

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

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Agenda Item #9A
Attachment D
SUPPLEMENTAL
REPORT HANDOUT
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May 23, 2018

Senator Mike McGuire
California State Senate
State Capital Room 5061
Sacramento, CA 95814

Subject: SUPPORT of Senate Bill 929 (as amended March 6, 2018)

Dear Assembly Senator McGuire:

The El Dorado Local Agency Formation Commission (LAFCO) is pleased to join the California Association of Local Agency Formation Commissions (CALAFCO) in support of **Senate Bill 929**, which would require all independent special districts have a website by January 1, 2020, thereby increasing transparency.

LAFCOs work very closely with special districts in their role of overseeing the provision of municipal services. For the approximately 50 percent of the independent special districts that have websites today, communication and transparency with the local LAFCO is far more seamless than with the other half that do not have a website. In those instances, the LAFCO is left to creative resourcefulness to gain access to critical contact and agency information, often times requiring the LAFCO to expend a great deal of effort and resources. This information is especially critical for LAFCO when fulfilling their statutory obligations related to conducting Municipal Service Reviews on these districts.

Further, providing information in an easy, accessible and transparent way to all members of the public – especially those being served by the district – is simply good governance.

Thank you for authoring this important piece of legislation. Please feel free to contact me or José Henríquez, El Dorado LAFCO's Executive Officer, should you have any questions about El Dorado LAFCO's position.

Respectfully,

Shiva Frentzen, Chair
El Dorado LAFCO

Cc: Chair and Members, Assembly Local Government Committee
Jimmy MacDonald, Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
Pamela Miller, Executive Director, CALAFCO
Dillon Gibbons, CA Special Districts Association

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José C. Henríquez, Executive Officer • Erica Sanchez, Assistant Executive Officer
Denise Tebaldi, Interim Commission Clerk • Kara K. Ueda, Commission Counsel

AMENDED IN SENATE MARCH 6, 2018

SENATE BILL

No. 929

Introduced by Senator McGuire

January 25, 2018

~~An act to amend Section 53085 of the Government Code, relating to local government. An act to add Section 53087.8 to the Government Code, relating to special districts.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 929, as amended, McGuire. ~~Local government: applicant for economic development financial assistance: statement. Special districts: Internet Web sites.~~

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for special districts, as specified. The California Public Records Act requires a local agency to make public records available for inspection and allows a local agency to comply by posting the record on its Internet Web site and directing a member of the public to the Web site, as specified.

This bill would, beginning on January 1, 2020, require every independent special district to maintain an Internet Web site that clearly lists contact information for the special district, except as provided. Because this bill would require local agencies to provide a new service, the bill would impose a state-mandated local program.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or

open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

~~Existing law authorizes a local agency to require an applicant for economic development loans, grants, or similar financial assistance to sign a statement under penalty of perjury that he or she has not been convicted of a felony.~~

~~This bill would make a nonsubstantive change to that provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. *The Legislature finds and declares all of the*
- 2 *following:*
- 3 (a) *Special districts are local government agencies that provide*
- 4 *essential services to millions of Californians.*
- 5 (b) *As of January 2018, there are 2,085 independent special*
- 6 *districts in California.*
- 7 (c) *Each special district focuses on a specific set of services,*
- 8 *including, but not limited to, water, utilities, and parks.*
- 9 (d) *Throughout California’s history, special districts have*
- 10 *empowered residents to find local solutions to fit the unique needs*
- 11 *of their communities.*
- 12 (e) *It is this local approach that continues to make special*
- 13 *districts a popular method for delivering essential public services*
- 14 *and infrastructure in communities throughout the state.*
- 15 (f) *In order to further public access to information related to*
- 16 *these essential services, it is the intent of the Legislature that each*