

CALAFCO Daily Legislative Report as of 7/13/2009

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[AB 528](#) (Silva) Local government: reorganization: expenditure reporting.

Current Text: Enrolled: 7/9/2009 [pdf](#) [html](#)

Introduced: 2/25/2009

Last Amend: 6/9/2009

Status: 7/6/2009-Senate amendments concurred in. To enrollment. (Ayes 78. Noes 0. Page 2381.)

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

Summary: Would revise these provisions to require the expenditures to be disclosed and reported pursuant to the Political Reform Act of 1974. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter of Support](#)

[Letter of Support - Senate Local Gov't](#)

Position

Subject

Sponsor

Financial Disclosure Requirements

CALAFCO Comments: This CALAFCO sponsored bill conforms C-K-H financial disclosure requirements with the provisions in the Political Reform Act that were signed into law last year from AB 1998, which CALAFCO also sponsored.

[AB 853](#) (Arambula) Local government: organization.

Current Text: Amended: 5/18/2009 [pdf](#) [html](#)

Introduced: 2/26/2009

Last Amend: 5/18/2009

Status: 6/11/2009-Referred to Coms. on L. GOV. and RLS.

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

Summary: Would provide procedures for annexing unincorporated fringe communities and unincorporated island communities , as defined, to a city under specified circumstances, including provisions for a revenue neutrality agreement between the affected local government entities.

Attachments:

[CALAFCO Letter of Concern](#)

Position

Subject

Oppose unless amended

Special District Consolidations

CALAFCO Comments: This bill provides a mechanism for residents to petition to a Board of Supervisors to be annexed to a city if they are within 1.5 miles of a boundary or within or adjacent to an existing city SOI. It requires the Board to send a resolution to LAFCo for the annexation and requires LAFCo to approve the annexation. It creates new definitions for "Islands" and for "unincorporated fringe communities." It also prohibits affected districts from terminating the annexation. This bill is sponsored by California Rural Legal Assistance and is tied to their other bill, SB 194. CALAFCO has significant concerns and is working with the author and sponsor on language before taking a position.

AB 1109 (**Blakeslee**) **The Cortese-Knox-Hertzberg Act of 2000.**

Current Text: Amended: 4/13/2009 [pdf](#) [html](#)

Introduced: 2/27/2009

Last Amend: 4/13/2009

Status: 6/8/2009-Failed Deadline pursuant to Rule 61(a)(8). (Last location was L. GOV. on 4/14/2009)

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

Summary: Would authorize a commission to order the administration of nonperforming districts. The bill would require the commission to, upon placing a district under temporary administration, prepare a performance study, as specified.

Position Subject
 Watch Financial Viability of Agencies, CKH General Procedures

CALAFCO Comments: This bill would create a category of nonperforming districts and authorize LAFCo to assign the administration and operations to another local agency while a study is performed on the ultimate disposition of the district. Liabilities would remain with the district but the board would be eliminated. The author has agreed to make this a two-year bill while the details are negotiated with stakeholders.

AB 1582 (**Committee on Local Government**) **Local agencies: spheres of influence.**

Current Text: Enrolled: 7/9/2009 [pdf](#) [html](#)

Introduced: 3/31/2009

Last Amend: 6/10/2009

Status: 7/6/2009-Senate amendments concurred in. To enrollment. (Ayes 77. Noes 0. Page 2383.)

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

Summary: Would authorize a commission, beginning January 1, 2010, to determine the sphere of influence for a proposed new district, when a commission approves a formation or reorganization that includes the formation of a district. The commission would be required to determine the sphere of influence for any newly formed district within one year of the effective date of formation. This bill contains other related provisions and other existing laws.

Attachments:
[CALAFCO Letter of Support](#)

Position Subject
 Support CKH General Procedures

CALAFCO Comments: This is the Assembly Omnibus bill which makes technical changes to CKH.

SB 113 (**Committee on Local Government**) **Local Government Omnibus Act of 2009.**

Current Text: Amended: 6/25/2009 [pdf](#) [html](#)

Introduced: 1/29/2009

Last Amend: 6/25/2009

Status: 7/1/2009-From committee: Do pass, but first be re-referred to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) Re-referred to Com. on APPR. (Hearing date: July 1.)

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

Calendar: 7/15/2009 9 a.m. - Room 4202 ASSEMBLY APPROPRIATIONS, DE LEON, Chair

Summary: Would make various revisions to the provisions governing county law libraries. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Support Letter](#)

Position	Subject
Support	CKH General Procedures

CALAFCO Comments: The Senate Local Government Bill makes non substantial changes to local government laws other than CKH. CALAFCO has a number of items in the 2009 bill.

SB 163 **(Cox) Local government: reorganization.**

Current Text: Introduced: 2/14/2009 [pdf](#) [html](#)

Introduced: 2/14/2009

Status: 6/8/2009-Failed Deadline pursuant to Rule 61(a)(8). (Last location was RLS. on 3/9/2009)

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

Summary: Existing law, for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, makes various legislative findings and declarations regarding the use of local government reorganization. This bill would make a technical, nonsubstantive change to that provision.

Position	Subject
Watch	CKH General Procedures

CALAFCO Comments: This bill is a placeholder for an unidentified change to Cortese-Knox-Hertzberg.

SB 194 **(Florez) Community Equity Investment Act of 2009.**

Current Text: Amended: 5/18/2009 [pdf](#) [html](#)

Introduced: 2/23/2009

Last Amend: 5/18/2009

Status: 6/2/2009-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 05/28/2009)

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

Summary: Would enact the Community Equity Investment Act of 2009 and declare the intent of the Legislature to create incentives for communities to engage in sustainable community planning that incorporates into each element of its general plan data and analysis, goals, policies and objectives, and feasible implementation measures addressing the presence of disadvantaged unincorporated communities in or near their boundaries, as specified. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter of Interest](#)

Position	Subject
Watch	Municipal Services, Planning

CALAFCO Comments: This bill is intended to provide municipal services and infrastructure investment to disadvantaged unincorporated communities. Its intent, in part, is to address the role of regional agencies in addressing infrastructure deficits through changes to state agency funding programs with the intent to improve infrastructure in unincorporated communities. Language in this bill is tied to AB 853 which provides mechanisms for LAFCo to annex these communities to existing cities.

SB 215 (**Wiggins**) **Local government: organization.**

Current Text: Amended: 6/22/2009 [pdf](#) [html](#)

Introduced: 2/23/2009

Last Amend: 6/22/2009

Status: 7/6/2009-Read second time. To third reading.

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

Calendar: 7/13/2009 #107 ASSEMBLY SENATE THIRD READING FILE

Summary: Would modify that factor to require a commission to consider the proposal's consistency with city or county general and specific plans, and any applicable transportation plan, when reviewing a proposal for a change of organization or reorganization, thus imposing a state mandate. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Support Letter](#)

[CALAFCO Support Letter - Assembly Local Gov't](#)

Position	Subject
Support	Sustainable Community Plans, CKH General Procedures

CALAFCO Comments: Adds the SB 375 required "Sustainable Communities Strategy" and "Alternative Planning Strategy" to the factors a LAFCo must consider in reviewing applications in GC 56668 (g) and eliminates the now obsolete GC 56668.5 which allowed LAFCo to consider regional growth goals and policies.

AB 155 (**Mendoza**) **Local government: bankruptcy proceedings.**

Current Text: Amended: 7/1/2009 [pdf](#) [html](#)

Introduced: 1/26/2009

Last Amend: 7/1/2009

Status: 7/8/2009-In committee: Set, first hearing. Testimony taken. Further hearing to be set.

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

Summary: Would provide that a local public entity may only file under federal bankruptcy law with the approval of the California Debt and Investment Advisory Commission, as specified.

Position	Subject
None at this time	Financial Viability of Agencies

CALAFCO Comments:

AB 494 (**Caballero**) **Local planning: agricultural laborer housing.**

Current Text: Amended: 7/1/2009 [pdf](#) [html](#)

Introduced: 2/24/2009

Last Amend: 7/1/2009

Status: 7/8/2009-Do pass as amended, and re-refer to the Committee on Appropriations

Summary: Would enact the Second Validating Act of 2009, 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 Support Letter](#)

Position	Subject
Support	CKH General Procedures

CALAFCO Comments: Annual bills which validate errors and omissions made by local officials, including the boundaries of all local agencies.

SB 103 (Committee on Local Government) Validations.

Current Text: Introduced: 1/27/2009 [pdf](#) [html](#)

Introduced: 1/27/2009

Status: 4/20/2009-Read second time. To Consent Calendar. Placed on inactive file on request of Assembly Member Torrico.

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

Summary: Would enact the Third Validating Act of 2009, 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 Letter](#)

Position	Subject
Support	CKH General Procedures

CALAFCO Comments: Annual bills which validate errors and omissions made by local officials, including the boundaries of all local agencies.

SB 162 (Cox) Local government: fire suppression.

Current Text: Introduced: 2/14/2009 [pdf](#) [html](#)

Introduced: 2/14/2009

Status: 6/8/2009-Failed Deadline pursuant to Rule 61(a)(8). (Last location was RLS. on 3/9/2009)

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

Summary: Existing law, for the purposes of assessments for fire suppression, defines fire suppression to mean firefighting and fire prevention, including, but not limited to, vegetation removal or management undertaken, in whole or in part, for the reduction of a fire hazard. This bill would make a technical, nonsubstantive change to this provision.

Position	Subject
Watch	Special District Principle Acts

CALAFCO Comments: This is likely a placeholder for a more substantial change to fire agency law.

SB 211 (Simitian) Park district formation: County of Santa Cruz.

Current Text: Amended: 7/1/2009 [pdf](#) [html](#)

Introduced: 2/23/2009

Last Amend: 7/1/2009

Status: 7/9/2009-From committee: Do pass. (Ayes 5. Noes 2.) (Hearing date: July 8.)

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

Calendar: 7/13/2009 #10 ASSEMBLY SENATE SECOND READING FILE

Summary: in addition, would authorize the formation of a district in the County of Santa Cruz, except as specified, if the exterior boundaries of the proposed district are coterminous with the exterior boundaries of the county and are initiated by a specified resolution of the county board of supervisors, after a hearing noticed in accordance with specified procedures, in lieu of the petition and related proceedings required under the above provisions. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter of Opposition](#)

Position	Subject
Oppose unless amended	Special District Principle Acts

CALAFCO Comments: Allows Santa Cruz Board of Supervisors to create a regional open space district outside of LAFCo process. Does not provide a funding source for the district, leaving it to a future vote of the residents.

SB 263 (Strickland) Local government: community service districts.

Current Text: Chaptered: 7/2/2009 [pdf](#) [html](#)

Introduced: 2/24/2009

Status: 7/2/2009-Chaptered by Secretary of State - Chapter No. 11, Statutes of 2009

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

Summary: Would include the Santa Rita Hills Community Services District as one of the specified community services districts authorized to limit access to roads it owns to the landowners and residents of that district.

Position	Subject
Watch	Special District Principle Acts

CALAFCO Comments: Adds the as yet unformed Santa Rita Hills CSD as one of the specified community services districts authorized to limit access to roads it owns to the landowners and residents of that district. CALAFCO opposes the policy of adding additional districts to the limited number with authority to have gated roads that are publicly owned and/or operated.

SB 575 (Steinberg) Local planning: housing element.

Current Text: Amended: 7/1/2009 [pdf](#) [html](#)

Introduced: 2/27/2009

Last Amend: 7/1/2009

Status: 7/9/2009-From committee: Do pass as amended, but first amend, and re-refer to Com. on APPR. (Ayes 4. Noes 2.) (Hearing date: July 8.)

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

Calendar: 7/13/2009 #17 ASSEMBLY SENATE SECOND READING FILE

Summary: Would instead provide that the purpose of the meetings is to present a draft of the sustainable communities strategy and alternative planning strategy, if any, including the key land use and planning assumptions, to the members of the board of supervisors and the city council members in that county to solicit and consider their input and recommendations. This bill contains other related provisions and other existing laws.

Position: None at this time
Subject: Climate Change

CALAFCO Comments: This is the clean-up bill for SB 375. A number of issues are being amended in the bill to address resolution of funding, timing of regional transportation plans and housing elements, and other open issues from SB 375. It also renames SB 375 as the "Sustainable Communities and Climate Protection Act of 2008."

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AB 9 (John A. Perez) Political Reform Act of 1974: expenditures.

Current Text: Amended: 6/24/2009 [pdf](#) [html](#)

Introduced: 12/1/2008

Last Amend: 6/24/2009

Status: 7/8/2009-From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 5. Noes 0.) (July 7).

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

Summary: Would provide that a contribution includes the payment of public moneys by a state or local governmental agency for a communication to the public which expressly advocates the election or defeat of a clearly identified candidate or the qualification, passage, or defeat of a clearly identified measure, or taken as a whole and in context, unambiguously urges a particular result in an election, and which is made at the behest of the affected candidate or committee. The bill would further provide that an independent expenditure includes the payment of public moneys by a state or local governmental agency. By placing administrative, civil, and criminal penalties on persons who violate this bill, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: None at this time
Subject: Financial Disclosure Requirements

CALAFCO Comments: Adds that monies expended by a public agency to communicate information on a measure to the public must be reported to the FPPC.

AB 300 (Caballero) Subdivisions: water supply.

Current Text: Amended: 6/30/2009 [pdf](#) [html](#)

Introduced: 2/17/2009

Last Amend: 6/30/2009

Status: 7/7/2009-In committee: Set, first hearing. Testimony taken. Further hearing to be set.

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

Summary: Would require, until January 1, 2017, the public water system, or the local agency if there is no public water system, to review, verify for accuracy, and approve, as specified, the subdivider's water savings projections attributable to voluntary demand management measures, as defined. The public water system would be authorized to collect fees necessary to provide the additional analysis of the voluntary demand management measures. This bill would provide that a water supply assessment completed, as specified, satisfies the existing requirement of verifying sufficient water supply, unless the public water system receives specified new information. The public water system would be required to determine the projected water savings attributable to the voluntary demand management measures that will be incorporated into the subdivision. The projected water savings would be required to be calculated using

specified data compiled or maintained by the public water system or the water savings projections adopted by the California Urban Water Conservation Council. If a project applicant proposes to use a new voluntary water demand management measure for which neither the California Urban Water Conservation Council nor the public water system has adopted an estimate or method to calculate the projected water savings of the proposed voluntary demand management measure, the projected water savings would be required to be made based on documented methodologies or calculations submitted in the record. Five years after the project has been fully developed, the public water system would be required to include within its next urban water management plan a report on the monitoring and compliance of voluntary water demand management measures and to determine, if practicable based on readily available information, whether they have resulted in the water savings necessary to achieve the agreed upon water demand offsets. The bill would also require the public water system to document the measured annual water use of the subdivision in comparison to the projected demand associated with the subdivision, and to calculate the water savings attributable to the voluntary mitigation measures financed by the Voluntary Water Demand Mitigation Fund for the subdivision. If the public water system bases its written verification of a sufficient water supply for the subdivision, in whole or in part, on the use of voluntary demand management measures within the subdivision, the written verification would be required to be conditioned on the maintenance and operation of the voluntary demand management measures, or measures that are at least as water efficient, as agreed to by the applicant and the public water system, and the recordation as a covenant running with the land for the lots within the subdivision. The bill would provide that by acceptance of a deed to a lot, each purchaser would acknowledge the obligation to comply with the voluntary demand measures for the lot as described in the covenant. These covenants would be authorized to be enforced pursuant to the existing authority of a public water system. The bill would further require a builder, prior to the close of escrow, to give a purchaser information that would be required to be included in a maintenance manual that informs the purchaser of the existence of the home's unique water saving devices, including specified information. The bill would also encourage the public water system to commit to carrying out the water conservation measures funded by the Voluntary Water Demand Mitigation Fund within 24 months of the sale of the last unit of the proposed subdivision. The bill would require the public water system to choose water conservation measures that are the most cost-effective means to yield water savings. The bill would authorize expenditures from the fund to be made within the subdivision or elsewhere within the service area of the public water supplier, at its discretion. Not less than 40% of the proceeds from the voluntary water demand mitigation fund would be required to be directed to water conservation programs in any disadvantaged community, unless the public water system makes a specified finding. By adding to the duties of the public water system, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: None at this time
Subject: Service Reviews/Spheres, Water

CALAFCO Comments: Requires the preparation of a water assessment report for projects which reduce water consumption, which requires consultation with affected agencies, including LAFCo.

AB 588 (Cook) Local government finance.

Current Text: Introduced: 2/25/2009 [pdf](#) [html](#)

Introduced: 2/25/2009

Status: 6/8/2009-Failed Deadline pursuant to Rule 61(a)(8). (Last location was PRINT on 2/25/2009)

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

Summary: The Vehicle License Fee 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 vehicle license fee revenues in the Motor Vehicle License Fee Account in a specified order, as provided. This bill would make a technical, nonsubstantive change to that provision.

Position: None at this time
Subject: Tax Allocation

CALAFCO Comments: This is a placeholder bill that is focused on the local VLF allocation. May affect formulas for future annexations and incorporations.

ABX3
8 (**Evans**) **State and local government.**

Current Text: Amended: 2/15/2009 [pdf](#) [html](#)

Introduced: 1/5/2009

Last Amend: 2/15/2009

Status: 2/15/2009-Read third time. Urgency clause refused adoption. (Ayes 19. Noes 13. Page 52.)
 Motion to reconsider made by Senator Florez. Reconsideration granted. (Ayes 3)

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

Calendar: 7/13/2009 #18 SENATE ASSEMBLY BILLS-THIRD READING FILE

Summary: Would change the date the Controller is required to pay any eligible claim to October 15 or 60 days after the date the appropriation for the claim is effective, whichever date is later. This bill contains other related provisions and other existing laws.

Position	Subject
None at this time	Tax Allocation

CALAFCO Comments: Makes changes to the dates and formulas for tax allocations. Will be of interest to those LAFcos conducting fiscal studies for incorporations and annexations.

SB
115 (**Lowenthal**) **Public employment.**

Current Text: Amended: 3/24/2009 [pdf](#) [html](#)

Introduced: 1/29/2009

Last Amend: 3/24/2009

Status: 7/9/2009-Read second time. To third reading.

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

Calendar: 7/13/2009 #136 ASSEMBLY SENATE THIRD READING FILE

Summary: Would require that a public employee or applicant seeking public employment be permitted to decline to take and subscribe the oath of office based on moral, ethical, or religious beliefs that conflict with his or her ability to take and subscribe the oath without mental reservation, if he or she is otherwise willing and able to uphold the United States Constitution and the constitution and laws of this state and to complete the duties of employment. The bill would require that person to sign a statement that he or she declines to take and subscribe the oath required pursuant to existing law, based on moral, ethical, or religious beliefs that conflict with his or her ability to take that oath, as specified, and to take and subscribe a specified alternate statement to that effect. The bill would except from these provisions a public officer, employee, or applicant for public employment who is elected or who serves at the pleasure of an elected official. The bill would also make conforming changes and make a related statement of legislative findings.

Position	Subject
Watch	LAFCo Administration

CALAFCO Comments:

SB 170 (**Florez**) **Agricultural lands: cancellation of Williamson Act contracts.**

Current Text: Amended: 4/13/2009 [pdf](#) [html](#)

Introduced: 2/14/2009

