

## California Association of Local Agency Formation Commissions SUMMARY OF CURRENT LAFCo LEGISLATION as of 9/11/2008

### 1

**[AB 1263\(Caballero\)](#) Local agency formation commissions: statement.**

**Last Amend:** 06/05/2008

**Status:** 07/03/2008-Chaptered by the Secretary of State, Chapter Number 64, Statutes of 2008

**Location:** 07/03/2008-A CHAPTERED

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Summary:** This bill will implement the changes recommended by the Legislative Committee, based on the survey and discussions among member LAFCos.

**Attachments:**

[CALAFCO Letter of Support](#)

[Letter to Governor](#)

**Position:** Sponsor

**Priority:** 1

**Notes:** This bill is sponsored by CALAFCO. It makes several changes to CKH, including elimination of private railroads from the definition of landowner, allows LAFCo to process islands created by county boundary changes after 2000 under the island annexation provisions, and clarifies that LAFCos are authorized to establish a schedule of fees for applications as well as establish a deposit schedule and charge "service charges" against that deposit. The bill also makes non-substantive language clarifications to 56375.

We have agreed to remove the railroad language on 29 May since the RR have raised some valid concerns related to our approach. Both CALAFCO and the railroads are in consensus on the intent of the language and have agreed to work out some language this summer and co sponsor a bill next session.

**[AB 1998\(Silva\)](#) Political Reform Act of 1974: local agency formation commissions.**

**Last Amend:**

**Status:** 07/22/2008-Chaptered by the Secretary of State, Chapter Number 192, Statutes of 2008

**Location:** 07/22/2008-A CHAPTERED

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**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](#)

[CALAFCO Letter of Support - Senate E, R & CA Committee](#)

**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:** 05/21/2008

**Status:** 07/22/2008-Chaptered by the Secretary of State, Chapter Number 196, Statutes of 2008

**Location:** 07/22/2008-A CHAPTERED

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**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](#)

[CALAFCO Letter of Support to Senate](#)

[Letter to Governor](#)

**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:** 05/19/2008

**Status:** 07/03/2008-Chaptered by the Secretary of State, Chapter Number 68, Statutes of 2008

**Location:** 07/03/2008-A CHAPTERED

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Summary:** 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](#)

[CALAFCO Letter of Support to Senate  
Letter to Governor](#)

**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:** 04/29/2008

**Status:** 08/05/2008-Senate concurs in Assembly amendments. (Ayes 32. Noes 1. Page 4782.) To enrollment.

**Location:** 08/05/2008-S ENROLLMENT

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**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 delete the requirement that a city be incorporated before July 1, 2009, in order to 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:**

[CALAFCO Letter of Support](#)

**Position:** Support

**Priority:** 1

**Notes:** This bill has been amended to remove the AB 1602 sunset on VLF subventions for both annexations and incorporations.

**[SB 303\(Ducheny\)](#) Local government: land use planning.**

**Last Amend:** 07/01/2008

**Status:** 08/07/2008-Set, second hearing. Held in committee and under submission.

**Location:** 08/08/2008-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
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**Summary:** Existing law requires designated transportation planning agencies to prepare and adopt a regional transportation plan that includes a policy element, an action element, and a financial element.

The plan is required to be directed at achieving a coordinated and balanced regional transportation plan. Each transportation agency with a population that exceeds 200,000 persons is authorized to prepare at least one alternative planning scenario, as specified. This bill would require a transportation planning agency with a population exceeding 200,000 persons (A) to prepare an initial planning scenario, as specified, and an alternative planning scenario, as specified, (B) to adopt and publish procedures governing the preparation and adoption of the initial planning scenario and the alternative planning scenario, as specified, and (C) to submit, at least 90 days prior to circulation of the draft regional transportation plan, the initial planning scenario and the alternative planning scenario and accompanying report to the State Air Resources Board, as specified. These additional duties would impose a state-mandated local program. The State Air Resources Board would be required to hold a public hearing and issue a written report determining whether either the initial planning scenario or the alternative planning scenario will inhibit the state from achieving its goals under the California Global Warming Solutions Act of 2006. A city or county would be authorized to create one or more transportation infill areas, as specified. This bill contains other related provisions and other existing laws.

**Position:** Watch  
**Priority:** 1

**Notes:** This bill was amended on 9 June 2008 as a competing bill to SB 375. It adds to the requirements of Regional Transportation Plans. The ammended bill contains some of the same concepts as 375 but eliminates much of the language and provisions related to ag, open space and habitat preservation, and focuses instead on regional planning and reducing the "land use-transportation carbon footprint." It does require the plan to consider the SOIs and MSRs adopted by LAFCo. Also, this would only apply to a transportation agency with a population exceeding 200,000. We are currently doing additional analysis.

**[SB 375\(Steinberg\)](#) Transportation planning: travel demand models: sustainable communities strategy: environmental review.**

**Last Amend:** 08/22/2008

**Status:** 08/30/2008-From committee: That the Assembly amendments be concurred in. (Ayes 8. Noes 3. Page 5513.) Senate concurs in Assembly amendments. (Ayes 25. Noes 14. Page 5509.) To enrollment.

**Location:** 08/30/2008-S ENROLLMENT

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. Certain of these agencies are designated under federal law as metropolitan planning organizations. 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 to maintain guidelines, as specified, for travel demand models used in the development of regional transportation plans by metropolitan planning organizations. The bill would require the commission to consult with various agencies in this regard, and to form an advisory committee and to hold workshops before amending the guidelines. This bill contains other related provisions and other existing laws.

**Attachments:**

[CALAFCO Support Letter](#)

**Position:** Support

**Priority:** 1

**Notes:** The CALAFCO Board voted to support SB 375 at its 8 August 2008 meeting. This support is predicated on the inclusion of LAFCo boundaries and spheres in the language of the Sustainable Communities Strategy. That language was included in the legislative mock-up submitted to Legislative Counsel. However, the significantly amended version of SB 375 is still not in print despite the fact that the bill is quickly moving through the legislature.



**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:** 06/02/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was PUB. S.

**Location:** 06/02/2008-A DEAD

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 2564\(Garcia\)](#) Irrigation districts.**

**Last Amend:** 04/03/2008

**Status:** 06/02/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was L. GOV.

**Location:** 06/02/2008-A DEAD

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 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:** 04/29/2008-Chaptered by Secretary of State - Chapter No. 10, Statutes of 2008

**Location:** 04/29/2008-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
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**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:** 08/19/2008-In Senate. To enrollment.

**Location:** 08/19/2008-S ENROLLMENT

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

**Last Amend:** 05/15/2008

**Status:** 07/08/2008-Chaptered by Secretary of State - Chapter No. 70, Statutes of 2008

**Location:** 07/08/2008-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
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**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. This bill contains other related provisions and other existing laws.

**Attachments:**

[CALAFCO Letter of Support](#)

[Letter to Governor](#)

**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. It is now being added as a result of a recommendation from the Governor's Blue Ribbon Committee on Connectivity in California. CALAFCO has always supported this as a CSD power.

**3**

**[AB 242\(Blakeslee\) Land use: annexation: housing.](#)**

**Last Amend:** 04/08/2008

**Status:** 04/29/2008-Chaptered by Secretary of State - Chapter No. 11, Statutes of 2008

**Location:** 04/29/2008-A CHAPTERED

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**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:** 08/18/2008

**Status:** 08/29/2008-In Assembly. Concurrence in Senate amendments pending. Senate amendments concurred in. To enrollment. (Ayes 48. Noes 29. Page 7026.)

**Location:** 08/29/2008-A ENROLLMENT

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 Department of Housing and Community Development to administer the Infill Incentive Grant Program of 2007, to fund selected capital improvement projects that are an integral part of, or necessary to facilitate the development of, a qualifying infill project or a qualifying infill area, and specifies the conditions that a qualifying infill project or qualifying infill area must meet to receive a capital improvement project grant award. The department is also required to review and rank applicants for the award of capital improvement project grants based upon various priorities, including, among others, project readiness, the depth and duration of the affordability of the housing proposed for a qualifying infill project or qualifying infill area, and the proximity of housing to parks, employment or retail centers, schools, or social services. This bill would additionally require the department to rank applicants for the award of capital improvement project grants based upon a reduction of vehicle miles traveled as a result of the project, as specified. This bill contains other related provisions.

**Position:** None at this time

**Priority:** 3

**[AB 1654\(Huffman\)](#) Integrated Regional Water Management Planning Act.**

**Last Amend:** 03/11/2008

**Status:** 08/30/2008-Re-referred to Com. on RLS.

**Location:** 08/30/2008-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:** 07/01/2008

**Status:** 08/18/2008-Senate amendments concurred in. To enrollment. (Ayes 47. Noes 31. Page 6573.)

**Location:** 08/18/2008-A ENROLLMENT

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 Subdivision Map Act establishes a statewide regulatory framework for controlling the subdividing of land. The act generally requires a subdivider to submit, and have approved by the city, county, or city and county in which the land is situated, a tentative map. The act requires the legislative body of a city or county or the advisory agency, to the extent that it is authorized by local ordinance to approve, conditionally approve, or disapprove the tentative map, to include as a condition in any tentative



Conservation District, which entity would cease to exist, except as otherwise specified. This bill contains other related provisions and other existing laws.

**Position:** None at this time

**Priority:** 3

**AB 2870(DeSaulnier) Land use: environmental quality.**

**Last Amend:** 06/19/2008

**Status:** 06/25/2008-In committee: Set, first hearing. Hearing canceled at the request of author.

**Location:** 06/25/2008-S T. & H.

[Redacted]												
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 Planning and Zoning Law, requires that a State Environmental Goals and Policy report be prepared and regularly reviewed and revised. Under existing law, the report's purpose is to record approved goals, policies, and decisions of state government related to statewide growth and development and the preservation of environmental quality. This bill would create the California Blueprint Implementation Council, consisting of designated members, that would, in part, facilitate implementation of regional blueprint projects. The bill would also require the council to report to the Legislature on state planning matters and specified regional performance measures. It would specify that the council would perform these functions and duties only to the extent that funding is available for that purpose, require the council to seek and authorize it to receive funding from state and nonstate resources, and require the Governor's Office of Planning and Research to provide administrative assistance and support staff to the council.

**Position:** None at this time

**Priority:** 3

**AB 2986(Leno) Water quality.**

**Last Amend:** 08/20/2008

**Status:** 08/29/2008-In Assembly. Concurrence in Senate amendments pending. Senate amendments concurred in. To enrollment. (Ayes 47. Noes 31. Page 6994.)

**Location:** 08/29/2008-A ENROLLMENT

[Redacted]												
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 would require the state board, commencing January 1, 2011, to issue annually a letter grade, as specified, for each separate sanitary sewer system, sewage treatment plant, combined sewer system, and combined sewer system treatment plant in the state that is subject to waste discharge requirements in accordance with letter grading methodologies that the state board would be required to establish. The state board would be required, by January 1, 2010, to establish a methodology for measuring a sewage treatment plant's peaking factor for specified flows, to designate a prescribed peaking factor or factors, and to establish, as necessary, monitoring and reporting requirements to measure peaking factors. 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 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:** 08/04/2008-In Senate. To enrollment.

**Location:** 08/04/2008-S ENROLLMENT

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:** 07/03/2008-Chaptered by the Secretary of State, Chapter Number 63, Statutes of 2008  
**Location:** 07/03/2008-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
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**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 Ralph M. 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