

California Association of Local Agency Formation Commissions SUMMARY OF CURRENT LAFCo LEGISLATION as of 11/14/2007

1

AB 745(Silva) Local agency formation commissions.

Last Amend: 06/26/2007

Status: 07/20/2007-Chaptered by the Secretary of State, Chapter Number 109, Statutes of 2007

Location: 07/20/2007-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

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires specified procedures to be followed for the submission of a proposal for a change of organization or reorganization to the local agency formation commission. Existing law requires the disclosure of expenditures for political purposes related to a change of organization or reorganization proposal that has been submitted to a local agency formation commission, and contributions in support of or in opposition to those measures. This bill would require expenditures for political purposes made in connection with a proposal that will be submitted to a local agency formation commission, and contributions in support of or in opposition to those proposals, and expenditures for political purposes made in connection to proceedings for a change of organization or reorganization, and contributions in support of or in opposition to those proceedings, to be disclosed and reported to the same extent and subject to the same requirements of the Political Reform Act of 1974 as provided for local initiative measures.

Attachments:

[Support Letter with Amendment Request](#)

[Support for Governor's Signature](#)

Position: Support

Priority: 1

Notes: The most recent amendment to this bill brings it in close alignment to the originally proposed language. The amended bill requires contributions and expenditures on boundary changes approved by LAFCo to be disclosed and reported subject to the same requirements that the Political Reform Act provides for local initiatives. Further, it amends the state law that already requires contributions and expenditures on boundary change petitions to LAFCOs to clarify those provisions and insert a cross-reference to the Political Reform Act. It also clarifies the current law that allows LAFCOs to adopt more stringent local disclosure policies.

AB 1262(Caballero) Spheres of influence.

Last Amend: 06/11/2007

Status: 07/30/2007-Chaptered by Secretary of State - Chapter No. 167, Statutes of 2007

Location: 07/30/2007-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

Summary: Existing law requires a commission to develop and determine the sphere of influence of each local governmental agency within the county. Existing law requires, until January 1, 2008, that at least 30 days prior to submitting an application to the commission for a determination of a new sphere of influence or to update an existing sphere of influence for a city, representatives from the city meet with county representatives to discuss the proposed sphere and its boundaries, and to explore methods to reach agreement on the boundaries, development standards, and zoning requirements within the sphere, as specified. If an agreement is reached, it is required to be submitted to the commission, which shall give it great weight in the final determination of the city's sphere of influence. If no agreement is reached, the commission shall consider the applicant city's sphere of influence consistent with specified policies of the commission. This bill would revise the above procedure to, among other things, delete the time periods by

which a city and county may reach an agreement. It would also delete the January 1, 2008, limitation provision, thereby making the revised procedure permanent. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter of Support](#)

Position: Support

Priority: 1

Notes: The current bill removes the sunset provision. Amendments are under consideration which will remove the 30-day language. By removing the sunset, this provision will become a permanent CKH requirement. By removing the 30-day language and the 30-day extension language, the bill eliminates confusion on the timeframes and would simply state that "prior to a city submitting and application..." the meeting must occur. Proposed amendments will also clarify that this provision is only applicable when a city submits an application, and that the agreement must be in writing.

[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.

[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: This bill will implement the changes recommended by the Legislative Committee, based on the survey and discussions among member LAFcos.

Attachments:

[CALAFCO Support Letter](#)

[Request to remove OPR Guideline requirement](#)

Position: Sponsor

Priority: 1

Notes: This bill is sponsored by CALAFCO and contains all the recommended changes to MSR/SOI determinations. The changes were based on several surveys of LAFcos and a number of workshops and discussions with LAFco staff and commissioners around the state. CALAFCO and OPR are seeking an amendment which would eliminate the requirement for OPR to prepare MSR Guidelines. Because this bill has encountered no opposition, its contents are expected to be amended into the Omnibus Bill, AB 1744.

[AB 1646\(DeSaulnier\)](#) Public health districts.

Last Amend: 09/06/2007

Status: 09/07/2007-Re-referred to Com. on HEALTH.

Location: 09/07/2007-A HEALTH

[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 Local Health Care District Law, provides for the establishment of local hospital districts. This bill would authorize the board of supervisors of a county to establish public health districts for specified purposes .

Position: Watch

Priority: 1

Notes: This has turned into a two year bill. If it does emerge again we expect it to be significantly changed from the original language.

AB 1744(Committee on Local Government) Local government reorganization.

Last Amend: 07/05/2007

Status: 09/26/2007-Chaptered by the Secretary of State, Chapter Number 244, Statutes of 2007

Location: 09/26/2007-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

Summary: Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, defines "prime agricultural land" to mean an area of land that has not been developed for a use other than an agricultural use, and that, among other qualifications, supports livestock used for the production of food and fiber, and that has an annual carrying capacity equivalent to at least one animal unit per acre, as defined in the United States Department of Agriculture in the National Handbook on Range and Related Grazing Lands, July 1967. This bill would instead use the National Range and Pasture Handbook, Revision 1, December 2003, to provide at least one animal unit per acre, as specified. It would also make various technical, nonsubstantive changes to the act. This bill contains other related provisions and other existing laws.

Position: Sponsor

Priority: 1

Notes: This is the Assembly Omnibus Bill for 2007, which contains technical, non-controversial changes to Cortese-Knox-Hertzberg. All of these items (to date) were submitted by the CALAFCO Legislative Committee. Only those items which receive a consensus of various stakeholders (outside of CALAFCO) will appear in the bill. CALAFCO has submitted 14 potential items. Items will be amended into the bill prior to its hearing at the Senate Local Government Committee on 20 June.

SB 162(Negrete McLeod) Local government: organization.

Last Amend: 03/05/2007

Status: 10/10/2007-Chaptered by the Secretary of State, Chapter Number 428, Statutes of 2007

Location: 10/10/2007-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: Existing law, the Cortese-Knox-Hertzberg Act, specifies the factors that a local agency formation commission is required to consider in the review of a proposal for a change of organization or reorganization including the comments of any affected local agency and information or comments from the landowner or owners, as specified. This bill would also require a local agency formation commission to consider information or comments from voters or residents of the affected territory and the extent that the proposal will promote environmental justice, as defined, thus creating a state-mandated local program. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO letter requesting amendment](#)

Position: Watch

Priority: 1

Notes: The CALAFCO Board has taken a watch position on this bill and requested that it be amended from "promote environmental justice" to "affect environmental justice."

SB 167(Negrete McLeod) General plans: planning grants and incentives.

Last Amend: 06/04/2007

Status: 06/08/2007-Failed Deadline pursuant to Rule 61(a)(8). Last location was APPR.

Location: 06/08/2007-S 2 YEAR

--	--	--	--	--	--	--	--	--	--	--	--	--

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 allocates \$580,000,000 for revitalizing communities and making them more sustainable and livable by investing in sound land use planning, local parks, and urban greening, and specifically authorizes \$90,000,000 for planning grants and incentives, as specified, to encourage, among other things, the development of specified regional and local land use plans. The act also requires that these funds be made available upon appropriation by the Legislature. This bill would require the Governor's to administer multiple programs, as specified, to award (1) grants and loans to cities and counties to prepare and adopt general plans, including, among other things, a preference for a grant or loan if one or more criteria are met, (2) loans to cities and counties to prepare and adopt programs to implement city and county general plans, including specific plans, habitat conservation plans, zoning ordinances, and design standards, (3) grants to counties and the cities, if any, in those counties to prepare collaborative strategic growth plans, subject to specified criteria, and (4) grants and loans to local agency formation commissions to prepare and adopt municipal service reviews and spheres of influence. The bill would also provide that the funding for the programs under (1), (2), and (4) includes the costs of complying with the California Environmental Quality Act. The bill would require the office to prepare and adopt regulations for this purpose that meet specified criteria and would require the office to cooperate with the Secretary of the Resources Agency in any independent audits of expenditures pursuant to these provisions. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO request for amendment](#)

Position: Watch

Priority: 1

Notes: This bill died in Senate Appropriations. Some of the components, including MSR grants and loans has been placed in SB 732.

[SB 301\(Romero\)](#) Local governments: cities.

Last Amend:

Status: 05/14/2007-Failed Deadline pursuant to Rule 61(a)(3). Last location was RLS.

Location: 05/14/2007-S 2 YEAR

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 governs the organization and reorganization of local governments. This bill would expresses the intent of the Legislature to enact legislation that would provide a resource to interested residents who want to commission a study on the logistics and costs of incorporating a city.

Position: Watch

Priority: 1

Notes: This bill did not make it out of committee and has become a two-year bill. It would declare the Legislature's intent to create a fund to assist community organizations with funding the studies (CFA, CEQA) associated with incorporations.

[SB 819\(Hollingsworth\)](#) Local government: consolidation.

Last Amend: 05/30/2007

Status: 07/20/2007-Chaptered by the Secretary of State, Chapter Number 98, Statutes of 2007

Location: 07/20/2007-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: Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, establishes procedures for the organization and reorganization of cities and special districts. With respect

to the consolidation of special districts, until January 1, 2005, the law required all of the districts to have been formed pursuant to the same principal act. Existing law, until July 1, 2008, permits the consolidation of 2 or more special districts not formed pursuant to the same principal act if certain procedures are followed. This bill would delete that July 1, 2008, expiration date on the authorization to consolidate 2 or more special districts not formed pursuant to the same principal act. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter of Sponsorship and Support](#)
[Support for Governor's Signature](#)

Position: Sponsor

Priority: 1

Notes: This bill is sponsored by CALAFCO. It removes the sunset on AB 2067 (Harman) that gave LAFCo the authority to consolidate districts formed under different statutes. That authority is currently sunsets on 1 July 2008. This bill will make the statute a permanent provision of Cortese-Knox-Hertzberg. This bill also provides LAFCo with a new authority to initiate a proposal to form a successor district. The bill has been amended to address a conflict between two districts. Legislative Counsel believes the amendment has no affect, but has been included for political purposes. CALAFCO continues to support the bill as amended.

2

[AB 503\(Swanson\)](#) Public agencies: overtime: notice.

Last Amend: 06/01/2007

Status: 06/14/2007-Referred to Com. on RLS.

Location: 06/14/2007-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 generally regulates the working hours of public and private employees. Existing law provides that 8 hours constitutes a day's work, except as specified. This bill would require the California Research Bureau to conduct a study, to be submitted to the Legislature by June 30, 2008, on issues related to a requirement that state and local agencies provide eight hours' written notice to employees who are required to work overtime. The bill would require the study to address the impacts of such a requirement on both employers and employees .

Position: Watch

Priority: 2

Notes: This bill has been amended to turn it into a study by the California Research Bureau. It will not have any impact of public agency operations at this time.

[AB 1019\(Blakeslee\)](#) Land use: annexation: housing.

Last Amend: 07/03/2007

Status: 07/30/2007-Chaptered by Secretary of State - Chapter No. 165, Statutes of 2007

Location: 07/30/2007-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

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 authorize a similar mutually acceptable agreement on a revised determination of regional housing needs if an annexation of unincorporated land to a city occurs after the council of governments, or the

department for areas with no council of governments, has made its final allocation. This bill contains other existing laws.

Position: Watch
Priority: 2

Notes: This bill was introduced at the request of Santa Barbara County to address a housing number allocation issue.

SB 141(Committee on Local Government) Validations.

Last Amend:

Status: 04/24/2007-Chaptered by Secretary of State - Chapter No. 6 , Statutes of 2007.

Location: 04/24/2007-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 First Validating Act of 2007, 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:

[Support Letter](#)

Position: Support
Priority: 2

SB 142(Committee on Local Government) Validations.

Last Amend:

Status: 09/21/2007-Chaptered by Secretary of State - Chapter No. 216, Statutes of 2007

Location: 09/21/2007-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 Second Validating Act of 2007, 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:

[Support Letter](#)

Position: Support
Priority: 2

SB 143(Committee on Local Government) Validations.

Last Amend:

Status: 09/21/2007-Chaptered by Secretary of State - Chapter No. 217, Statutes of 2007

Location: 09/21/2007-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 2007, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[Support Letter](#)

Position: Support

Priority: 2

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, conservation, 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: 2

SB 343(Negrete McLeod) Local agencies: open meetings: documents.

Last Amend: 06/21/2007

Status: 10/05/2007-Chaptered by the Secretary of State, Chapter Number 298, Statutes of 2007

Location: 10/05/2007-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: The Ralph M. Brown Act requires that any meeting of a legislative body of a local agency be open and public and all persons be permitted to attend. The act requires the body to post an agenda at least 72 hours before a regular meeting and provides that agendas and any other writings, when distributed to all, or a majority of all, of the members of a legislative body of a local agency by any person in connection with a matter subject to discussion or consideration at a meeting of the body are public records subject to the public disclosure requirements of the California Public Records Act. This bill would provide that if a writing that is a public record under these provisions, and that relates to an agenda item for an open session of a regular meeting of the legislative body of a local agency, is distributed less than 72 hours prior to that meeting, the writing shall be made available for public inspection at a public office or location that the agency shall designate for this purpose. It would require each local agency to list the address of this office or location on the agendas for all meetings of the legislative body of that agency. It also would authorize a local agency to post a writing that is a public record under these provisions on the agency's Internet Web site. It would make these provisions effective on July 1, 2008.

Position: Watch

Priority: 2

Notes: This bill has been significantly amended to provide more flexibility for posting new information available within 72 hours of a meeting by allowing posting of the material on the LAFCo website or other designated location. LAFCo Clerks should review the bill to ensure current practices align with the legislation.

SB 375(Steinberg) Transportation planning: travel demand models: sustainable communities strategy: environmental review.

Last Amend: 09/12/2007

Status: 09/12/2007-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on APPR. (Corrected October 18.)

Location: 09/12/2007-A APPR.

[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 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, 2008, 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.

Priority: 2

SB 558(Cogdill) Public utilities: lease, sale, or transfer of public utilities.

Last Amend: 06/28/2007

Status: 09/11/2007-Chaptered by the Secretary of State, Chapter Number 209, Statutes of 2007

Location: 09/11/2007-S CHAPTERED

[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 sets forth the procedures by which a municipal corporation, as defined, may lease, sell, or transfer a public utility owned and operated by it. The Cortese-Knox-Herzberg Local Government Reorganization Act prescribes requirements for the orderly transition of a reorganization in governmental facilities and finances. This bill would make these procedures inapplicable to the lease, sale, or transfer of public utilities by a municipal corporation to another local agency pursuant to the act.

Position: None at this time

Priority: 2

SB 732(Steinberg) Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.

Last Amend: 09/07/2007

Status: 09/10/2007-Placed on inactive file on request of Assembly Member Bass.

Location: 09/10/2007-A INACTIVE FILE

[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: The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative statute approved by the voters at the November 7, 2006, statewide general election makes about \$5.4 billion in bond funds available for safe drinking water, water quality and supply, flood control, natural resource protection, and park improvements. This bill would require the various departments that are to implement the provisions of the initiative, among other things, to develop and adopt guidelines and regulations, consult with other entities, conduct studies, and follow certain procedures for establishing a project, grant, loan or other financial assistance program implementing the initiative. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: 2

Notes: CALAFCO had been following SB 167 (Negrete McLeod) which allocates some of the Proposition 84 funds as planning grants and loans. SB 167 died in the Senate Appropriations Committee.

However, most (but not all) of the programs created by SB 167 are now part of SB 732 (Steinberg), as amended May 25. While LAFCo is mentioned in the introduction, the bill no longer provides opportunities for LAFCos to seek some funds to assist with MSRs.

SB 806(Hollingsworth) Governmental reorganization: fire agencies: San Diego County.

Last Amend:

Status: 05/02/2007-Failed Deadline pursuant to Rule 61(a)(2). Last location was L. GOV.

Location: 05/02/2007-S 2 YEAR

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 reorganization of fire protection districts pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. This bill would provide for the consolidation of districts into the consolidated regional fire agency or entity in San Diego County, to be funded commencing July 1, 2008, by an allocation by the auditor of the County of San Diego of an amount equal to 1% of the countywide ad valorem property tax revenue. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: 2

Notes: This has become a two-year bill. It is supported by the San Diego LAFCo.

SB 964(Romero) Local agencies.

Last Amend: 05/10/2007

Status: 10/05/2007-Vetoed by Governor

Location: 10/05/2007-S VETOED

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 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 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. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: 2

Notes: This bill has been prepared in response to a court decision last year which rejected some of the provisions of the Brown Act. As written it essentially reestablishes the status quo. It is not expected to change the requirements or restrictions on communication with commissioners or communication among commissioners outside of LAFCo meetings.

SB 1046(Committee on Environmental Quality) California Environmental Quality Act: fees and notices: recreational uses of reservoirs.

Last Amend: 09/06/2007

Status: 09/26/2007-Chaptered by the Secretary of State, Chapter Number 253, Statutes of 2007

Location: 09/26/2007-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: Existing law requires the Department of Fish and Game to impose and collect filing fees, in prescribed amounts, to defray the costs of managing and protecting fish and wildlife trust resources, including, consulting with other public agencies, reviewing environmental documents, recommending mitigation measures, developing monitoring requirements for purposes of the California Environmental Quality Act (CEQA), consulting, and other activities protecting specified trust resources. Existing law requires a local agency to pay a filing fee for a project for which it prepares a negative declaration pursuant to CEQA, or for a project with an environmental impact report (EIR) pursuant to CEQA, to the county clerk at the time of filing a notice of determination. Existing law requires a state agency to pay a filing fee for a project for which it prepares a negative declaration, or for a project with an EIR, to the Office of Planning and Research (office) at the time of filing a notice of determination. This bill would require a local agency, collecting a filing fee from the project applicant, to remit it to the county clerk at the time of filing a notice of determination. The bill would require a state agency collecting the filing fee to remit the fee to the office at the time of filing a notice of determination. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: 2

3

AB 5(Wolk) Flood management.

Last Amend: 09/07/2007

Status: 10/10/2007-Chaptered by the Secretary of State, Chapter Number 366, Statutes of 2007

Location: 10/10/2007-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

Summary: Existing law establishes the 7-member Reclamation Board in the Department of Water Resources. Existing law requires the board members to be appointed and to serve at the pleasure of the Governor. Existing law prescribes compensation for each board member for time spent attending meetings of the board in the amount of \$100, except as specified. Existing law requires the board to elect one of its members as president. Existing law requires the board to appoint a secretary, who may be a board member, and authorizes the board to appoint a general manager, a chief engineer, and an assistant secretary. Existing law authorizes the board to employ certain other employees. This bill would rename the Reclamation Board the Central Valley Flood Protection Board. The bill would require the board to act independently of the department. The bill would state the intent of the Legislature to transfer the duties and corresponding funding allocated to the Reclamation Board as it exists on December 31, 2007, together with all necessary positions, to the board as it is reconstituted on and after January 1, 2008. The bill would prohibit the department from overturning any action or decision by the board. The bill would increase the membership of the board from 7 to 9 members. The bill would require 7 members to be appointed by the Governor, subject to Senate confirmation, 4 of whom would be required to meet specified eligibility requirements and 3 of whom would be designated as public members. The bill would require one board member to be the Chair of the Senate Committee on Natural Resources and Water and one board member to be the Chair of the Assembly Committee on Water, Parks and Wildlife, and would designate those 2 members as nonvoting ex officio members. The bill, with a certain exception, would require the board members to serve 4-year terms. The bill would require the board members to receive a salary identical to that received by members of the State Air Resources Board and would incorporate additional changes made by AB 933, which has been chaptered. The bill would require the Governor to select one of the board members as president. The bill would repeal provisions relating to the appointment or employment of specified personnel and, instead, authorize the board to appoint an

executive officer and chief engineer and to employ legal counsel and other necessary staff. This bill contains other related provisions and other existing laws.

Position: Watch
Priority: 3

AB 162(Wolk) Land use: water supply.

Last Amend: 08/31/2007

Status: 10/10/2007-Chaptered by the Secretary of State, Chapter Number 369, Statutes of 2007

Location: 10/10/2007-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

Summary: The Planning and Zoning Law requires a city or county general plan to include specified mandatory elements, including a land use element that designates the proposed general distribution and general location and extent of the uses of the land for various purposes and a conservation element that considers, among other things, the effect of development within the jurisdiction, as described in the land use element, on natural resources located on public lands, including military installations, and provides that the conservation element may also cover, among other things, flood control. This bill would require the land use element to identify and annually review those areas covered by the general plan that are subject to flooding as identified by flood plain mapping prepared by the Federal Emergency Management Agency or the Department of Water Resources. The bill also would require, upon the next revision of the housing element, on or after January 1, 2009, the conservation element of the general plan to identify rivers, creeks, streams, flood corridors, riparian habitat, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management. By imposing new duties on local public officials, the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch
Priority: 3

AB 224(Wolk) Water supply planning.

Last Amend: 08/01/2007

Status: 08/30/2007-In committee: Set, first hearing. Held under submission.

Location: 08/30/2007-S 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, various state and local agencies engage in water resource planning. This bill would enact the Climate Change and Water Resource Protection Act of 2007. The bill would require the Department of Water Resources, as part of its statewide water resource management responsibilities, to include an analysis of the potential effects of climate change, to the extent applicable, in reports or plans that the department is required to prepare. The bill would prohibit the department from approving a request for a specified grant, submitted after January 1, 2010, unless certain requirements are met. The department would be required, by July 1, 2008, to identify available peer-reviewed information, or the best available scientific information, regarding climate change and water resources for the state and each of the state's hydrologic regions for specified uses. The bill, on and after January 1, 2009, would require an urban water supplier and an agricultural water supplier that is required to prepare a water management plan to take certain action relating to specified climate change information. This bill contains other related provisions.

Position: Watch
Priority: 3

AB 424(Gaines) Income and corporation taxes: credit: defensible space.

Last Amend: 08/28/2007

Status: 08/28/2007-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on REV. & TAX.

Location: 08/28/2007-S REV. & TAX

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 Personal Income Tax Law and the Corporation Tax Law authorize various credits against the taxes imposed by those laws. This bill would, under both laws, allow for taxable years beginning on or after January 1, 2007, and before January 1, 2011, a credit in an amount equal to the qualified costs, as defined, not to exceed \$500 per qualified property, paid or incurred for the creation of a defensible space, which would be defined as a specified area around a qualified property, as defined, that is created by removing all brush, flammable vegetation, and combustible growth. This bill contains other related provisions.

Position: Watch

Priority: 3

AB 665(DeSaulnier) Growth management.

Last Amend: 09/07/2007

Status: 10/10/2007-Vetoed by Governor

Location: 10/10/2007-A VETOED

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 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. The bill would request, to the extent that funding is available, that the University of California produce a report on the best practices of transportation-land use planning and growth management, that includes specified criteria. This bill contains other related provisions.

Position: None at this time

Priority: 3

SB 5(Machado) Flood management.

Last Amend: 09/05/2007

Status: 10/10/2007-Chaptered by the Secretary of State, Chapter Number 364, Statutes of 2007

Location: 10/10/2007-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: The Planning and Zoning Law requires a city, county, and 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. The law authorizes the legislative body of a city or county to adopt zoning ordinances regulating, among other things, the use of buildings, structures, and land. The law authorizes a city or county to enter into a development agreement with a person having a legal or equitable interest in real property for the development of the property. This bill would require each city, including a charter city, and county within the Sacramento-San Joaquin Valley, within 24 months of the adoption of a specified flood protection plan by the Central Valley Flood Protection Board, to amend its general plan to include data and analysis contained in that flood protection plan, goals and policies for the protection of lives and property that will reduce the risk of flood damage, and related feasible implementation measures. The bill would require each city, including a charter city, and county within the Sacramento-San Joaquin Valley, within 36 months of the adoption of that flood protection plan but not more than 12 months after the amendment of the general plan under the bill's provisions, to amend its

zoning ordinance so that it is consistent with the general plan, as amended. By establishing requirements on cities and counties, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Placeholder - monitor
Priority: 3

SB 12(Lowenthal) Planning and zoning: housing element: Southern California Association of Governments.

Last Amend: 01/29/2007

Status: 04/10/2007-Chaptered by Secretary of State - Chapter No. 5 , Statutes of 2007.

Location: 04/10/2007-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: The Planning and Zoning Law requires a city or county general plan to include specified mandatory elements, including a housing element that identifies and analyzes existing and projected housing needs and includes a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. This bill, until January 1, 2015, would substantially revise the procedure for the Southern California Association of Governments, or delegate subregion, as applicable, to develop a final allocation plan for distributing the existing and projected regional housing need to cities and counties within the region or subregion. This bill contains other related provisions and other existing laws.

Position: Placeholder - monitor
Priority: 3

SB 17(Florez) Flood protection.

Last Amend: 06/04/2007

Status: 10/10/2007-Chaptered by the Secretary of State, Chapter Number 365, Statutes of 2007

Location: 10/10/2007-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: Existing law establishes the 7-member Reclamation Board in the Department of Water Resources. Existing law requires the board members to be appointed and to serve at the pleasure of the Governor. Existing law prescribes compensation for each board member for time spent attending meetings of the board in the amount of \$100, except as specified. Existing law requires the board to elect one of its members as president. Existing law requires the board to appoint a secretary, who may be a board member, and authorizes the board to appoint a general manager, a chief engineer, and an assistant secretary. Existing law authorizes the board to employ certain other employees. This bill would rename the Reclamation Board the Central Valley Flood Protection Board. The bill would require the board to act independently of the department. The bill would state the intent of the Legislature to transfer the duties and corresponding funding allocated to the Reclamation Board as it exists on December 31, 2007, together with all necessary positions, to the board as it is reconstituted on and after January 1, 2008. The bill would prohibit the department from overturning any action or decision by the board. The bill would increase the membership of the board from 7 to 9 members. The bill would require 7 members to be appointed by the Governor, subject to Senate confirmation, 4 of whom would be required to meet specified eligibility requirements and 3 of whom would be designated as public members. The bill would require one board member to be appointed by the Senate Committee on Rules and one board member to be appointed by the Speaker of the Assembly and would designate those 2 members as public members. The bill, with a certain exception, would require the board members to serve 4-year terms. The bill would require the board members to receive a salary identical to that received by members of the State Air Resources Board. The bill would require the Governor to select one of the board members as president. The bill would repeal provisions relating to the appointment or employment of specified personnel and,

instead, authorize the board to appoint an executive officer and chief engineer and to employ legal counsel and other necessary staff. This bill contains other related provisions and other existing laws.

Position: Watch
Priority: 3

SB 144(Committee on Local Government) Local Government Omnibus Act of 2007.

Last Amend: 06/27/2007

Status: 10/08/2007-Chaptered by the Secretary of State, Chapter Number 343, Statutes of 2007

Location: 10/08/2007-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: Existing law authorizes 2 or more public agencies to enter into agreements to jointly exercise any power common to the contracting parties, as specified. Existing law requires specified notice to be filed with the Secretary of State when a joint powers agreement provides for the creation of an agency or entity that is separate from the parties to the agreement, as specified. Existing law also authorizes one or more persons to form a corporation, as specified, by executing and filing articles of incorporation with the Secretary of State. This bill would require a corporation that is created by a local elected agency, as specified, and an agency or entity formed pursuant to a joint powers agreement, as specified, to furnish an additional copy of its articles of incorporation, or notice of the agreement to the Secretary of State, and would require the Secretary of State to forward the extra copy to the Controller. This bill contains other related provisions and other existing laws.

Position: None at this time
Priority: 3

Notes: None of the Senate Omnibus items appear to affect LAFCo. BC

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 634(Wiggins) Food labeling: olive oil.

Last Amend: 09/07/2007

Status: 09/07/2007-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on AGRI.

Location: 09/07/2007-A AGRI.

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 defines olive oil to mean the edible oil obtained from the fruit of an olive tree. Existing law makes it a crime to manufacture, sell, offer for sale, give away, or possess imitation olive oil, as defined. Existing law excludes from this prohibition the blending of olive oil with other edible oils if the blend is not labeled as olive oil or imitation olive oil, and if the contents and proportions of the blend are prominently displayed on the container's label. This bill would define olive oil to mean the edible oil obtained solely from the fruit of the olive tree.

Position: None at this time
Priority: 3

SB 862(Kuehl) Water resources.

Last Amend: 09/07/2007

Status: 10/13/2007-Vetoed by the Governor

Location: 10/13/2007-S VETOED

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 Department of Water Resources operates the State Water Project, which includes state water facilities, as defined. This bill would require the department, commencing in 2009, and every 2 years thereafter, to prepare and deliver to all State Water Project contractors, all city and county planning departments, and all regional and metropolitan planning departments within the project service area a report that accurately sets forth, under a range of hydrologic conditions, the then-existing overall delivery capability of the project facilities and the allocation of that capacity to each contractor. This bill contains other related provisions and other existing laws.

Position: Watch
Priority: 3

Total rows: 34