

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

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May 27, 2017

Assembly Member James Gallagher
California State Assembly
State Capital Room 2158
Sacramento, CA 95814

Subject: Support of Assembly Bill 464 as Amended

Dear Assembly Member Gallagher:

On behalf of the El Dorado Local Agency Formation Commission (LAFCO) I am writing to express our support for **Assembly Bill 464**, as amended on March 14, 2017. Sponsored by the California Association of Local Agency Formation Commissions (CALAFCO), the bill makes necessary technical changes to existing LAFCO law to solidify the current practice of LAFCOs approving annexations of areas already being served by a local agency through an out-of-area service agreement (Government Code Section 56133).

As a result of a court decision in 2014 in the case of *City of Patterson v. Turlock Irrigation District*, all future annexations of an area receiving services through an approved out-of-area service agreement will not be valid. What began as a local issue has now become a critical statewide concern. This bill seeks to remedy that problem by ensuring that within certain conditions, LAFCOs can continue to evaluate applications which include the annexation of territory where services are already being provided via an out-of-area service agreement. Further, it allows for common sense boundary alignments and more predictable growth planning.

By allowing the annexation of these areas, **AB 464** also ensures the people paying for and receiving the services, can participate in elections and potentially serve on the governing board of the service provider.

It is important to note that this bill does not change the current rights of a city or district to oppose an annexation, nor does it change any protest provisions in current law. It simply ensures the ability for LAFCOs to continue the practice of common sense boundary oversight for service providers. As there are many pending annexations throughout the state that are associated with previously approved out-of-area service extensions, this legislation is critical to the successful annexation of these areas.

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For these reasons, the El Dorado LAFCO is pleased to support **AB 464**. Thank you for carrying this important piece of legislation. Please feel free to contact me or our LAFCO staff at (530) 295-2707 if I can provide additional information.

Sincerely,

José C. Henríquez
Executive Officer

cc: Members, Assembly Local Government Committee
Misa Lennox, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
Pamela Miller, Executive Director, CALAFCO

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