

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF SEPTEMBER 25, 2013

REGULAR MEETING

TO: Don Mette, 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 #10A: OTHER BUSINESS – LEGISLATION

RECOMMENDATION

Staff recommends that the Commission receive the following summary of LAFCO-related legislation for the 2013-2014 legislative session. No Commission action is requested.

September 13, 2013 was the last day for the Legislature to pass bills; October 13 is the last day for the Governor to sign or veto bills passed by the Legislature. If a bill has not been passed by the Legislature by September 13, it is considered dead for this first half of the 2013-2014 legislative session and may or may not be brought back by the author during the second half of the legislative session.

REASON FOR RECOMMENDED ACTION AND BACKGROUND

The following is a summary of current bills which may affect LAFCO:

Chaptered Bills

These bills were passed by the Legislature and signed by Governor Brown. They will become effective January 1, 2014.

AB 743 (Logue) Island Annexations

This bill removes the sunset date provision to waive protest proceedings for certain island annexations. The bill also resets the effective island creation date from January 1, 2000 to January 1, 2014, allowing smaller islands of less than 150 acres created after 2000 to be annexed under these provisions. Both CALAFCO and this LAFCO were in support of AB 743 (the Commission authorized a letter in support of this bill at the June 26, 2013 meeting). AB 743 was signed by Governor Brown on August 26, 2013.

AB 1427 (Assembly Local Government Committee) Annual CKH Omnibus Bill

This annual bill makes technical and non-controversial changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act. The 2013 bill clarifies several definitions, makes changes to obsolete and incorrect code references, and makes minor updates to several outdated sections. CALAFCO was the sponsor and this LAFCO was in support of AB 1427 (the Commission authorized a letter in support of this bill at the June 26, 2013 meeting). AB 1427 was signed by Governor Brown on August 12, 2013.

Enrolled Bills

These bills were passed by the Legislature, but have not been signed or vetoed by the Governor at the time of preparing this staff memo. The Governor has until October 13 to act, so staff may or may not have an update at the September 25 meeting.

AB 1235 (Gordon) Local Agencies: Financial Management Training

AB 1235 would require that if a local agency provides any type of compensation, salary, or stipend to, or reimburses the expenses of, a member of the legislative body, the member shall receive one 4-hour state mandated Financial Management training per term of office. Effective January 1, 2014 for those in office as of that date (whose term of office extends beyond January 1, 2015). Those elected to more than one legislative body may take the training one time and have it apply to all legislative bodies on which they serve. This would apply to a LAFCO Commissioner who receives a stipend or is reimbursed for expenses in the performance of their Commissioner duties. Passed by the Legislature, but not yet signed or vetoed by the Governor.

Dead Bills

These bills did not get passed by the Legislature in time for the September 13, 2013 deadline. They may or may not be brought back for the second half of the 2013-2014 legislative session.

AB 453 (Mullin) LAFCO Eligibility for SGC Grants

This bill would make LAFCOs eligible to directly apply for grants from the Strategic Growth Council for MSRs and other studies which would better inform the preparation of Sustainable Community Strategies and Regional Transportation Plans by the municipal planning organizations. CALAFCO is the sponsor of this bill, which was first introduced as AB 2624 (Smythe) in 2012. The Commission authorized a letter in support of AB 453 at the March 27, 2013 meeting. Failed deadline.

SB 56 (Roth) Local Government Finance: Vehicle License Fee Adjustments

This bill reinstates revenues through ERAF (backfilled by the State general fund) for California cities incorporating after 2005 and annexations of inhabited territories. CALAFCO supports this bill. Failed deadline.

AB 543 (Campos) California Environmental Quality Act: translation

As amended, AB 543 requires a lead agency to translate certain notices, summary of a negative declaration, mitigated negative declaration, or environmental impact report when the impacted community has 25% or more non-English speaking people affected by the project. The requirement is to translate these notices and summaries in the native language of those impacted. This is an unfunded mandate. While LAFCO is not

typically the lead agency, there may be an occasion when they are, and this could have significant resource implications. Failed deadline.

Amended Bills: No Longer Affect LAFCO

The following bills were noted in previous legislative memos to the Commission, but were either pulled by their authors, or amended in such a way that they no longer affect LAFCOs.

AB 380 (Dickinson) California Environmental Quality Act

SB 772 (Emmerson) Drinking Water (failed deadline)

SCA 11 (Hancock) Local Government Special Taxes: Voter Approval

Attachments

Attachment A: Legislation Report