



Local Agency Formation Commission of Napa County
Subdivision of the State of California

1030 Seminary Street, Suite B
Napa, California 94559
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www.napa.lafco.ca.gov

We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

Agenda Item 6e (Consent/Information)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer
MEETING DATE: August 6, 2018
SUBJECT: Legislative Report

BACKGROUND AND SUMMARY

This item is being presented to the Commission for information purposes only. The California Association of Local Agency Formation Commissions (CALAFCO) was established in 1971 to assist all 58 LAFCOs in fulfilling their prescribed regulatory and planning duties. This includes serving as an advocacy resource in proposing and/or reviewing new legislation affecting LAFCOs.

On June 4, 2018, the Commission took formal action to approve support positions for Assembly Bill (AB) 2238 and AB 3254. Consistent with the Commission's *Legislative Policy* (Attachment One), staff submitted support letters to the Legislature for each bill. Notably, staff submitted two separate support letters for AB 3254 given the bill passed out of the Senate Floor on June 25, 2018, and CALAFCO requested follow up letters be sent to the Governor. Copies of the submitted letters are included as Attachments Two through Four. Each bill is briefly summarized below.

AB 2238 (Aguiar-Curry)

AB 2238 would add a new factor for LAFCOs to consider in the review of a proposal. AB 2238 would require LAFCOs to consider information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or state responsibility areas.

AB 3254 (Assembly Local Government Committee)

AB 3254 is the annual omnibus bill sponsored by CALAFCO and makes several technical, non-substantive changes to the Cortese-Knox-Hertzberg Act.

ATTACHMENTS

- 1) Legislative Policy
- 2) Submitted Letter of Support for AB 2238 (June 5, 2018)
- 3) Submitted Letter of Support for AB 3254 (June 5, 2018)
- 4) Submitted Letter of Support for AB 3254 (June 26, 2018)

Margie Mohler, Chair
Councilmember, Town of Yountville

Brad Wagenknecht, Vice Chair
County of Napa Supervisor, 1st District

Gregory Rodeno, Commissioner
Representative of the General Public

Scott Sedgley, Commissioner
Councilmember, City of Napa

Diane Dillon, Commissioner
County of Napa Supervisor, 3rd District

Erik Lawrence, Alternate Commissioner
Representative of the General Public

Kenneth Leary, Alternate Commissioner
Councilmember, City of American Canyon

Ryan Gregory, Alternate Commissioner
County of Napa Supervisor, 2nd District

Brendon Freeman
Executive Officer



LOCAL AGENCY FORMATION COMMISSION OF NAPA

Legislative Policy (Adopted: December 4, 2017)

- 1) The Local Agency Formation Commission (LAFCO) of Napa County (“the Commission”) shall establish a standing committee to review proposed legislation (“Legislative Committee”). At the beginning of each two-year legislative session, the Commission shall appoint (or re-appoint) two members to the Legislative Committee, in addition to LAFCO’s Executive Officer. Meetings of the Legislative Committee must be noticed in accordance with the Ralph M. Brown Act.
- 2) The Legislative Committee shall, at least annually, review the California Association of LAFCOs’ legislative platform as well as the Commission’s adopted legislative platform if applicable and determine what action is needed in terms of adopting or amending a local legislative platform. The Legislative Committee shall present recommendations to the full Commission with respect to actions related to the local legislative platform.
- 3) The Legislative Committee shall, at least annually, review proposed legislation affecting LAFCO. The Executive Officer shall continue monitoring proposed legislation and present recommendations to the full Commission with respect to formal positions on proposed legislation.
- 4) In the event that proposed legislation affecting LAFCO cannot be considered by the full Commission due to timing, the Executive Officer is authorized to submit written correspondence to the legislation’s author regarding the Commission’s position if the position is consistent with the adopted legislative platform of the Commission. The Chair, or the Vice-Chair if the Chair is unavailable, shall review and approve the written correspondence prior to it being submitted by the Executive Officer.
- 5) All submitted correspondence pursuant to this policy will be included on the next available Commission agenda.



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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

June 5, 2018

Assembly Member Cecilia Aguiar-Curry
California State Assembly
State Capitol, Room 5144
Sacramento, CA 95814

Subject: *Support of AB 2238* (as amended April 3, 2018)

Dear Assembly Member Aguiar-Curry:

The Napa Local Agency Formation Commission (LAFCO) is pleased to join the California Association of Local Agency Formation Commissions (CALAFCO) in supporting Assembly Bill AB 2238 as amended April 3, 2018. Specifically of interest to LAFCOs is the provision requiring the commission to consider information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or land determined to be in a state responsibility area if it is determined that such information is relevant to the area that is the subject of the proposal.

When reviewing proposals for changes of organization or reorganizations, it's important for LAFCOs to consider whether or not the proposal is consistent with a city or county general plan and other types of growth plans. Further, considering the impact of specific potential fire hazard threats is an important part of smart growth and development planning. As we collectively work to adapt and evolve the way we respond to the impacts of climate change, these kinds of considerations are important in balancing orderly growth and climate adaptation efforts.

Because AB 2238 is aligned with CALAFCO's policy to use LAFCO resources to review growth plans to ensure reliable services, orderly growth and sustainable communities, Napa LAFCO is pleased to support this bill.

Please do not hesitate to contact me with any questions you may have on our position.

Sincerely yours,

Brendon Freeman
Executive Officer

cc: Debbie Michel, Chief Consultant, Assembly Local Government Committee
Anton Favorini-Csorba, Consultant, Senate Governance & Finance Committee
Ryan Eisberg, Consultant, Senate Republican Caucus
Pamela Miller, Executive Director, CALAFCO

Margie Mohler, Chair
Councilmember, Town of Yountville

Brad Wagenknecht, Vice Chair
County of Napa Supervisor, 1st District

Gregory Rodeno, Commissioner
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June 5, 2018

Honorable Cecilia Aguiar-Curry, Chair
Assembly Local Government Committee
California State Assembly
State Capitol, Room 5144
Sacramento, CA 95814

Subject: *Support of AB 3254: Local Government Committee Omnibus Bill*

Dear Chair Aguiar-Curry:

The Napa Local Agency Formation Commission (LAFCO) is pleased to support the Assembly Local Government Committee Bill AB 3254 which makes technical, non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act).

This annual bill includes technical changes to the Act which governs the work of LAFCOs. These changes are necessary as Commissions implement the Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. AB 3254 currently makes minor technical corrections to language used in the Act.

Napa LAFCO is grateful to your Committee and staff, and the members of the California Association of Local Agency Formation Commissions (CALAFCO) Legislative Committee, all of whom worked diligently on this language to ensure there are no substantive changes while creating a significant increase in the clarity of the Act for all stakeholders.

This legislation helps insure the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state. We appreciate your Committee's authorship and your support of the mission of LAFCOs. Please feel free to contact me should you have any questions about our support of AB 3254.

Sincerely yours,

Brendon Freeman
Executive Officer

cc: Members, Assembly Local Government Committee
Debbie Michel, Chief Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
Pamela Miller, Executive Director, CALAFCO

Margie Mohler, Chair
Councilmember, Town of Yountville

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Attachment Four

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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

June 26, 2018

The Honorable Governor Edmund G. Brown, Jr.
State of California
State Capitol Building
Sacramento, CA 95814

Subject: *Request to Sign AB 3254: Assembly Local Government Committee Omnibus Bill*

Dear Governor Brown:

The Napa Local Agency Formation Commission (LAFCO) respectfully requests that you **sign Assembly Bill 3254** (Assembly Local Government Committee) which is now before you for action. **AB 3254** makes changes and clarifications to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“the Act”).

This annual bill includes technical changes to the Act which governs the work of local agency formation commissions. These changes are necessary as commissions implement the Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. **AB 3254** makes several minor technical changes, corrects obsolete and incorrect code references, and makes minor updates to outdated sections. Without making any policy changes, the revised language greatly clarifies the laws and eliminates outdated and confusing language thereby creating a significant increase in the clarity of the Act for all stakeholders.

Because this legislation helps insure that the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state, and clearer to all who use the Act, we respectfully urge you to sign **AB 3254**.

Yours sincerely,

Brendon Freeman
Executive Officer

cc: Honorable Cecilia Aguiar-Curry, Chair, Assembly Local Government Committee
Jimmy MacDonald, Consultant, Assembly Local Government Committee
Tom Dyer, Chief Deputy Legislative Secretary to the Governor
Pamela Miller, Executive Director, CALAFCO
Margie Mohler, Chair, Napa LAFCO

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