

**LAFCO Legislative Update**  
**as of 2/15/2008**

**AB 1263 (Caballero) Local agency formation commissions: statement.**

**Last Amended:** 05/21/2007

**Status:** 06/07/2007-In committee: Set, first hearing. Hearing canceled at the request of author.

**Current Location:** 05/21/2007-S L. GOV.

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

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](#)

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

**Position:** Sponsor

**Priority:** 1

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

**Status:** 02/14/2008-Read first time. To print.

**Current Location:** 02/14/2008-A PRINT

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

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.

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

**Position:** Sponsor

**Priority:** 1

**SB 301** **(Romero) Local government finance.**

**Last Amended:** 01/18/2008

**Status:** 01/30/2008-In Assembly. Read first time. Held at Desk.

**Current Location:** 01/30/2008-A DESK

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

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

**Attachments:**

[Support Letter](#)

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

**Position:** Support

**Priority:** 1

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

**Last Amended:** 01/28/2008

**Status:** 01/28/2008-From committee with author's amendments. Read second time.

Amended. Re-referred to Com. on APPR.

**Current Location:** 01/28/2008-A APPR.

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

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

**Position:** Watch

**Priority:** 1

**SB 1131** **(Cox)** **Local Agency Formation Commission: Calaveras County.**  
**Status:** 02/07/2008-To Com. on L.GOV. Set for hearing March 5.  
**Current Location:** 02/07/2008-S L. GOV.

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

**Calendar Events:** 03/05/08 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

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

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

**Position:** Oppose

**Priority:** 1

**AB 503** **(Swanson)** **Public agencies: overtime: notice.**

**Last Amended:** 06/01/2007

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

**Current 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	Chapters

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 .

**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.

**Position:** Watch

**Priority:** 2

**AB 1764** **(Blakeslee)** **Land use: agricultural use.**

**Status:** 01/28/2008-Referred to Coms. on NAT. RES. and AGRI.

**Current Location:** 01/28/2008-A NAT. RES.

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

Existing law, for purposes of the Williamson Act, defines agricultural use to mean the use of land for the purposes of producing an agricultural commodity for commercial purposes. This bill would include in the definition of agricultural use producing plant products for biofuels. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Priority:** 2

**SB 303** **(Ducheny) Local government: land use planning.**

**Last Amended:** 06/25/2007

**Status:** 07/03/2007-Set, first hearing. Held under submission.

**Current 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

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

**Last Amended:** 09/07/2007

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

**Current Location:** 09/10/2007-A INACTIVE FILE

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

(1) 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, among other things, makes \$580,000,000 in bond funds available for improving the sustainability and livability of the state's communities through investment in natural resources. 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, or grant or loan program implementing the initiative. This bill contains other related provisions and other existing laws.

**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.

**Position:** Watch

**Priority:** 2

**SB 1061 (Committee on Local Government) Validations.**

**Status:** 01/24/2008-Set for hearing February 20.

**Current Location:** 01/17/2008-S L. GOV.

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

**Calendar Events:** 02/20/08 10 a.m. - Room 112 SEN LOCAL GOVERNMENT

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.**

**Status:** 01/24/2008-Set for hearing February 20.

**Current Location:** 01/17/2008-S L. GOV.

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

**Calendar Events:** 02/20/08 10 a.m. - Room 112 SEN LOCAL GOVERNMENT

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.**

**Status:** 01/24/2008-Set for hearing February 20.

**Current Location:** 01/17/2008-S L. GOV.

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

**Calendar Events:** 02/20/08 10 a.m. - Room 112 SEN LOCAL GOVERNMENT

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

**Attachments:**

[CALAFCO Letter of Support](#)

**Position:** Support

**Priority:** 2

**SB 1191 (Alquist) Local government: community service districts: broadband access.**

**Status:** 02/13/2008-From print. May be acted upon on or after March 14.

**Current Location:** 02/12/2008-S PRINT

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

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 acquire, own, improve, maintain, and operate broadband facilities and to provide broadband services, 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.

**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.

**Position:** None at this time

**Priority:** 2

**AB 224** **(Wolk)** **Water supply planning.**

**Last Amended:** 08/01/2007

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

**Current 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

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 242** **(Blakeslee)** **Land use: annexation: housing.**

**Last Amended:** 01/24/2008

**Status:** 02/07/2008-Referred to Com. on T. & H.

**Current Location:** 02/07/2008-S T. & H.

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

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.

**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.

**Position:** None at this time

**Priority:** 3

**SB 378 (Steinberg) Disaster Preparedness and Flood Prevention Bond Act of 2006.**

**Last Amended:** 06/04/2007

**Status:** 06/19/2007-To Com. on W.,P. & W.

**Current 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

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