

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF MAY 28, 2014

REGULAR MEETING

TO: Don Mette, Chairman, 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 #10A: OTHER BUSINESS – LEGISLATION

RECOMMENDATION

Staff recommends that the Commission receive the following summary of LAFCO-related legislation for the 2013-2014 Legislative Session. No Commission action is requested.

REASON FOR RECOMMENDED ACTION AND BACKGROUND

The State Legislature is in year two of the current two-year cycle. The deadline for new legislation to be introduced has passed and bills are now moving through the committee process.

The following is a summary of current bills in this second half of the 2013-2014 legislative session, which may affect LAFCO:

AB 453 (Mullin) – 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.

AB 453 would make LAFCOs eligible to apply for Strategic Growth Council grants, which could possibly be used to fund more comprehensive MSR and SOI studies in collaboration with the regional transportation agencies (a direction the State Legislature is moving in). This would reduce duplication of effort and provide the transportation agencies with more complete information regarding municipal services and growth capacity for the preparation of the sustainable communities strategies.

The Commission authorized staff to prepare a letter in support of AB 453, at the March 27, 2013 meeting.

AB 1729 (Logue) – Local government: Agricultural Land: Subvention Payments

AB 1729 would appropriate \$40,000,000 to the Controller from the General Fund for the 2014-15 fiscal year to make Williamson Act subvention payments to counties to reimburse counties for property tax revenues not received as a result of these contracts. The bill would make legislative findings and declarations related to the preservation of agricultural land. The bill is currently in Appropriations.

AB 2156 (Achadjian) – Local agency formation commissions: Studies

Would include joint powers agencies and joint powers authorities among the entities from which a local agency formation commission is authorized to request land use information, studies, and plans, for purposes of conducting the studies described above, and also would include joint powers agreements in the list of items the commission may request in conducting those studies. The bill would specifically define "joint powers agency" and "joint powers authority" for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

AB 2156 passed through the Assembly and is set for hearing in the Senate Government and Finance Committee on May 14.

AB 1527 (Perea) – Public Water Systems: Drinking Water

Would require the State Department of Public Health, in administering programs to fund improvements and expansions of small community water systems, and other water systems, as specified, to promote service delivery alternatives that improve efficiency and affordability of infrastructure and service delivery, as specified.

AB 1527 bill requires funding for construction project feasibility studies to include studies of service delivery alternatives if at least one service agency services a disadvantaged community. It also requires the Department of Public Health to make a determination to include the viability of these service delivery alternatives and to consider LAFCO studies and determinations from the previous five years, to consult with the LAFCO Executive Officer and consider other applicable local and/or regional studies related to the delivery of drinking water.

This bill mirrors AB 2238 (Perea, 2012), in its amended format of June 20, 2012, at which time this Commission had directed staff to prepare a letter in support of AB 2238. AB 2238 later died on September 1, 2012. Per Assembly Member Perea's office, this bill may be used as a placeholder for a bill to address the consolidation of water districts. AB 1527 passed the Assembly Local Government Committee and is now in Appropriations.

AB 1961 (Eggman) – Land Use: Planning: Sustainable Farmland Strategy

Would require each county with significant agricultural land resources, as defined, to develop, on or before January 2, 2018, a sustainable farmland strategy. The bill would require the Sustainable Farmland Strategy to include, among other things, a map and inventory of all agriculturally zoned land within the county, a description of the goals, strategies, and related policies and ordinances, to retain agriculturally zoned land where practical and mitigate the loss of agriculturally zoned land to nonagricultural uses or zones, and a page on the county's Internet Web site with the relevant documentation for the goals, strategies, and related policies and ordinances, as specified.

AB 1961 would apply to any county with at least 4% of its land use base in agriculture, as determined by the most recent Census of Agriculture by the U.S. Department of Agriculture. It further requires counties to work with LAFCOs to assure plans and policies are compatible to the Sustainable Farmland Strategy, and requires the Office of Planning and Research to create guidelines for LAFCOs on their role in the preservation of agriculturally zoned lands when considering annexations.

AB 1961 is currently in the Appropriations Suspense File as an unfunded mandate for Counties.

AB 2762 (Committee on Local Government) – C-K-H Omnibus

This bill makes minor and non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, which does not apply to pending proceedings for a change or organization or reorganization for which the application was accepted for filing prior to January 1, 2001, as specified. The act authorizes these pending proceedings to be continued and completed under, and in accordance with, the law under which the proceedings were commenced. This bill would repeal those provisions relating to pending proceedings for a change or organization or reorganization for which an application was accepted for filing prior to January 1, 2001, and make other conforming changes.

AB 2762 is CALAFCO sponsored. The bill passed Assembly Local Government Committee and is set for Appropriations on May 14.

SB 69 (Roth) – Local Government Finance: Property Tax Revenue Allocations: Vehicle License Fee Adjustments

Would modify specified reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. This bill would also modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount for certain cities incorporating after a specified date, as provided. This bill contains other related provisions and other existing laws. SB 69 would amend Section 97.70 of the Revenue and Taxation Code.

This bill contains the same language as SB 56 (Roth), which did not pass the Senate in 2013. It is expected that SB 69 will be amended to address only incorporations, and at some point will be joined with AB 1521. SB 69 is awaiting committee assignment in the Assembly.

Attachment

Attachment A: Legislation Report