

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF MAY 23, 2012

REGULAR MEETING

TO: Ron Briggs, Chair, and
Members of the El Dorado County Local Agency Formation
Commission

FROM: José C. Henríquez, Executive Officer

PREPARED BY: Erica Sanchez, Policy Analyst

AGENDA ITEM #11A: OTHER BUSINESS – LEGISLATION

RECOMMENDATION

Staff recommends that the Commission receive the following summary of LAFCO-related legislation for the 2011-2012 legislative session and authorize the Chair to sign the following letters:

- Support for AB 2698 (Committee on Local Government) – Cortese-Knox-Hertzberg Omnibus Bill (Attachment A)
- Opposition for Assembly Bill 2238 (Perea) – LAFCO MSR Studies and Public Water Systems (Attachment B)

REASON FOR RECOMMENDED ACTION AND BACKGROUND

The following is a summary of current bills which may affect LAFCO:

AB 2698 (Assembly Local Government Committee) Annual CKH Omnibus Bill

This annual bill makes technical and non-controversial changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act. The 2012 bill makes a number of technical changes, as well as making major clarifications to the various protest provisions in the Act. CALAFCO is the sponsor.

Staff is recommending the Commission authorize the Chair to sign a letter in support of AB 2698 (refer to Attachment A).

AB 2238 (Perea) Public Water Systems and MSR Studies

This bill would require the State Department of Public Health to promote the consolidation and merger of small community water systems that serve disadvantaged communities, and would require the studies performed prior to a construction project to include the feasibility of consolidating or merging community water systems. It would

also require funding priority be given to projects involving managerial consolidation or merger when the consolidation or merger would further specified goals.

This bill would require LAFCO to determine the feasibility of consolidations and other service efficiency alternatives in every MSR which includes water or wastewater services. It would make LAFCO eligible to apply for grants for some MSRs, but eligibility is questionable. CALAFCO opposes because of the significant unfunded mandate will create countless unnecessary and useless studies and it exceeds LAFCO purpose by requiring unprecedented research studies.

Staff is recommending the Commission authorize the Chair to sign a letter in opposition to AB 2238 (refer to Attachment B).

SB 46 (Correa) Compensation Disclosure

This bill would require all local agency officials who file a statement of economic interests (Form 700) to also file an extensive compensation and reimbursement disclosure report annually. All local agencies, including LAFCOs, would be required to post the forms on their website. The Commission directed staff to prepare a letter in opposition to SB 46 at the February 22 LAFCO meeting.

AB 2624 (Smyth) Sustainable Communities

The Strategic Growth Council is required to manage and award grants and loans to a council of governments, metropolitan planning organization, regional transportation planning agency, city, county, or joint powers authority for the purpose of developing, adopting, and implementing a regional plan or other planning instrument to support the planning and development of sustainable communities. This bill would make LAFCOs eligible to directly apply from the Strategic Growth Council grants for MSRs and other studies which would better inform the preparation of Sustainable Community Strategies and Regional Transportation Plans by the municipal planning organizations. CALAFCO is the sponsor.

SB 1498 (Emmerson) Local Agency Formation Commission: Powers

This bill would authorize LAFCOs to authorize a city or district to provide new or current services outside its jurisdictional boundaries and outside its sphere of influence to support current or planned uses involving public or private properties, subject to approval at a noticed public hearing, in which certain determinations are made. The bill would also authorize the commission to delegate to its executive officer the approval of certain requests to authorize a city or district to provide new or extended services outside its jurisdictional boundaries or outside its sphere of influence, as described above, under specified circumstances.

This bill includes the CALAFCO language for out-of-agency service extensions (Government Code §56133), and eliminates the annexation requirements from SB 244, which requires a separate annexation application to LAFCO for a disadvantaged unincorporated community when it is adjacent to uninhabited territory the city would like to annex.

SB 1566 (Negrete McLeod and Emmerson) Vehicle License Fees Funding for Annexations and Incorporations

Current law requires that a specified amount of motor vehicle license fees deposited to the credit of the Motor Vehicle License Fee Account in the Transportation Tax Fund be allocated by the Controller, as specified, to the Local Law Enforcement Services Account in the Local Revenue Fund 2011, for allocation to cities, counties, and cities and counties. This bill would require, on and after July 1, 2012, that those revenues be distributed first to each city that was incorporated from an unincorporated territory after August 5, 2004, in an amount determined pursuant to a specified formula and, second, to each city that was incorporated before August 5, 2004, in an amount determined pursuant to a specified formula.

This bill would correct the VLF problem created by last year's budget bill SB 89, and restore VLF to recent incorporations and inhabited annexations.

Attachments

- Attachment A: AB 2698 Support Letter
- Attachment B: AB 2238 Opposition Letter
- Attachment C: Legislation Report