibit a local public entity from filing under federal bankruptcy law unless the local public entity has participated in a specified neutral evaluation process with interested parties, as defined, or the local public entity has declared a fiscal emergency and has adopted a resolution by a majority vote of the governing board at a noticed public hearing that includes findings that the financial state of the local public entity jeopardizes the health, safety, or well-being of the residents of the local public entity's jurisdiction or service area absent bankruptcy protections.

**Position:** Watch

**Subject:** Financial Viability of Agencies

**CALAFCO Comments:** This bill creates a complex "neutral evaluator" process which a local agency must follow prior to being able to file Chapter 9 bankruptcy.

**AB 1266 (Nielsen R) Local government: Williamson Act: agricultural preserves: advisory board.**

**Current Text:** Introduced: 2/18/2011 [pdf](#) [html](#)

**Introduced:** 2/18/2011

**Status:** 7/14/2011-From consent calendar. Ordered to third reading. Ordered to inactive file at the request of Senator La Malfa.

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

**Summary:**

Current law, the Williamson Act, authorizes a city or county to enter into contracts to establish



agricultural preserves. Current law also authorizes the legislative body of a city or county to appoint an advisory board to advise the legislative body on agricultural preserve matters. This bill would specify matters on which the advisory board may advise the legislative body of a county or city. This bill would also state that the advisory board is not the exclusive mechanism through which the legislative body can receive advice on or address matters regarding agricultural preserves.

**Position:** None at this time

**Subject:** Ag Preservation - Williamson

**CALAFCO Comments:** Specifies additional responsibilities for the county or city Williamson Act advisory board. May also be a placeholder for more significant modifications to the Williamson Act.

**SB 235 (Negrete McLeod D) Water conservation districts: reduction in number of directors.**

**Current Text:** Chaptered: 7/25/2011 [pdf](#) [html](#)

**Introduced:** 2/9/2011

**Last Amended:** 6/9/2011

**Status:** 7/25/2011-Chaptered by the Secretary of State, Chapter Number 122, Statutes of 2011

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

**Summary:**

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 authorize a water conservation district with a board of directors consisting of 7 directors, to reduce the number of directors to 5, consistent with specified requirements. The bill would not apply to districts within the County of Ventura.

**Position:** None at this time

**Subject:** Special District Principle Acts

**CALAFCO Comments:** Allows specified water districts to reorganize their board of directors to reduce the number of directors, by action of the Board.

**SB 288 (Negrete McLeod D) Local government: independent special districts.**

**Current Text:** Chaptered: 7/8/2011 [pdf](#) [html](#)

**Introduced:** 2/14/2011

**Last Amended:** 3/29/2011

**Status:** 7/8/2011-Chaptered by Secretary of State - Chapter 66, Statutes of 2011.

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

**Summary:**

Current law authorizes the governing board of a special district, by resolution, to provide for the establishment of a revolving fund, in an amount not to exceed \$1,000, to be used to make change and pay small bills directly, and requires the resolution establishing the fund to make specified designations relating to the purposes for which the fund may be expended, the district officer with authority and responsibility over the fund, the necessity for the fund, and the maximum amount of the fund. This bill would additionally authorize the governing board of an independent special district, as defined, to provide, by resolution, for the establishment of a revolving fund in an amount not to exceed 110% of 1/12 of the independent special district's adopted budget for that fiscal year, and would require the resolution establishing the fund to make specified designations relating to the purposes for which the fund may be expended, the district officer with authority and responsibility over the fund, the necessity for the fund, and the maximum amount of the fund. This bill contains other current laws.

**Position:** None at this time

**Subject:** Special District Powers, Special District Principle Acts

**CALAFCO Comments:** Allows special districts as defined by C-K-H to set up special revolving funds.

**SB 618 (Wolk D) Local government: solar-use easement.**

**Current Text:** Enrolled: 9/16/2011 [pdf](#) [html](#)

**Introduced:** 2/18/2011

**Last Amended:** 9/8/2011

**Status:** 9/16/2011-Enrolled and presented to the Governor at 3 p.m.

| 2Year Dead | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|------------|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
|            | 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:**

Would authorize the parties to a Williamson Act contract, after approval by the Department of Conservation, in consultation with the Department of Food and Agriculture, to mutually agree to

rescind the contract in order to simultaneously enter into a solar-use easement that would require that the land be used for solar photovoltaic facilities for a term no less than 20 years, except as specified. The bill would require the city or county to charge the property owner a rescission fee based upon the fair market value of the property at the time of the rescission, as specified. This bill would require a city or county to include certain, and authorizes a city or county to include other, restrictions, conditions, or covenants in the deed or instrument granting a solar-use easement. This bill would provide that a solar-use easement would be automatically renewed annually, unless either party filed a notice of nonrenewal. This bill would provide that a solar-use easement may only be extinguished on all or a portion of the parcel by nonrenewal, termination, or by returning the land to its previous contract under the Williamson Act. This bill would require that if the landowner extinguishes the contract either by filing a notice of nonrenewal or by terminating the solar-use easement, the landowner shall restore the property to the conditions that existed before the easement by the time the easement terminates. This bill would authorize a landowner to terminate a solar-use easement by complying with certain procedures, and paying a termination fee based upon the termination value of the property, as determined by the county assessor. This bill would provide that specified parties may bring an action to enforce the easement if it is violated. This bill contains other related provisions and other current laws.

**Position:** None at this time

**Subject:** Ag Preservation - Williamson

**CALAFCO Comments:** Allows renewable energy generation (wind, solar farms) as an acceptable use for Williamson Act lands.

**SB 878 (DeSaulnier D) Regional planning: Bay Area.**

**Current Text:** Amended: 6/9/2011 [pdf](#) [html](#)

**Introduced:** 2/18/2011

**Last Amended:** 6/9/2011

**Status:** 8/26/2011-Failed Deadline pursuant to Rule 61(a)(11). (Last location was T. & H. on 6/9/2011)

|                       |           |        |        |       |           |        |        |       |                |          |        |           |
|-----------------------|-----------|--------|--------|-------|-----------|--------|--------|-------|----------------|----------|--------|-----------|
| <b>2Year<br/>Dead</b> | Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf.<br>Conc. | Enrolled | Vetoed | Chaptered |
|                       | 1st House |        |        |       | 2nd House |        |        |       |                |          |        |           |

**Summary:**

Would require the joint policy committee to submit a report to the Legislature by January 31, 2013, on, among other things, methods and strategies for developing and implementing a multiagency set of policies and guidelines relative to the Bay Area region's sustainable communities strategy, including recommendations on organizational reforms for the regional agencies. The bill would require preparation of a work plan for a regional economic development strategy to be submitted to the Legislature on that date. The bill would also require the member agencies to report on public outreach efforts that they individually or jointly perform. The bill would require public meetings in each of the region's 9 counties and creation of advisory committees, as specified. By imposing new duties on local agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

**Position:** None at this time

**Subject:** Sustainable Community Plans

**CALAFCO Comments:** Provides legislative direction to the Bay Area counties on development of their sustainable communities strategy and requires the "joint committee" to report back to the Legislature by 1 January 2013.

**Total Measures:** 26

**Total Tracking Forms:** 26

10/5/2011 8:33:10 AM