

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF OCTOBER 26, 2011

REGULAR MEETING

TO: Ron Briggs, Chairman, and
Members of the El Dorado County Local Agency Formation
Commission

FROM: José C. Henríquez, Executive Officer

PREPARED BY: Erica Sanchez, Policy Analyst

AGENDA ITEM #9A: OTHER BUSINESS – LEGISLATION

RECOMMENDATION

None. Staff recommends that the Commission receive the following summary of LAFCO-related legislation for the 2011-2012 legislative session. This item is for information purposes only, no Commission action is necessary.

REASON FOR RECOMMENDED ACTION AND BACKGROUND

The State Legislature adjourned for 2011 on September 9 and Governor Brown had until October 9 to sign or veto any of the proposed bills passed by the Legislature. The following is a summary of bills signed by the Governor since the last August LAFCO meeting:

AB 1430 (Assembly Local Government Committee) CKH Omnibus Bill

Annual omnibus bill sponsored by CALAFCO, which makes technical changes to the Cortese-Knox-Hertzberg Act. The 2011 bill makes a major update to CKH definitions, providing more clarity to the definitions without making any substantive changes. The bill also contains a number of minor technical changes.

AB 307 (Nestande) Indian Tribes as JPA Members

Significantly expands current law on Indian tribe participation in a Joint Powers Authority by allowing any federally recognized Indian tribe to act as a public agency that may enter into a joint powers agreement. Current law only permits certain federally recognized Indian tribes to enter into joint powers agreements with particular parties and for limited purposes. It is unknown whether this would allow a tribe to enter into a JPA with a city or district and circumvent the LAFCO process for delivery of municipal services.

SB 244 (Wolk) Disadvantaged Unincorporated Communities

Requires LAFCO review of disadvantaged unincorporated communities, as defined by SB 244. The bill requires LAFCO to review water, sewer and fire services to these 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 MSR, and specifically requires LAFCO to assess alternatives for efficient and affordable infrastructure and services, including consolidations, in MSR. The bill also requires LAFCO to look at communities in or adjacent to the sphere of influence. The bill is an unfunded mandate, but provides some discretion and flexibility to LAFCOs on much of the implementation. It also adds significant requirements to city and county General Plans.

Other Updates:**ABX1 41 (Solorio) VLF for Incorporations and Annexations – Bill Died**

This bill would have reversed the actions of SB 89 by raising the temporary Vehicle License Funds (VLF) rates. SB 89 cut VLF funding to inhabited annexations and city incorporations since 2006.

SB 46 (Correa) Compensation Disclosure – Two Year Bill

Would require all local agency officials who file a statement of economic interests (Form 700) to also file an extensive compensation and reimbursement disclosure report annually. All local agencies, including LAFCOs, would be required to post the forms on their website.

Attachments

Attachment A: Legislation Report