



San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

13

AGENDA REPORT
 Business | Action

May 6, 2019

TO: Commissioners

FROM: Keene Simonds, Executive Officer
 Harry Ehrlich, Legislative Consultant

SUBJECT: **Legislative Report and Related Actions**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive a report on the first year of the Legislature’s 2019-2020 session as it relates to bill proposals and other matters directly or indirectly impacting LAFCOs. The report is being presented for discussion with a recommendation for the Commission to proceed and approve support positions for two CALAFCO sponsored bills – Assembly Bills 1822 and 1253. An update is also provided on the Commission’s long-standing interest in pursuing a comprehensive rewrite to protest proceedings to streamline and simplify the statutes.

BACKGROUND

Legislative Resources

San Diego LAFCO draws on its active participation with the California Association of LAFCOs – or CALAFCO – in considering legislative matters impacting the Commission’s ability to effectively administer its regulatory and planning responsibilities. The CALAFCO Legislative Committee comprises nearly two dozen appointed members across the state – including Chair MacKenzie and Consultant Harry Ehrlich – and is tasked with drafting and/or reviewing proposed legislation and related items for Board consideration. San Diego

<p>Administration Keene Simonds, Executive Officer County Operations Center 9335 Hazard Way, Suite 200 San Diego, California 92123 T 858.614.7755 F 858.614.7766 www.sdlafco.org</p>	<p>Jim Desmond County of San Diego</p> <p>Dianne Jacob County of San Diego</p> <p>Greg Cox, Alternate County of San Diego</p>	<p>Mary Casillas Salas City of Chula Vista</p> <p>Bill Wells City of El Cajon</p> <p>Serge Dedina, Alternate City of Imperial Beach</p>	<p>Mark Kersey City of San Diego</p> <p>Chris Cate, Alternate City of San Diego</p>	<p>Chair Jo MacKenzie Vista Irrigation</p> <p>Barry Willis Alpine Fire Protection</p> <p>Erin Lump, Alternate Rincon del Diablo MWD</p>	<p>Andy Vanderlaan General Public</p> <p>Harry Mathis, Alternate General Public</p>
---	---	---	---	---	---

LAFCO relies on the information and analysis generated from the CALAFCO Legislative Committee in making its own position recommendations.¹

Current Calendar

The California Legislature reconvened on January 7, 2019 and commenced the start of a new two-year session. Over 2,500 bill proposals were introduced through the February 22nd introduction deadline for non-committee proposals. All bill proposals must pass out of the house of origin (Assembly or Senate) no later than May 31st with amendments allowed thereafter through September 6th. All bills must pass through both houses by September 13th with a 30-day window for the Governor to sign or veto.

DISCUSSION

This item is for San Diego LAFCO to receive an update on the first year of the 2019-2020 legislative session with respect to bills and related activities of interest to the Commission. The report is being presented primarily for discussion and highlights current bills under consideration that directly or indirectly impact LAFCOs. Formal positions on two of these highlighted bills are also presented for Commission consideration. Additional discussion follows and divided between (a) current bill proposals and (b) related items of interest.

Current Bill Proposals

There are currently 20 bills that have been introduced this session directly or indirectly impacting LAFCOs and are briefly outlined in the attached CALAFCO report. Staff believes five of these proposals merit specific attention and are summarized below.

AB 1822 (Assembly Local Government Committee)

This is an annual omnibus bill sponsored by CALAFCO and makes technical and/or non-controversial improvements to LAFCO law and highlighted by defining “municipal service review” and further streamlining existing outside service extension statutes. Consistent with past practice it would be appropriate for the Commission to approve a support position and authorize staff to submit a letter to the author.

AB 1253 (Rivas - San Benito)

This bill is sponsored by CALAFCO and would establish a grant program for LAFCOs to initiate dissolutions of inactive special districts and prepare reorganization studies involving disadvantaged unincorporated communities. This bill is the second attempt by CALAFCO to establish grant funding and aimed at helping LAFCOs’ fund activities for which they are currently tasked with performing, but have limited resources. It would be appropriate for the Commission to approve a support position and authorize staff to submit a letter to the author.

¹ CALAFCO’s legislative activities are limited in its current organizational structure as a non-profit (501(c)(3)) and does not utilize lobbyists.

AB 1389 (Eggman - San Joaquin)

This bill would amend existing statute involving the LAFCO approval process authorizing special districts to activate latent service powers by orienting LAFCOs to consider mitigating revenue losses by requiring payments to other public agencies. The bill and its provisions are discretionary through the use of “may” and would make explicit LAFCOs’ power to impose payments as an approval term which staff believes is already implicitly authorized under statute. The reference to mitigating for the loss of franchise fees – notably – suggest the underlying intent of the bill addresses special districts assuming telecommunication, broadband, and electrical services. Amendments to clarify purpose and scope are expected, and as such it would be appropriate for the Commission to continue to track the bill consistent with CALAFCO’s watch position.

SB 414 (Caballero - Central Valley)

This bill is sponsored by the California Municipal Utilities Association and would require the State Water Resources Control Board to dissolve existing water service providers (public and private) that are out of compliance with drinking water standards and concurrently create successor public agencies; the latter of which would be a new power for the Board. This bill follows a similar legislative effort last year (AB 2050) and would involve LAFCOs approval with the limited ability therein only to make modifications and/or include conditions. Amendments to further clarify LAFCOs involvement are expected, and as such it would be appropriate for the Commission to continue to track the bill consistent with the watch position taken by CALAFCO.

ACA No. 1 (Aguiar-Curry - Yolo)

This proposed amendment to the State Constitution would lower the necessary threshold to approve local general obligation bonds and special taxes for affordable housing and public infrastructure projects from 66% to 55% and in doing so parallel the approval threshold for school district bonds established in 2000 (Proposition 39). The bill initially was limited to counties and cities, but has been amended to include special districts; the latter of which remedies a Commission concern generated in response to a public comment received on the bill at its March meeting from Steve Abbott with the North County Fire Protection District. It would be appropriate to continue to track the bill consistent with the watch position taken by CALAFCO.

Related Items of Interest

CALAFCO has recently formed a working group to develop recommendations on a comprehensive rewrite of protest proceedings for possible bill introduction in 2020. This project has been a long-stand interest to San Diego LAFCO given the Commission’s common and increasing experience in navigating the statutes in step with processing large proposals where upfront consent of all landowners/voters is not practical. Accordingly, the Commission is well represented on the working group with three of the eight members from San Diego LAFCO with the additional offer to CALAFCO to help fund related consultant services consistent with our budgeted provisions. The working group’s first meeting is May 30th in Sacramento.

ANALYSIS

The first year of the 2019-2020 legislative session is expected to be relatively modest with respect to proposing changes directly affecting LAFCOs. Nonetheless, and as detailed in the preceding section, two bills sponsored by CALAFCO – AB 1822 and 1253 – propose helpful improvements and marked by creating grant-funding opportunities for LAFCOs for specified purposes and merit support from the Commission. Other bills introduced this session – and specifically AB 1389, SB 414, and ACA No. 1 – merit continued attention. Similarly, and given its long-standing interest in the topic, continued attention to CALAFCO and its newly formed working group’s efforts to rewrite protest proceedings is also merited and will be incorporated into future reports to the Commission.

RECOMMENDATION

It is recommended San Diego LAFCO discuss the report and proceed with approving support position and related actions involving AB 1822 and 1253. This recommendation is consistent with the actions outlined in the proceeding section as Alternative One.

ALTERNATIVES FOR ACTION

The following alternatives are available to San Diego LAFCO in considering this item:

Alternative One (recommended)

Discuss report and approve support positions for AB 1822 and 1253 and/or take other positions as desired with authorization to staff to issue letters to the authors.

Alternative Two

Continue and provide direction to staff with respect to additional information needs.

Alternative Three

No action.

PROCEDURES

This item has been agenzied for action as part of the Commission’s business calendar. The following procedures, accordingly, are recommended in the consideration of this item:

- 1) Receive verbal report from staff unless waived;
- 2) Discuss item and consider action on recommendation.

Respectfully,



Keene Simonds
Executive Officer

Attachments:

- 1) AB 1822
- 2) AB 1253
- 3) CALAFCO Legislative Report

AMENDED IN ASSEMBLY APRIL 8, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL

No. 1822

Introduced by Committee on Local Government

March 11, 2019

An act to amend Sections 56074, 56133, 56663, 57077, and ~~57013~~ 57103 of, and to add Section 56074.5 to, the Government Code, and to repeal Sections 1 and 2 of Chapter 805 of the Statutes of 2004, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1822, as amended, Committee on Local Government. Local Government: omnibus.

(1) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the act) provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Existing law requires a commission to develop and determine the sphere of influence of each city and each special district within the county and enact policies designed to promote the logical and orderly development of areas within each sphere. Existing law requires the commission, in order to prepare and update spheres of influence in accordance with this requirement, to conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission, as specified. Existing law defines "sphere of influence" to mean a plan for the probable physical boundaries and service area of a local agency. Existing law defines the term "service" for purposes of the act to mean a specific

governmental activity established within, and as a part of, a general function of the special district, as specified.

This bill would revise the definition of the term “service” for these purposes to mean a specific governmental activity established within, and as a part of, a ~~general~~ function of the local agency. This bill would also define the term “service review,” for purposes of the act, to mean an analysis conducted by the commission documenting and analyzing the services in a particular geographic region or jurisdictional area, pursuant to the process described above.

(2) Existing law authorizes a city or district to provide new or extended services by contract or agreement outside its jurisdictional boundary only if it first requests and receives written approval from the applicable local agency formation commission. Existing law, if consistent with adopted policy, authorizes the commission to authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to respond to an existing or impending threat to the health or safety of the public or the residents of the affected territory if specified conditions are met.

This bill would eliminate the requirement that the authorization by the commission be consistent with adopted policy.

(3) Existing law requires the commission, after adoption of a resolution making determinations on an application for a change of organization or reorganization by the commission, to follow specified procedures to conduct protest proceedings. Existing law authorizes the commission to waive protest proceedings under certain circumstances for, among other things, a change of organization that consists of the formation of a county service area that would otherwise require the conduct of protest proceedings.

This bill would specify that the commission may waive protest proceedings following commission approval for a change of organization that consists of the formation of a county service area, as specified.

~~(2)~~

(4) Existing law requires the commission to order a change of organization or reorganization subject to confirmation of the voters if the change of organization or reorganization consists of an incorporation or disincorporation, as specified.

This bill would additionally require the commission to order a change of organization or reorganization subject to confirmation of the voters

if the change of organization or reorganization consists of a consolidation of two or more cities.

(3)

(5) Existing law subjects any order in any resolution adopted by a commission ordering the dissolution of a local hospital district to conformation by the voters, as specified. Existing law, notwithstanding that provision, authorizes a commission, if a change of organization consists of the dissolution of a district that is consistent with a specified prior action of the commission, to order the dissolution either without an election or protest proceedings if the dissolution meets certain requirements.

This bill would make clarifying changes to the above provisions.

(4)

(6) Existing law prohibits the commission in the County of Ventura, on or before December 31, 2007, from imposing a condition that requires the City of Simi Valley to initiate proceedings on a proposal for a change of organization or reorganization unless the territory that would be affected is contiguous and physically related to the affected territory.

This bill would repeal this provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 56074 of the Government Code is
2 amended to read:

3 56074. "Service" means a specific governmental activity
4 established within, and as a part of, a ~~general~~ function of a local
5 agency.

6 SEC. 2. Section 56074.5 is added to the Government Code, to
7 read:

8 56074.5. "Service review" means an analysis conducted by
9 the commission documenting and analyzing the services in a
10 particular geographic region or jurisdictional area pursuant to *the*
11 *requirements of* Section 56430.

12 SEC. 3. *Section 56133 of the Government Code is amended to*
13 *read:*

14 56133. (a) A city or district may provide new or extended
15 services by contract or agreement outside its jurisdictional

1 boundary only if it first requests and receives written approval
2 from the commission.

3 (b) The commission may authorize a city or district to provide
4 new or extended services outside its jurisdictional boundary but
5 within its sphere of influence in anticipation of a later change of
6 organization.

7 ~~If consistent with adopted policy, the~~ *The* commission may
8 authorize a city or district to provide new or extended services
9 outside its jurisdictional boundary and outside its sphere of
10 influence to respond to an existing or impending threat to the health
11 or safety of the public or the residents of the affected territory, if
12 both of the following requirements are met:

13 (1) The entity applying for approval has provided the
14 commission with documentation of a threat to the health and safety
15 of the public or the affected residents.

16 (2) The commission has notified any alternate service provider,
17 including any water corporation as defined in Section 241 of the
18 Public Utilities Code, that has filed a map and a statement of its
19 service capabilities with the commission.

20 (d) The executive officer, within 30 days of receipt of a request
21 for approval by a city or district to extend services outside its
22 jurisdictional boundary, shall determine whether the request is
23 complete and acceptable for filing or whether the request is
24 incomplete. If a request is determined not to be complete, the
25 executive officer shall immediately transmit that determination to
26 the requester, specifying those parts of the request that are
27 incomplete and the manner in which they can be made complete.
28 When the request is deemed complete, the executive officer shall
29 place the request on the agenda of the next commission meeting
30 for which adequate notice can be given but not more than 90 days
31 from the date that the request is deemed complete, unless the
32 commission has delegated approval of requests made pursuant to
33 this section to the executive officer. The commission or executive
34 officer shall approve, disapprove, or approve with conditions the
35 extended services. If the new or extended services are disapproved
36 or approved with conditions, the applicant may request
37 reconsideration, citing the reasons for reconsideration.

38 (e) This section does not apply to any of the following:

39 (1) Two or more public agencies where the public service to be
40 provided is an alternative to, or substitute for, public services

1 already being provided by an existing public service provider and
2 where the level of service to be provided is consistent with the
3 level of service contemplated by the existing service provider.

4 (2) The transfer of nonpotable or nontreated water.

5 (3) The provision of surplus water to agricultural lands and
6 facilities, including, but not limited to, incidental residential
7 structures, for projects that serve conservation purposes or that
8 directly support agricultural industries. However, prior to extending
9 surplus water service to any project that will support or induce
10 development, the city or district shall first request and receive
11 written approval from the commission in the affected county.

12 (4) An extended service that a city or district was providing on
13 or before January 1, 2001.

14 (5) A local publicly owned electric utility, as defined by Section
15 9604 of the Public Utilities Code, providing electric services that
16 do not involve the acquisition, construction, or installation of
17 electric distribution facilities by the local publicly owned electric
18 utility, outside of the utility's jurisdictional boundary.

19 (6) A fire protection contract, as defined in subdivision (a) of
20 Section 56134.

21 (f) This section applies only to the commission of the county
22 in which the extension of service is proposed.

23 *SEC. 4. Section 56663 of the Government Code is amended to*
24 *read:*

25 56663. For a change of organization consisting of an annexation
26 or a detachment, or a reorganization consisting solely of
27 annexations or detachments, or both, or the formation of a county
28 service area that would otherwise require the conduct of protest
29 ~~proceedings~~, *proceedings after commission approval pursuant to*
30 *subdivision (d) of Section 56881*, the commission may waive
31 protest proceedings pursuant to Part 4 (commencing with Section
32 57000) if all of the following have occurred:

33 (a) The mailed notice pursuant to Section 56157 has been given
34 to landowners and registered voters within the affected territory.

35 (b) The mailed notice discloses to the registered voters and
36 landowners that unless written opposition to the proposal is
37 received before the conclusion of the commission proceedings on
38 the proposal, the commission intends to waive protest proceedings.
39 The notice shall disclose that there is potential for the extension

1 or continuation of any previously authorized charge, fee,
2 assessment, or tax by the local agency in the affected territory.

3 (c) Written opposition to the proposal from landowners or
4 registered voters within the affected territory is not received before
5 the conclusion of the commission proceedings on the proposal.

6 ~~SEC. 3.~~

7 *SEC. 5.* Section 57077 of the Government Code is amended
8 to read:

9 57077. If a change of organization consists of an incorporation,
10 disincorporation, or consolidation of two or more cities, or if a
11 reorganization includes an incorporation, disincorporation, or
12 consolidation of two or more cities, the commission shall order
13 the change of organization or reorganization subject to confirmation
14 of the voters. A protest proceeding shall not be conducted.

15 ~~SEC. 4.~~

16 *SEC. 6.* Section 57103 of the Government Code is amended
17 to read:

18 57103. Any order in any resolution adopted by the commission
19 on or after January 1, 1986, ordering the dissolution of a local
20 hospital district, organized pursuant to Division 23 (commencing
21 with Section 32000) of the Health and Safety Code, is subject to
22 confirmation by the voters unless dissolution of the local hospital
23 district meets the requirements set forth in subdivision (c) of
24 Section 57077.1.

25 ~~SEC. 5.~~

26 *SEC. 7.* Section 1 of Chapter 805 of the Statutes of 2004 is
27 repealed.

28 ~~SEC. 6.~~

29 *SEC. 8.* Section 2 of Chapter 805 of the Statutes of 2004 is
30 repealed.

ASSEMBLY BILL

No. 1253

Introduced by Assembly Member Robert Rivas
(Coauthors: Senators Caballero and Hertzberg)

February 21, 2019

An act to add and repeal Section 75131 of the Public Resources Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1253, as introduced, Robert Rivas. Local agency formation commissions: grant program.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for special districts, as specified. The act requires a local agency formation commission in each county to encourage the orderly formation and development of local agencies based upon local conditions and circumstances, among other things.

Existing law also establishes the Strategic Growth Council in state government and assigns to the council certain duties, including providing, funding, and distributing data and information to local governments and regional agencies that will assist in the development and planning of sustainable communities.

This bill would require the Strategic Growth Council, until July 31, 2025, to establish and administer a local agency formation commissions grant program for the payment of costs associated with initiating and completing the dissolution of districts listed as inactive, the payment of costs associated with a study of the services provided within a county by a public agency to a disadvantaged community, as defined, and for

other specified purposes, including the initiation of an action, as defined, that is limited to service providers serving a disadvantaged community and is based on determinations found in the study, as approved by the commission. The bill would specify application submission, reimbursement, and reporting requirements for a local agency formation commission to receive grants pursuant to the bill. The bill would require the council, after consulting with the California Association of Local Agency Formation Commissions, to develop and adopt guidelines, timelines, and application and reporting criteria for development and implementation of the program, as specified, and would exempt these guidelines, timelines, and criteria from the rulemaking provisions of the Administrative Procedure Act. The bill would make the grant program subject to an appropriation for the program in the annual Budget Act, and would repeal these provisions on January 1, 2026.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature hereby finds and declares:

2 (a) Local agency formation commissions play a critical role in
 3 the logical formation of local agency boundaries, the promotion
 4 of orderly development, and the efficient and effective provision
 5 of services.

6 (b) It is the intent of the Legislature in adding Section 75131 to
 7 the Public Resources Code to assist local agency formation
 8 commissions in initiating studies of existing government agencies
 9 and their provision of services and to consider action based on the
 10 results of these studies, including dissolving inactive districts, for
 11 the purpose of creating streamlined local government services and
 12 improved efficiency in service delivery.

13 SEC. 2. Section 75131 is added to the Public Resources Code,
 14 to read:

15 75131. (a) (1) The council shall establish and administer a
 16 local agency formation commissions grant program for the
 17 purposes described in subdivision (b), subject to an appropriation
 18 for this program in the annual Budget Act.

19 (2) Program funds provided to participating local agency
 20 formation commissions shall be used to supplement, and not
 21 supplant, existing funding and staffing levels.

1 (3) Program funds provided to participating local agency
2 formation commissions shall not be used to conduct a service
3 review of municipal services pursuant to Section 56430 of the
4 Government Code.

5 (4) All local agency formation commissions shall be eligible to
6 participate in the program.

7 (5) The council shall, after consulting with the California
8 Association of Local Agency Formation Commissions
9 (CALAFCO), adopt guidelines, timelines, and application and
10 reporting criteria for development and implementation of the
11 program to serve the purposes of this section and mutually meet
12 the needs of the council and the CALAFCO.

13 (6) The council, in granting funds pursuant to the program, shall
14 give preference to a local agency formation commission whose
15 decisions are consistent with the goals of the sustainable
16 communities strategy adopted pursuant to Section 65080 of the
17 Government Code.

18 (b) The council shall award grants to local agency formation
19 commissions for any of the following purposes:

20 (1) The payment of costs associated with initiating and
21 completing the dissolution of a special district that is listed by the
22 Controller as inactive pursuant to Section 56879 of the Government
23 Code.

24 (2) The payment of costs associated with a study prepared
25 pursuant to Section 56378 of the Government Code of the services
26 provided within a county by a public agency to a disadvantaged
27 community to do either or both of the following:

28 (A) Identify if there are any efficiencies to be gained in the
29 provision of services.

30 (B) Determine what alternatives, if any, exist for improving
31 efficiency and affordability of infrastructure and service delivery.

32 (3) The payment of costs to do any of the following:

33 (A) Initiate an action described in paragraph (2) of subdivision
34 (a) of Section 56375, other than the dissolution of a special district
35 that is listed by the Controller as inactive pursuant to Section 56879
36 of the Government Code, that is limited to service providers serving
37 a disadvantaged community and is based on determinations found
38 in a study prepared pursuant to Section 56378 of the Government
39 Code, as approved by the commission.

1 (B) Develop and implement reorganization plans with timelines
2 for expected outcomes.

3 (C) Incentivize service providers to work with the local agency
4 formation commission to develop and implement reorganization
5 plans with timelines for expected outcomes.

6 (c) (1) In order to obtain a grant award pursuant to paragraph
7 (1) of subdivision (b), a local agency formation commission shall
8 submit to the council an application for reimbursement of the costs
9 of the dissolution proceedings, in the form and manner specified
10 by the council. At a minimum, the application shall include all of
11 the following:

12 (A) The notification provided to the commission by the
13 Controller of the inactive district(s) and the requirement to initiate
14 dissolution proceedings.

15 (B) A full budget accounting for costs of the dissolution.

16 (C) All reports and documents pertaining to the final dissolution
17 action.

18 (2) The council shall review the application for reimbursement
19 and, provided all documentation is in order, issue reimbursement
20 to the local agency formation commission within 60 days of receipt
21 of the application.

22 (d) (1) In order to obtain a grant award pursuant to paragraph
23 (2) of subdivision (b) for purposes of conducting a study, a local
24 agency formation commission shall submit to the council an
25 application, in the form and manner specified by the council. At
26 a minimum, the application shall include all of the following:

27 (A) A resolution adopted by the commission authorizing
28 submission of the grant application and a commitment to review
29 and consider the recommendations and potential actions contained
30 in the study.

31 (B) A full budget accounting for estimated costs of the study to
32 be performed.

33 (C) A full explanation of the reason for the study.

34 (D) The most recent completed municipal service review or
35 study in which determinations were made by the local agency
36 formation commission indicating the agency to be studied is a
37 candidate for a change of organization or reorganization.

38 (E) An identification of the disadvantaged community that is
39 expected to benefit from the study.

1 (2) The council shall review the applications submitted pursuant
2 to paragraph (1), select the program participants based on criteria
3 that furthers the purposes of this section, and notify the participants
4 of their selection within two months of receiving the application.
5 Funds shall be issued by the council to the local agency formation
6 commission within 60 days of notification.

7 (3) A local agency formation commission that receives a grant
8 pursuant to paragraph (2) of subdivision (b) shall commence the
9 study within 30 days of receipt of funding and shall complete the
10 study within two years of commencing the study. Upon completion
11 of the study, the local agency formation commission shall do all
12 of the following:

13 (A) Submit to the council a final report within 30 days of the
14 completion of the study and the commission's adoption of a
15 resolution making determinations. The report shall be in the form
16 and manner specified by the council. At a minimum, the report
17 shall include all of the following:

18 (i) The full study conducted.

19 (ii) The resolution making determinations as adopted by the
20 local agency formation commission.

21 (iii) A full budget accounting report of the funds used.

22 (iv) A reimbursement of any unexpended funds.

23 (v) The local agency formation commission's plan for future
24 action based on the study's conclusions.

25 (B) Upon the request of the council, participating local agency
26 formation commissions shall provide the council with any
27 supplemental information necessary to substantiate the information
28 contained in the report submitted pursuant to this subdivision.

29 (4) A local agency formation commission shall repay the entire
30 amount of the grant awarded pursuant to this subdivision to the
31 council if the study funded pursuant to this subdivision is not
32 completed within two years of receipt of the grant funds. The local
33 agency formation commission shall make this repayment within
34 30 days from the two-year anniversary of receipt of the grant funds.

35 (e) (1) A local agency formation commission that elects to
36 apply for a grant pursuant to paragraph (3) of subdivision (b) shall
37 submit to the council an application, in the form and manner
38 specified by the council. At a minimum, the application shall
39 include all of the following:

1 (A) A resolution adopted by the commission authorizing
2 submission of the application for purposes defined in the
3 application.

4 (B) Change of organization or reorganization plans with
5 timelines for expected outcomes.

6 (C) A full budget accounting for estimated costs of the action
7 to be performed.

8 (D) The most recent completed study in which determinations
9 were made by the local agency formation commission indicating
10 the agency should be reorganized or dissolved, or, if there exists
11 a municipal services review or study with like determinations that
12 is no more than five years old.

13 (E) An identification of the disadvantaged community that is
14 expected to benefit from the action.

15 (2) The council shall review the applications submitted pursuant
16 to paragraph (3) of subdivision (b), select the program participants
17 based on criteria that furthers the purposes of this section, and
18 notify the participants of their selection within two months of
19 receiving the application. Funds shall be issued by the council to
20 the local agency formation commission within 60 days of
21 notification.

22 (3) A local agency formation commission that receives funds
23 pursuant to paragraph (3) of subdivision (b) shall commence action
24 within 30 days of receipt of funding.

25 (4) A local agency formation commission that receives funds
26 pursuant to paragraph (3) of subdivision (b) shall hold a public
27 hearing to consider the action described in paragraph (2) of
28 subdivision (a) of Section 56375, except the dissolution of a special
29 district that is listed by the Controller as inactive pursuant to
30 Section 56879 of the Government Code. If the action is approved
31 by a local agency formation commission, that local agency
32 formation commission shall order the change of organization or
33 reorganization subject to Section 57075 of the Government Code,
34 except that the level of protest necessary to require an election for
35 confirmation by the registered voters residing within the affected
36 territory shall be determined by the corresponding percentage of
37 registered voters or land owners required to qualify a recall on the
38 ballot pursuant to subdivision (a) or (d), as appropriate, of Section
39 11221 of the Elections Code. The calculation of registered voters
40 shall be made pursuant to subdivision (b) of that section. Upon

1 completion of the change of organization or reorganization, the
2 local agency formation commission that receives funds pursuant
3 to paragraph (3) of subdivision (b) shall do both of the following:

4 (A) Submit to the council a final report within 30 days of the
5 final action. The report shall be in the form and manner specified
6 by the council. At a minimum, the report shall include all of the
7 following:

8 (i) The final action taken by the local agency formation
9 commission.

10 (ii) If proceedings were terminated as a result of protest, all
11 necessary information pertinent to support that fact.

12 (iii) All reports and documents pertaining to the final action or
13 protest action.

14 (iv) A full budget accounting report of the funds used.

15 (v) The reimbursement of any unexpended funds.

16 (B) Upon the request of the council, the participating local
17 agency formation commission shall provide the council with any
18 supplemental information necessary to substantiate the information
19 contained in the report submitted pursuant to this subdivision.

20 (f) The Legislature finds and declares that there is a compelling
21 public interest in allowing the council to implement and administer
22 this section as expeditiously as possible, and to thereby accelerate
23 local agency formation commission efforts. The guidelines,
24 timelines, and application and reporting criteria adopted by the
25 council for purposes of this section shall be exempt from the
26 rulemaking provisions of the Administrative Procedure Act
27 (Chapter 3.5 (commencing with Section 11340) of Part 1 of
28 Division 3 of Title 2 of the Government Code) for the purpose of
29 carrying out the duties enumerated in this section.

30 (g) For the purposes of this section, the following terms shall
31 apply:

32 (1) “Disadvantaged community” means a community with an
33 annual median household income that is less than 80 percent of
34 the statewide annual median household income.

35 (2) “Local agency formation commission” means a local agency
36 formation commission that operates in a county pursuant to the
37 Cortese-Knox-Hertzberg Local Government Reorganization Act
38 of 2000 (Division 3 (commencing with Section 56000) of Title 5
39 of the Government Code).

1 (h) This section shall not be interpreted to effect the
2 independence or discretion exercised by a local agency formation
3 commission in carrying out an action pursuant to this section.

4 (i) This section shall become inoperative on July 31, 2025, and,
5 as of January 1, 2026, is repealed.

CALAFCO Daily Legislative Report as of Thursday, April 25, 2019

1

AB 508 (Chu D) Drinking water: consolidation and extension of service: domestic wells.

Current Text: Amended: 4/11/2019 [html](#) [pdf](#)

Introduced: 2/13/2019

Last Amended: 4/11/2019

Status: 4/22/2019-Re-referred to Com. on L. GOV.

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

Summary:

The California Safe Drinking Water Act requires the State Water Resources Control Board, before ordering consolidation or extension of service, to, among other things, make a finding that consolidation of the receiving water system and subsumed water system or extension of service to the subsumed water system is appropriate and technically and economically feasible. This bill would modify the provision that authorizes consolidation or extension of service if a disadvantaged community is reliant on a domestic well described above to instead authorize consolidation or extension of service if a disadvantaged community, in whole or in part, is reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water.

Position: Watch

Subject: Disadvantaged Communities, Water

CALAFCO Comments: This bill allows the SWRCB to order an extension of service in the case a disadvantaged community has at least one residence that are reliant on a domestic well that fails to provide safe drinking water. It allows members of the disadvantaged community to petition the SWRCB to initiate the process. It allows the owner of the property to opt out of the extension. The bill also places limitations on fees, charges and terms and conditions imposed as a result of the extension of service. Finally, the extension of service does not require annexation in the cases where that would be appropriate.

AB 600 (Chu D) Local government: organization: disadvantaged unincorporated communities.

Current Text: Amended: 4/11/2019 [html](#) [pdf](#)

Introduced: 2/14/2019

Last Amended: 4/11/2019

Status: 4/22/2019-Re-referred to Com. on L. GOV.

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

Summary:

The Planning and Zoning Law requires a city or county, on or before the due date for the next adoption of its housing element, to review and update the land use element of its general plan based on available data, including, but not limited to, the data and analysis of unincorporated island, fringe, or legacy communities inside or near its boundaries, as provided. That law requires the updated land use element to include, among other things, an analysis of water, wastewater, stormwater drainage, and structural fire protection needs or deficiencies for each identified community. This bill would define the term "needs or deficiencies" for these purposes to mean both deficient services and lack of services, as specified.

Attachments:

[CALAFCO Oppose Letter REV April 19, 2019](#)
[LAFCo Oppose letter template REVISED](#)
[CALAFCO Oppose Letter April 16, 2019](#)
[LAFCo Oppose letter template](#)

Position: Oppose

Subject: Disadvantaged Communities, Water

CALAFCO Comments: This bill creates a requirement for all cities, counties and certain special districts to develop an accessibility plan if they have DUCs identified in the land use element of the respective city or county. The accessibility plan is intended to be a plan for services to get those DUCs drinking water, wastewater and fire services. Contents of the plan are questionable (at best) and include things such as the identification of the entity best positioned to provide the service; actions necessary to be taken by the LAFCo to enable the provision of services to the DUC; any action the local agency feels the LAFCo will require them to take; cost/benefit analysis; and funding analysis. The agency then must submit the plan to the LAFCo, who is required to approve or conditionally approve within 90 days of receiving in a public hearing.

The bill includes as a purpose of the commission, to consider "equity" in addition to local circumstance and conditions, yet the bill leaves this term undefined.

The bill allows extension of service without annexation if a majority of residents (not registered voters) oppose the annexation.

The bill gives LAFCo new authority by requiring initiation of a change of org, reorg or service extension for any DUC related to an accessibility plan (by county, city or district) where no action has been taken by the county or city to address the service deficiency. Also, this part of the bill (56378.1) directly conflicts with other parts of the bill 56375(a)(8)(B).

The bill also requires each LAFCo to conduct a public hearing with two years of the approval of an accessibility plan for each entity to review the status of the plan, and if insufficient action has been taken, to authorize and initiate a change of organization, reorg or extension of service. In addition to the many troubling part of this process, the timing does not make sense because the bill also requires the service provider to issue reports to the state at the same time.

The bill also prohibits a LAFCo for adopting, amending or updating a SOI if: (1) a disadvantaged community is being removed from the sphere (unless the LAFCo can make findings that the removal of the area will result in an improvement in service delivery, (2) a sphere that fails to include a disadvantaged community that is contiguous to the proposed sphere unless the commission finds the exclusion of the area results in improved access to drinking or waste water; and if the service provider has not taken action pursuant to their accessibility plan two or more years prior to the amendment or update of the SOI.

All of these actions for LAFCos, cities, counties and special districts are unfunded mandates.

AB 1253 (Rivas, Robert D) Local agency formation commissions: grant program.

Current Text: Introduced: 2/21/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Status: 4/3/2019-In committee: Set, first hearing. Referred to APPR. suspense file.

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

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

Summary:

Would authorize the commission to propose, as part of the review and approval of a proposal for the establishment of new or different functions or class of services, or the divestiture of the power to provide particular functions or class of services, within all or part of the jurisdictional boundaries of a special district, that the special district, to mitigate any loss of property taxes, franchise fees, and other revenues to any other affected local agency, provide payments to the affected local agency from the revenue derived from the proposed exercise of new or different functions or classes of service.

Position: Watch**Subject:** CKH General Procedures

CALAFCO Comments: This bill allows LAFCo, when approving a proposal for new or different functions or class of service for a special district, to propose the district provide payments to any affected local agency for taxes, fees or any other revenue that may have been lost as a result of the new service being provided.

AB 1751 (Chiu D) Water and sewer system corporations: consolidation of service.**Current Text:** Amended: 3/21/2019 [html](#) [pdf](#)**Introduced:** 2/22/2019**Last Amended:** 3/21/2019

Status: 4/24/2019-VOTE: Do pass as amended and be re-referred to the Committee on [Appropriations]

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

Summary:

Current law authorizes the State Water Resources Control Board to order consolidation of public water systems where a public water system or state small water system serving a disadvantaged community consistently fails to provide an adequate supply of safe drinking water, as provided. This bill, the Consolidation for Safe Drinking Water Act of 2019, would authorize a water or sewer system corporation to file an application and obtain approval from the commission through an order authorizing consolidation with a public water system or state small water system, or to implement rates for the subsumed water system.

Position: Watch**Subject:** Water

CALAFCO Comments: This bill allows for water (public or state small) or sewer systems corps to file an application for consolidation with the SWRCB.

AB 1822 (Committee on Local Government) Local Government: omnibus.**Current Text:** Amended: 4/8/2019 [html](#) [pdf](#)**Introduced:** 3/11/2019**Last Amended:** 4/8/2019

Status: 4/9/2019-Re-referred to Com. on L. GOV.

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

Calendar:

5/1/2019 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

Current law requires a commission to develop and determine the sphere of influence of each city and each special district within the county and enact policies designed to promote the logical and orderly development of areas within each sphere. Current law requires the commission, in order to prepare and update spheres of influence in

1st House	2nd House	Conf. Conc.		
-----------	-----------	----------------	--	--

Summary:

Would create the Small System Water Authority Act of 2019 and state legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems. The bill, no later than March 1, 2020, would require the state board to provide written notice to cure to all public agencies, private water companies, or mutual water companies that operate a public water system that has either less than 3,000 service connections or that serves less than 10,000 people, and are not in compliance, for the period from July 1, 2018, through December 31, 2019, with one or more state or federal primary drinking water standard maximum contaminant levels, as specified.

Position: Watch**Subject:** Water

CALAFCO Comments: This bill is very similar to AB 2050 (Caballero) from 2018. Several changes have been made. This bill is sponsored by Eastern Municipal Water District and the CA Municipal Utilities Assoc. The intent is to give the State Water Resources Control Board (SWRCB) authority to mandate the dissolution of existing drinking water systems (public, mutual and private) and authorize the formation of a new public water authority. The focus is on non contiguous systems. The SWRCB already has the authority to mandate consolidation of these systems, this will add the authority to mandate dissolution and formation of a new public agency.

LAFCo will be responsible for dissolving any state mandated public agency dissolution, and the formation of the new water authority. The SWRCB's appointed Administrator will act as the applicant on behalf of the state. LAFCo will have ability to approve with modifications the application, and the new agency will have to report to the LAFCo annually for the first 3 years.

SB 646 (Morrell R) Local agency utility services: extension of utility services.**Current Text:** Amended: 4/11/2019 [html](#) [pdf](#)**Introduced:** 2/22/2019**Last Amended:** 4/11/2019**Status:** 4/18/2019-Set for hearing May 1.

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

Calendar:

5/1/2019 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

Summary:

The Mitigation Fee Act, among other things, requires fees for water or sewer connections, or capacity charges imposed by a local agency to not exceed the estimated reasonable cost of providing the service for which the fee or charge is imposed, unless a question regarding the amount of the fee or charge imposed in excess of the reasonable cost of providing the service or materials is submitted to and approved by 2/3 of the electors voting on the issue. This bill would state that a fee or charge for the extension of water or sewer service may not be utilized for facilities or services other than those for which the fee or charge is imposed.

Position: Neutral**Subject:** CKH General Procedures

CALAFCO Comments: UPDATE AS OF THE 4/11/19 AMENDMENTS: These amendments address all of our concerns and the bill now only addresses fees.

This bill does 3 things. (1) Seeks to add a provision to 56133 that requires LAFCo to

approve an extension of service regardless of whether a future annexation is anticipated or not. It further requires the service provider to extend the provision of service to a property owner regardless of whether there is a pending annexation or pre-annexation agreement. The newly proposed subsection directly contradicts subsection (b). (2) Changes the definition of "fee" by requiring the new fee "is of proportional benefit to the person or property being charged." There is no reasonable definition or application of "proportional benefit". (3) Narrows the scope of application of Section 56133 to water or sewer service; and prohibits the service provider to charge higher fees and charges to those outside the jurisdictional boundaries.

2

AB 213 (Reyes D) Local government finance: property tax revenue allocations: vehicle license fee adjustments.

Current Text: Introduced: 1/15/2019 [html](#) [pdf](#)

Introduced: 1/15/2019

Status: 4/10/2019-In committee: Set, first hearing. Referred to APPR. suspense file.

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

Summary:

Would, for the 2019–20 fiscal year, require the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount in the 2018–19 fiscal year, the product of that sum and the percentage change in gross taxable assessed valuation within the jurisdiction of that entity between the 2018–19 fiscal year to the 2018–19 fiscal year, and the product of the amount of specified motor vehicle license fee revenues that the Controller allocated to the applicable city in July 2010 and 1.17.

Attachments:

[CALAFCO Support Letter](#)

Position: Support

Subject: Tax Allocation

CALAFCO Comments: Sponsored by the League, this bill will reinstate ERAF funding for inhabited annexations. This bill is the same as AB 2268 (Reyes) from last year.

AB 818 (Cooley D) Local government finance: vehicle license fee adjustment amounts.

Current Text: Introduced: 2/20/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Status: 4/3/2019-In committee: Set, first hearing. Referred to APPR. suspense file.

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

Summary:

Current property tax law, for the 2006–07 fiscal year, and for each fiscal year thereafter, requires the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount for the prior fiscal year, if specified provisions did not apply, and the product of the amount as so described and the percentage change from the prior fiscal year in the gross taxable valuation within the jurisdiction of the entity. Current law establishes a separate vehicle license fee adjustment amount for a city that was incorporated after January 1, 2004, and on or before January 1, 2012. This bill would establish a separate vehicle license fee adjustment amount for a city incorporating after January 1, 2012, including an additional separate vehicle license fee adjustment amount for the first fiscal year of incorporation and for the next 4 fiscal years thereafter.

Attachments:

[LAFCo Support letter template](#)

[CALAFCO Support March 2019](#)

Position: Support

Subject: Financial Viability of Agencies

CALAFCO Comments: Sponsored by the League, this bill will reinstate ERAF funding for cities incorporating after 2018. This is the same bill as AB 2491 from 2018.

AB 1304 (Waldron R) Water supply contract: Native American tribes.

Current Text: Amended: 4/22/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amended: 4/22/2019

Status: 4/23/2019-Re-referred to Com. on L. GOV.

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

Calendar:

5/1/2019 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

Current law provides for the establishment and operations of various water districts. This bill would specifically authorize a water district, as defined, to enter into a contract with a Native American tribe to receive water deliveries from an infrastructure project on tribal lands.

Position: Watch

Subject: Municipal Services, Water

CALAFCO Comments: This bill amends the water code to allow a Native American tribe to sell/deliver water to a water district (as defined in the water code section 20200).

SB 379 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/20/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Status: 4/4/2019-Read third time. Urgency clause adopted. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

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

Summary:

This bill would enact the First Validating Act of 2019, 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 March 2019](#)

Position: Support

Subject: LAFCo Administration

CALAFCO Comments: This is one of three annual validating acts.

SB 380 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/20/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Status: 4/4/2019-Read third time. Urgency clause adopted. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

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

Summary:

This bill would enact the Second Validating Act of 2019, 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 March 2019](#)

Position: Support

Subject: LAFCo Administration

CALAFCO Comments: This is one of three annual validating acts.

[SB 381](#) (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/20/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Status: 4/4/2019-Read third time. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

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 2019, 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 March 2019](#)

Position: Support

Subject: LAFCo Administration

CALAFCO Comments: This is one of three annual validating acts.

3

[AB 530](#) (Aguilar-Curry D) The Fairfield-Suisun Sewer District.

Current Text: Amended: 4/22/2019 [html](#) [pdf](#)

Introduced: 2/13/2019

Last Amended: 4/22/2019

Status: 4/23/2019-Read second time. Ordered to third reading.

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

Calendar:

4/25/2019 #184 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary:

The Fairfield-Suisun Sewer District Act creates the Fairfield-Suisun Sewer District and grants to the district various powers relating to the treatment and disposal of sewage. The current act provides for the election of a board of directors for the district and administrative procedures for the operation of the district. Violation of regulations adopted by the board is a misdemeanor. This bill would make various administrative changes to the act, including removing the requirement that the district appoint a clerk and changing the posting requirements for regulations.

Position: Watch

Subject: Special District Powers, Special Districts Governance

CALAFCO Comments: This bill makes administrative changes to this special act district. It also allows for an extension of service pursuant to 56133 (keeping that LAFCo process intact).

[AB 1053](#) (Dahle R) Fallen Leaf Lake Community Service District.

Current Text: Amended: 3/25/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amended: 3/25/2019

Status: 3/26/2019-Re-referred to Com. on L. GOV.

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

Calendar:

5/1/2019 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

Would prohibit, on and after January 1, 2020, the Fallen Leaf Lake Community Services District from providing any services or facilities except fire protection, including medical response and emergency services, and parks and recreation services or facilities.

Position: Watch

CALAFCO Comments: CALAFCO will watch this bill to determine if the outcome of the State Audit on this district will have an impact on all CSDs.

AB 1457 (Reyes D) Omnitrans Transit District.

Current Text: Amended: 4/11/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amended: 4/11/2019

Status: 4/23/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 12. Noes 0.) (April 22). Re-referred to Com. on APPR.

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

Summary:

Would create the Omnitrans Transit District in the County of San Bernardino. The bill would provide that the jurisdiction of the district would initially include the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa, and specified portions of the unincorporated areas of the County of San Bernardino. The bill would authorize other cities in the County of San Bernardino to subsequently join the district.

Attachments:

[CALAFCO Oppose unless amended letter April 2019](#)

Position: Oppose unless amended

CALAFCO Comments: This is a special act district formation. The bill takes what is currently a JPA and transforms it into a special district. The bill specifically addresses annexations and detachments and dissolution processes that do not include LAFCo. Also of concern is the lack of specificity in the process for adding new board members when a territory is annexed.

SB 654 (Moorlach R) Local government: planning.

Current Text: Introduced: 2/22/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Status: 3/14/2019-Referred to Com. on RLS.

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

Summary:

Current law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, makes certain findings and declarations relating to local government organizations, including, among other things, the encouragement of orderly growth and development, and the logical formation and modification of the boundaries of local agencies, as specified. This bill would make nonsubstantive changes to these findings and declarations.

Position: Watch

CALAFCO Comments: This is a spot bill. The author indicates he has no plans to use this for LAFCo law.

[SB 780](#) (Committee on Governance and Finance) Local Government Omnibus Act of 2019.

Current Text: Amended: 4/11/2019 [html](#) [pdf](#)

Introduced: 2/28/2019

Last Amended: 4/11/2019

Status: 4/11/2019-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.

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

Summary:

Current law requires the governing body of a public agency, within 70 days after the commencement of the agency's legal existence, to file with the Secretary of State, on a form prescribed by the secretary, and also with the county clerk of each county in which the public agency maintains an office, a specified statement of facts about the agency. Current law requires this information to be updated within 10 days of a change in it. Current law requires the Secretary of State and each county clerk to establish and maintain an indexed Roster of Public Agencies that contains this information. This bill would instead require the Secretary of State and each county clerk to establish and maintain an indexed Registry of Public Agencies containing the above-described information.

Position: Watch

CALAFCO Comments: This is the Senate Governance & Finance Committee's annual Omnibus bill.

Total Measures: 20

Total Tracking Forms: 20

4/25/2019 7:55:05 AM

Page is Blank for Photocopying