California Association of Local Agency Formation Commissions
SUMMARY OF CURRENT LAFCo LEGISLATION as of 4/28/2008

1

AB 1263(Caballero) Local agency formation commissions: statement.
Last Amend: 05/21/2007
Status: 06/07/2007-In committee: Set, first hearing. Hearing canceled at the request of author.
Location: 05/21/2007-S L. GOV.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Calendar: 06/04/08 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT
Summary: This bill will implement the changes recommended by the Legislative Committee, based on the survey and discussions among member LAFCos.

Position: Sponsor
Priority: 1

Notes: This bill was sponsored last year by CALAFCO. All of the MSR/SOI improvement were moved to the Omnibus bill and were signed into law. The bill is being held by the Assembly Local Government Committee for use by CALAFCO this year for any of our items that fall out of the Omnibus bill.

AB 1998(Silva) Political Reform Act of 1974: local agency formation commissions.
Last Amend:
Status: 04/24/2008-In Senate. Read first time. To Com. on RLS. for assignment.
Location: 04/24/2008-S RLS.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law provides for the existence, in each county, of a local agency formation commission (LAFCO), an administrative body vested with the authority and responsibility to control the process of municipal expansion by overseeing local agency boundary changes, including the incorporation, annexation, and reorganization of cities and special districts. The LAFCO for each county reviews and approves or disapproves proposed local government changes of organization; and, under specified circumstances, the determinations of the LAFCO are subject to voter approval through the circulation of a signature petition and a subsequent ballot measure. This bill would impose on a committee formed to support or oppose a LAFCO proposal, as defined, requirements regarding the filing of campaign statements. The bill would require the committee to file monthly campaign statements from the time circulation of a petition begins until a measure is placed on the ballot or the committee is terminated. After a LAFCO proposal measure is placed on the ballot, the bill would require a committee formed to support or oppose the proposal to file those campaign statements required of other committees formed to support or oppose ballot measures under the Political Reform Act of 1974. This bill contains other related provisions and other existing laws.

Attachments:
CALAFCO Letter of Support
Position: Sponsor
Priority: 1

Notes: This bill will move the financial disclosure requirements from LAFCo to the FPPC. It is sponsored by CALAFCO.

AB 2484(Caballero) Local government: special districts.
Last Amend: 04/07/2008
Status: 04/08/2008-Re-referred to Com. on L. GOV.
Location: 04/08/2008-A L. GOV.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Calendar: 04/30/08 1:30 p.m. - Room 447 ASM LOCAL GOVERNMENT
Summary: Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 defines "change of organization" to mean, among other things, a district formation, a consolidation of cities or special districts, or a merger or establishment of a subsidiary district. This bill would include within the definition of "change of organization" a proposal for the exercise of new or different functions or classes of services, or the divestiture of the power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district. This bill contains other related provisions and other existing laws.

Attachments:
CALAFCO Letter of Support
Position: Sponsor
Priority: 1

Notes: This bill was prepared by the Legislative Committee and sponsored by CALAFCO.

AB 3047(Committee on Local Government) Local agency formation commissions: notice requirements.
Last Amend: 04/21/2008
Status: 04/22/2008-Re-referred to Com. on L. GOV.
Location: 04/22/2008-A L. GOV.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Calendar: 04/30/08 1:30 p.m. - Room 447 ASM LOCAL GOVERNMENT
Summary: (1) The Cortese-Knox-Hertzberg Act of 2000 requires the local agency formation commission in each county to review and approve or disapprove proposals for changes of organization or reorganization of cities and districts within the county. The legislative body of the affected local agency is authorized to adopt , by resolution , a proposal for a change of organization or a reorganization. At least 20 days before the adoption of the resolution of application for organization or reorganization, the legislative body is authorized to give mailed notice of its intention to do so to the commission and to each interested agency and each subject agency. All provisions in the act governing the time within which an official or the commission is to act are required to be deemed directory, rather than mandatory, except for notice requirements and the specified requirements for conducting a hearing in relation to an application to initiate proceedings. This bill would instead authorize the legislative body to give mailed notice of its intention to adopt a resolution of application at least 21 days before the adoption of the resolution to the commission and to each interested agency and each subject agency. The bill also would make a conforming addition to the exceptions to the requirement that the time within which an official or the commission is to act is to be deemed directory, rather than mandatory , and would make other conforming changes . This bill contains other related provisions and other existing laws.

Attachments:
CALAFCO Letter of Support
Position: Sponsor
Priority: 1 **Notes:** This is the annual CALAFCO Omnibus Bill that contains technical changes to

the Cortese-Knox-Hertzberg Act. These items have all been submitted by CALAFCO through the Legislative Committee.

SB 301(Romero) Local government finance.
Last Amend: 01/18/2008
Status: 01/30/2008-In Assembly. Read first time. Held at Desk.
Location: 01/30/2008-A DESK

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: The Vehicle License Fee (VLF) Law establishes, in lieu of any ad valorem property tax upon vehicles, an annual license fee for any vehicle subject to registration in this state. Under existing law, the Controller is required to allocate VLF revenues in the Motor Vehicle License Fee Account in a specified order to, among others, each city that was incorporated from an unincorporated territory after August 5, 2004, but before July 1, 2009. Existing law also requires cities that were incorporated before August 5, 2004, be allocated additional VLF revenues in an amount determined pursuant to a specified formula. For purposes of this formula, existing law specifies that the population of a city that is incorporated before August 5, 2004, is that city's actual population, as defined, residing in areas annexed after August 5, 2004, but before July 1, 2009 . This bill would require that cities that are incorporated from an unincorporated territory after August 5, 2004, but before July 1, 2014, be allocated VLF revenues . This bill would specify, for purposes of this formula used to determine additional VLF revenues for cities that were incorporated before August 5, 2004, that the city's actual population is the population residing in areas annexed after August 5, 2004 . This bill contains other related provisions and other existing laws.

Attachments:
Support Letter
Position: Support
Priority: 1

Notes: This bill has been amended to remove the AB 1602 sunset on VLF subventions for annexations and provide a five year extension to the sunset for incorporations.

SB 375(Steinberg) Transportation planning: travel demand models: sustainable communities strategy: environmental review.
Last Amend: 03/24/2008
Status: 01/28/2008-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on APPR.
Location: 03/24/2008-A APPR.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law requires certain transportation planning activities by the Department of Transportation and by designated regional transportation planning agencies, including development of a regional transportation plan. Existing law authorizes the California Transportation Commission, in cooperation with the regional agencies, to prescribe study areas for analysis and evaluation. This bill would require the commission, by July 1, 2009, to adopt guidelines for travel demand models used in the development of regional transportation plans by certain transportation planning entities. The bill would require the Department of Transportation to assist the commission, on request, in this regard, and would impose other related requirements. This bill contains other related provisions and other existing laws.

Position: Watch
Priority: 1

SB 1131(Cox) Local Agency Formation Commission: Calaveras County.
Last Amend: Status: 03/24/2008-Set, second hearing. Hearing canceled at the request of author.
Location: 02/07/2008-S L. GOV.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: The Cortese-Knox Local Government Reorganization Act of 1985 prescribes the composition of members of a Local Agency Formation Commission (LAFCO), and specifies the procedures for the selection of members for independent special district representation on the commission. This bill would increase from 2 to 3 the independent special district representatives seated on the Calaveras County Local Agency Formation Commission, and would require one member to be a permanent seat filled by a member of the Board of Directors of the Calaveras County Water District. This bill contains other related provisions and other existing laws.

Attachments:
CALAFCO Letter of Opposition
Position: Oppose
Priority: 1

Notes: If passed this would be the first time that a special district obtained a special and permanent seat on a LAFCo. Based on the principles of balance on a commission and that commissioners represent the community not any one appointing agency, CALAFCO has taken an oppose position.

SB 1458(Committee on Local Government) Local government: the County Service Area Law.
Last Amend: 03/24/2008
Status: 04/14/2008-In Assembly. Read first time. Held at Desk.
Location: 04/14/2008-A DESK

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: The County Service Area Law authorizes the formation of county service areas to provide authorized services, as specified. This bill would revise and recast the County Services Area Law and make conforming changes.

Attachments:
CALAFCO Support Letter
Position: Support
Priority: 1

Notes: This bill is the culmination of the work of the CSA Rewrite Work Group, of which CALAFCO was a participant. It significantly overhauls the CSA law and brings it into conformance with CKH.

2

AB 1764(Blakeslee) Land use: agricultural use.
Last Amend: 03/24/2008
Status: 04/24/2008-In Senate. Read first time. To Com. on RLS. for assignment.
Location: 04/24/2008-S RLS.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law, for purposes of the Williamson Act, defines agricultural commodity to mean any and all plant and animal products produced in this state for commercial purposes . This bill would include in the definition of agricultural commodity plant products used for producing biofuels. This bill contains other related provisions and other existing laws.
Position: Watch
Priority: 2

AB 1992(DeVore) Public resources: unauthorized use.
Last Amend:
Status: 03/25/2008-In committee: Set first hearing. Failed passage. Reconsideration granted.
Location: 03/13/2008-A PUB. S.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law makes it unlawful for any elected state or local officer, appointee, employee, or consultant to use, or permit others to use, state resources for a campaign activity, or personal or other purposes that are not authorized by law. Existing law also provides that the incidental and minimal use of state resources is not unlawful. This bill would expand these provisions to prohibit any elected official, officer, director, appointee, employee, agent, or consultant of any state or local agency, or any organization or association that represents local agencies that is funded, in whole or in part, by dues or other voluntary payments made by local agencies from using, or permitting others to use, state resources for a campaign activity, or personal or other purposes that are not authorized by law. This bill contains other related provisions and other existing laws.

Position: Watch
Priority: 2

Notes: This bill would include LAFCo commissioners, staff, consultants and CALAFCO.

AB 2367(Fuentes) Local government: local agency formation commissions.
Last Amend:
Status: 03/06/2008-Referred to Com. on L. GOV.
Location: 03/06/2008-A L. GOV.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law authorizes the local agency formation commission to approve the annexation of unincorporated territory consistent with the planned and probable use of the property based upon the review of general plan and prezoning designations. Existing law prohibits subsequent changes to the general plan for the annexed territory or zoning that is not in conformance to the prezoning designations for a period of 2 years after the completion of the annexation, unless the legislative body of the city makes a finding that a substantial change has occurred in the circumstances that necessitate a departure from the prezoning in the application to the commission, as specified. This bill would instead prohibit subsequent changes to the general plan for the annexed territory or zoning that is not in conformance to the prezoning designations for a period of 5 years after the completion of the annexation.

Position: None at this time
Priority: 2

Notes: This bill would change the number of years a city must wait to change the zoning of an annexed parcel from 2 to 5 years and removes the ability of a city to hold a public hearing to exempt itself from this provision.

AB 2499(Smyth) Local agency formation: incorporation or annexation.
Last Amend: Status: 03/06/2008-Referred to Com. on L. GOV.
Location: 03/06/2008-A L. GOV.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, governs the procedures for the formation, change of organization, and reorganization of cities and special districts. That act also provides, unless otherwise determined by the local agency formation commission, that territory shall not be incorporated into, or annexed to, a city, if, as a result of that incorporation or

annexation, unincorporated territory is completely surrounded by that city or by territory of that city, on one or more sides and the Pacific Ocean on the remaining sides. This bill would delete "completely" from this prohibition and thereby provide that, unless otherwise determined by the commission, territory shall not be incorporated into, or annexed to a city if, as a result of that incorporation or annexation, unincorporated territory is surrounded by that city or by territory of that city on one or more sides and the Pacific Ocean on the remaining sides.

Position: See Note
Priority: 2

Notes: This bill will be amended to remove the current language and introduce language to delete two provisions of C-K-H that are specifically related to Los Angeles LAFCo. Requested by LA LAFCo. It is anticipated CALAFCO will support the amended bill.

AB 2564(Garcia) Irrigation districts.
Last Amend: 04/03/2008
Status: 04/07/2008-Re-referred to Com. on L. GOV.
Location: 04/07/2008-A L. GOV.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Calendar: 04/30/08 1:30 p.m. - Room 447 ASM LOCAL GOVERNMENT
Summary: Existing law, the Irrigation District Law, with certain exceptions, requires a director on the board of an irrigation district that provides electricity for residents of the district to be a voter of the district and a resident of the division that the director represents at the time of his or her nomination or appointment and during his or her entire term . Existing law authorizes an irrigation district to sell, dispose of, and distribute electricity for use outside of the district's boundaries . This bill would prohibit certain irrigation districts from discriminating, as defined, against electrical ratepayers residing outside the district boundaries. The bill would also prohibit certain irrigation districts from discriminating, as defined, against electrical ratepayers in favor of water ratepayers. These prohibitions would be applicable to an irrigation district that (1) has more than 50,000 service connections for electrical service, and (2) has a majority of the district's service connections for electrical service outside the district boundaries. This bill contains other related provisions and other existing laws.

Attachments:
CALAFCO Letter of Opposition
Position: Oppose
Priority: 2

Notes: This bill only applies to the Imperial Irrigation District. It circumvents the LAFCo process and CKH. It is opposed by Imperial LAFCo, Imperial County and the Imperial Irrigation District.

SB 1061(Committee on Local Government) Validations.
Last Amend:
Status: 04/23/2008-Enrolled. To Governor at 2 p.m.
Location: 04/23/2008-S ENROLLED

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: This bill would enact the First Validating Act of 2008, 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 Letter of Support
Position: Support
Priority: 2

SB 1062(Committee on Local Government) Validations.
Last Amend:
Status: 04/07/2008-Placed on inactive file on request of Assembly Member De Leon.
Location: 04/07/2008-A INACTIVE FILE

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: This bill would enact the Second Validating Act of 2008, 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 Letter of Support
Position: Support
Priority: 2

SB 1063(Committee on Local Government) Validations.
Last Amend:
Status: 04/23/2008-Chaptered by Secretary of State - Chapter No. 7, Statutes of 2008
Location: 04/23/2008-S CHAPTERED

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: This bill would enact the Third Validating Act of 2008, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:
CALAFCO Letter of Support
Position: Support
Priority: 2

SB 1191(Alquist) Local government: community service districts: broadband access.
Last Amend: 04/08/2008
Status: 04/17/2008-In Assembly. Read first time. Held at Desk.
Location: 04/17/2008-A DESK

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law authorizes a community services district to be formed to, among other things, provide fire protection services, organize, promote, conduct, and advertise programs of community recreation, provide transportation services, abate graffiti, and construct, maintain, and operate mailboxes. This bill would authorize a community services district to construct, own, improve, maintain, and operate broadband facilities and to provide broadband services, under specified circumstances, until a private person or entity is ready, willing, and able to acquire, construct, improve, maintain, and operate broadband facilities and to provide broadband services, and to sell those services at a comparable cost and quality of service to the district and its property owners, residents, and visitors.

Attachments:
CALAFCO Letter of Support
Position: Support
Priority: 2

Notes: This was a power discussed during the CSD rewrite. It was removed from the list of powers based on the strong objection from private broadband service providers.

3

AB 242(Blakeslee) Land use: annexation: housing.
Last Amend: 04/08/2008
Status: 04/23/2008-Enrolled and to the Governor at 11 a.m.
Location: 04/23/2008-A ENROLLED

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 authorizes local governments to annex portions of territory to other local governments, as specified. This bill would revise provisions governing the process for making the transfer of the county's regional housing needs allocation to the city. This bill contains other existing laws.

Position: None at this time
Priority: 3

Notes: In 2007 AB 1019 (Blakeslee)was signed into law. It was intended to address an issue in Santa Barbara County, however it now appears there are some potential unintended consequences related to when an annexing city and the county have to agree on any RHNA transfers. This bill is intended to clean up the process. LAFCo continues to have no role or responsibility in RHNA transfers in annexations as a result of this bill.

AB 842(Jones) Regional plans: traffic reduction.
Last Amend: 01/17/2008
Status: 02/07/2008-Referred to Com. on T. & H.
Location: 02/07/2008-S T. & H.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law authorizes the California Transportation Commission to establish guidelines for the preparation of regional transportation plans. This bill would require the commission to update its guidelines for the preparation of regional transportation plans, including a requirement that each regional transportation plan provide for a 10% reduction in the growth increment of vehicle miles traveled. This bill contains other related provisions and other existing laws.

Position: None at this time
Priority: 3

AB 1654(Huffman) Integrated Regional Water Management Planning Act.
Last Amend: 03/11/2008
Status: 03/13/2008-Withdrawn from committee. Re-referred to Com. on RLS.
Location: 03/13/2008-S RLS.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (initiative bond act) authorizes the issuance of bonds in the amount of $5,388,000,000 for purposes of financing a safe drinking, water quality and supply, flood control, and resource protection program. This bill would declare the intent of the Legislature to establish principles to guide the implementation of the initiative bond act. The bill would require applicants for funding for projects that assist local public agencies to meet the long-term water needs of the state to identify the manner in which the proposed project will contribute to meeting the performance standards included in

the applicable integrated regional water management plan. The bill would require the Department of Water Resources to conduct a study, consistent with an existing provision of the initiative bond act, to determine the status and effectiveness of groundwater management plans and programs. The bill would define administrative costs for the purposes of the initiative bond act. The bill would require the Secretary of the Resources Agency to prepare and submit to the Legislature an annual report with regard to the expenditure of funds pursuant to the initiative bond act. This bill contains other related provisions and other existing laws.

Position: None at this time
Priority: 3

AB 2046(Jones) Water supply assessments: groundwater.
Last Amend: 03/28/2008
Status: 04/16/2008-From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 7. Noes 4.) (April 15).
Location: 04/16/2008-A APPR.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law requires a city or county that determines a project, as defined, is subject to the California Environmental Quality Act to identify any public water system that may supply water for the project and to request those public water systems to prepare a specified water supply assessment. If no public water system is identified, the city or county is required to prepare the water supply assessment. Existing law requires, if a water supply for a proposed project includes groundwater, that certain additional information be included in the water supply assessment, including a detailed description and analysis of the amount and location of groundwater that is projected to be pumped and an analysis of the sufficiency of the groundwater from the basin or basins from which the proposed project will be supplied to meet the projected water demand associated with the proposed project. This bill would require the water supply assessment include only the amount of groundwater projected to be pumped and the groundwater included in the sufficiency analysis that has been determined by the State Department of Public Health or a local health officer to meet standards applicable for the proposed use or that has been treated to the treatment standard applicable to the proposed use. By imposing new duties on cities and counties and local health officers with respect to that determination, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: None at this time
Priority: 3

AB 2230(La Malfa) California Environmental Quality Act: filing fees and exemptions.
Last Amend:
Status: 04/15/2008-In committee: Set, second hearing. Failed passage.
Location: 04/07/2008-A NAT. RES.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: The California Environmental Quality Act (CEQA) declares legislative intent that all agencies of state government which regulate activities of private individuals, corporations, and public agencies which are found to affect the quality of the environment, give consideration to preventing environmental damage when regulating those activities. CEQA requires all lead agencies, as defined, to prepare an environmental impact report for any project which may have a significant effect on the environment. Existing law requires all project applicants and public agencies subject to CEQA to pay the filing fee for each proposed project, unless the project has no effect on fish or wildlife, the project is being undertaken by the department, or the project costs are payable to the department from specified sources. Existing law requires the Department of Fish and Game to impose and collect these filing fees, in prescribed amounts, to defray the costs of managing and protecting fish and wildlife trust resources. This bill would revise those exemptions from the payment of the filing fee to instead exempt a project that the lead

agency has determined will have no effect on fish and wildlife, and also exempt from the payment of filing fee a project being undertaken by a public agency or the department.

Position: None at this time
Priority: 3

Notes: This bill failed in committee. It would have revised the CEQA exemptions from payment of the Fish & Game filing fee to exempt a project that the lead agency has determined will have no effect on fish and wildlife, and also exempt from the payment of filing fee for a project being undertaken by a public agency or the department.

AB 2278(Caballero) Local infrastructure development: public-private partnerships.
Last Amend: 04/23/2008
Status: 04/24/2008-Re-referred to Com. on L. GOV.
Location: 04/24/2008-A L. GOV.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Calendar: 04/30/08 1:30 p.m. - Room 447 ASM LOCAL GOVERNMENT
Summary: Existing law provides that the Office of Planning and Research within the Governor's office serves as the state's comprehensive planning agency in the formulation, evaluation, and updating of, among other things, long-range goals and policies for land use, population growth and distribution, urban expansion, development, open space, resource preservation and utilization, air and water quality, and other factors that shape statewide development patterns and significantly influence the quality of the state's environment. This bill would require the Office of Planning and Research to advise and educate local agencies and other interested stakeholders about the role that public-private partnerships can play in planning, studying, designing, financing, constructing, operating, maintaining, or managing local infrastructure projects.

Position: See Note
Priority: 3

Notes: Previously this bill would have allowed fire protection districts to negotiate their own property tax exchange agreements. The bill has been gutted and amended to something unrelated and that does not affect LAFCo.

AB 2686(Nava) Santa Ynez Valley Water District.
Last Amend: 04/10/2008
Status: 04/16/2008-From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 13. Noes 0.) (April 15).
Location: 04/16/2008-A APPR.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law authorizes various public entities, including special districts, to provide water service and regulate groundwater. This bill would enact the Santa Ynez Valley Water District Act. The bill would establish the Santa Ynez Valley Water District in Santa Barbara County. The bill would prescribe the composition of the board of directors of the district. The bill would specify the district's boundaries, powers, and purposes. The district would succeed to the powers, rights, duties, responsibilities, obligations, liabilities, and jurisdiction of Improvement District No. 1 within the Santa Ynez River Water Conservation District, which entity would cease to exist. This bill contains other related provisions and other existing laws.

Position: None at this time
Priority: 3

AB 2986(Leno) Waste discharge requirements.
Last Amend: 04/08/2008
Status: 04/23/2008-In committee: Set, first hearing. Referred to APPR. suspense file.
Location: 04/23/2008-A APPR. SUSPENSE FILE

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements for publicly owned treatment works and other dischargers in accordance with the Porter-Cologne Water Quality Control Act (state act) and the federal Clean Water Act. Existing law, commencing the year in which funding is provided, requires the state board to develop a uniform overflow event report form to be used by the system owner or operator to report sanitary sewer system overflows. Existing law, commencing the year in which funding is provided, requires a database on sanitary sewer system overflows and spills to be developed and made available to the public. This bill, by January 1, 2010, would require the state board and each regional board to post on their respective Internet Web sites, at a minimum, copies of specified water quality documents maintained in their files and generated on or after January 1, 2009. The state board and each regional board would be required to post on their respective Internet Web sites additional water quality documents generated between January 1, 2006, and December 31, 2008, if they have electronic copies of those documents. This bill contains other related provisions and other existing laws.

Position: None at this time
Priority: 3

Notes: Would establish a requirement for Regional Water Quality Control Boards to annually issue letter grades for wastewater treatment systems and facilities.

SB 303(Ducheny) Local government: land use planning.
Last Amend: 06/25/2007
Status: 07/03/2007-Set, first hearing. Held under submission.
Location: 07/03/2007-A L. GOV.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: The Planning and Zoning Law requires a city, county, or city and county to adopt a comprehensive, long-term general plan for the physical development of the city, county, or city and county that addresses a number of elements, including, among other things, a housing and an open-space element. Existing law provides that the general plan may be adopted as a single document or as a group of documents relating to subjects or geographic segments of the planning area. This bill would require the general plan, and each of its elements to encompass a planning and projection period of at least 20 years, except for the housing element , and would require each element, except for the housing , conservati on, and open-space elements, to be updated at least every 10 years. The bill would require the housing element to be updated as specified, and would require the conservation element and the open-space element to be updated concurrently with the housing element. This bill contains other related provisions and other existing laws.

Position: Watch
Priority: 3

SB 378(Steinberg) Disaster Preparedness and Flood Prevention Bond Act of 2006.
Last Amend: 06/04/2007
Status: 06/19/2007-To Com. on W.,P. & W.
Location: 06/19/2007-A W.,P. & W.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: The Disaster Preparedness and Flood Prevention Bond Act of 2006, which was enacted by the Legislature and approved by the voters at the November 7, 2006, statewide general election,

authorizes the expenditure of $4,090,000,000 in bond funds for specified disaster preparedness and flood prevention projects. Those projects include projects for the evaluation, repair, rehabilitation, reconstruction, or replacement of levees, weirs, bypasses, and facilities of the State Plan of Flood Control; improving or adding facilities to the State Plan of Flood Control to increase levels of flood prevention for urban areas; reducing the risk of levee failure in the delta; and protection, creation, and enhancement of flood protection corridors and bypasses through specified actions. The bill would require the Department of Water Resources (department), when evaluating levees and facilities pursuant to a specified project, to include an evaluation of the risk of the levees and facilities failing due to a seismic event. In implementing the projects for the protection, creation, and enhancement of flood protection corridors and bypasses through specified actions, the bill would require the department to give priority for projects and expenditures that result in a systemwide reduction of flood risks and for projects that address the needs of disadvantaged communities, as the bill would define that term. A grant program that would provide bond funds to rehabilitate, reconstruct, replace, or improve existing flood levees, or construct new flood levees, or other management facilities that are a part of the State Plan of Flood Control would be required to comply with specified requirements. This bill contains other related provisions and other existing laws.

Position: Watch
Priority: 3

SB 1117(Cox) Hot Spring Valley Water District.
Last Amend: 04/07/2008
Status: 04/17/2008-Set for hearing April 28.
Location: 04/16/2008-S APPR.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: The California Water District Law provides for the establishment of water districts, and grants a district the power to acquire, plan, construct, maintain, improve, operate, and keep in repair the necessary works for the production, storage, transmission, and distribution of water for irrigation, domestic, industrial, and municipal purposes. This bill would dissolve the Hot Spring Valley Irrigation District in the County of Modoc, and establish the Hot Spring Valley Water District in that county, which would succeed to, and be vested with, all the powers, duties, responsibilities, obligations, liabilities, and jurisdiction of the former Hot Spring Valley Irrigation District. The bill would declare the Hot Spring Valley Water District to be, and require that the district be deemed, a California water district. This bill contains other related provisions and other existing laws.

Position: None at this time
Priority: 3

SB 1732(Romero) Local agencies.
Last Amend: 04/24/2008
Status: 04/24/2008-Read third time. Amended. To second reading.
Location: 04/24/2008-S SECOND READING

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Calendar: 04/28/08 3 SEN SECOND READING FILE
Summary: The Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and all persons be permitted to attend unless a closed session is authorized. The act prohibits any use of direct communication, personal intermediaries, or technological devices that is employed by a majority of the members of the legislative body to develop a collective concurrence as to action to be taken on an item, with an exception for an authorized teleconference. An appellate court in Wolfe v. City of Fremont (2006) 144 Cal.App.4th 533 held that a violation of this prohibition occurs only if a series of meetings by members of a body results in a collective concurrence. This bill would instead prohibit a majority of members of a legislative body of a local agency from using, outside a meeting

authorized by the act, a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. It also would state the Legislature's declaration that it disapproves the holding of the court in the case named above to the extent it construes the prohibition on serial meetings and would state its intention that the changes made by this bill supersede that holding. It would also provide that the changes made by this bill shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications, outside of a meeting authorized by the Brown Act, with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the body. This bill contains other related provisions and other existing laws.

Position: None at this time
Priority: 3