



**Local Agency Formation Commission**  
**LAFCO of Napa County**

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**June 7, 2010**

**Agenda Item No. 8a (Discussion)**

May 27, 2010

**TO:** Local Agency Formation Commission

**FROM:** Keene Simonds, Executive Officer

**SUBJECT: Legislative Report**

The Commission will receive a status report on the second year of the 2009-2010 session of the California Legislature as it relates to bills directly or indirectly effecting Local Agency Formation Commissions. The status report is being presented for discussion only.

The Executive Officer is a member of the California Association of Local Agency Formation Commissions' (CALAFCO) Legislative Committee. The Legislative Committee meets on a regular basis to review, discuss, and offer recommendations to the CALAFCO Board of Directors relating to new legislation that have either a direct impact on LAFCO law or the laws LAFCO helps to administer. Actions by the Legislative Committee are guided by the Board's adopted policies, which are annually reviewed and amended to reflect current year priorities.

**A. Discussion and Analysis**

The Legislative Committee is currently tracking 18 bills with direct or indirect impacts on LAFCOs as part of the second year of the 2009-2010 session. There are also a few bills that have been introduced as placeholders and may be amended over the next several months to clarify their specific purpose. A complete list of the bills under review by CALAFCO is attached. Five bills of specific interest to LAFCO of Napa County ("Commission") are discussed and analyzed below.

**Senate Bill 1023 (Patricia Wiggins)**

This legislation would establish an expedited process for LAFCOs to initiate and approve the reorganization of resort improvement districts (RIDs) and municipal improvement districts (MIDs) into community service districts (CSDs) with the same powers, duties, and boundaries. The legislation includes exempting protest proceedings unless written opposition is filed by the affected agency. The Commission, which regulates two RIDs (Lake Berryessa and Napa-Berryessa) adopted a support position on the bill at its April 5, 2010 meeting. The County, Lake-Berryessa, and Napa-Berryessa have also adopted support positions. The bill has passed out of the Senate and is currently awaiting assignment in the Assembly.

Juliana Inman, Chair  
Councilmember, City of Napa

Lewis Chilton, Commissioner  
Councilmember, Town of Yountville

Joan Bennett, Alternate Commissioner  
Councilmember, City of American Canyon

Bill Dodd, Vice Chair  
County of Napa Supervisor, 4th District

Brad Wagenknecht, Commissioner  
County of Napa Supervisor, 1st District

Mark Luce, Alternate Commissioner  
County of Napa Supervisor, 2nd District

Brian J. Kelly, Commissioner  
Representative of the General Public

Gregory Rodeno, Alternate Commissioner  
Representative of the General Public

Keene Simonds  
Executive Officer

**Assembly Bill 2795 (Assembly Committee on Local Government)**

This legislation would make several minor and non-controversial changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, such as defining “divesture of power.” The bill would also amend Revenue and Tax Code to extend the mandatory property tax negotiation period for jurisdictional changes between local agencies from 60 to 90 days if requested. Staff proposed this amendment in consultation with a sub-committee given the reoccurring challenges for local agencies to complete their negotiations within the current 60 day period. The bill has passed out of the Assembly and is currently awaiting assignment in the Senate. CALAFCO has adopted a support position for the bill.

**Assembly Bill 853 (Juan Arambula)**

This legislation would establish new procedures for county boards of supervisors to initiate proposals seeking LAFCO approval to annex unincorporated islands or “fringe communities” that lack adequate public infrastructure. The legislation defines a fringe community as any inhabited (12 or more registered voters) land within a city’s sphere of influence. The legislation would require LAFCOs to approve an annexation unless it finds the proposal will not result in a net benefit to the community’s public health; financial considerations are not to be factor in justifying disapproval. The legislation would waive protest proceedings and the traditional requirement that land be prezoned by cities as a precondition to annexation. The legislation would also establish a process for LAFCO to determine a property tax agreement. The bill has passed out of the Assembly and referred to the Senate Committee on Local Government. CALAFCO has adopted an oppose-unless-amended position on the bill.

**Senate Bill 1174 (Lois Wolk )**

This legislation would require cities and counties beginning January 1, 2013 to expand their housing element updates to identify, assess, and strategize to eliminate island and fringe communities. The bill would also require the local agency to make additional efforts to engage the public in preparing general plan updates. The bill has passed out of the Senate and is currently awaiting assignment in the Assembly. CALAFCO has adopted a watch position for the bill.

**Assembly Bill 1859 (Chris Norby)**

This legislation would require all new, expansions, or extensions of redevelopment areas to be subject to LAFCO review and approval. The bill specifically directs LAFCOs to determine the financial soundness of a proposal; LAFCO would not make a determination on blight. The bill did not pass out of the Assembly Local Government Committee and is therefore inactive. The author is expected to reintroduce the bill next session.

**B. Commission Review**

The Commission is invited to discuss any of the legislation outlined in this report or in the attached report prepared by CALAFCO. The Commission may also provide direction to staff with respect to returning with comment letters on any current or future legislation.

Attachments:

- 1) CALAFCO Legislative Policies
- 2) Status Report on Current Legislation



# CALAFCO 2010 Legislative Policies

Adopted by the Board of Directors on 15 January 2010

## 1. LAFCo Purpose and Authority

- 1.1. Support legislation which enhances LAFCo authority and powers to carry out the legislative findings and authority in Government Code §56000 et. seq.
- 1.2. Support authority for each LAFCo to establish local policies to apply Government Code §56000 et. seq. based on local needs and conditions, and oppose any limitations to that authority.
- 1.3. Oppose addition of unrelated responsibilities which dilute LAFCo ability to meet its primary mission.
- 1.4. Support alignment of responsibilities and authority of LAFCo and regional agencies which may have overlapping responsibilities in orderly growth, preservation, and service delivery, and oppose legislation or policies which create conflicts or hamper those responsibilities.
- 1.5. Oppose grants of special status to any individual agency or proposal to circumvent the LAFCo process.
- 1.6. Support individual commissioner responsibility that allows each commissioner to independently vote his or her conscience on issues affecting his or her own jurisdiction.

## 2. LAFCo Organization

- 2.1. Support the independence of LAFCo from local agencies.
- 2.2. Oppose the re-composition of any or all LAFCos without respect to the existing balance of powers that has evolved within each commission or the creation of special seats on a LAFCo.
- 2.3. Support representation of special districts on all LAFCos in counties with independent districts and oppose

removal of special districts from any LAFCo.

- 2.4. Support communication and collaborative decision-making among neighboring LAFCos when growth pressures and multicounty agencies extend beyond a LAFCo's boundaries.

## 3. Agricultural and Open Space Protection

- 3.1. Support legislation which clarifies LAFCo authority to identify, encourage and insure the preservation of agricultural and open space lands.
- 3.2. Encourage a consistent definition of agricultural and open space lands.
- 3.3. Support policies which encourage cities, counties and special districts to direct development away from prime agricultural lands.

## 4. Orderly Growth

- 4.1. Support the recognition and use of spheres of influence as the management tool to provide better planning of growth and development, and to preserve agricultural, and open space lands.
- 4.2. Support adoption of LAFCo spheres of influence by other agencies involved in determining and developing long-term growth and infrastructure plans.
- 4.3. Support orderly boundaries of local agencies and the elimination of islands within the boundaries of agencies.
- 4.4. Support communication between cities, counties, and special districts through a collaborative process that resolves service, housing, land use, and fiscal issues prior to application to LAFCo.
- 4.5. Support cooperation between counties and cities on decisions

related to development within the city's designated sphere of influence.

**5. Service and Local Agency Effectiveness**

- 5.1. Support the use of LAFCo resources to prepare and review Regional Transportation Plans and other growth plans to ensure reliable services, orderly growth, sustainable communities, and conformity with LAFCo's legislative mandates.
- 5.2. Support LAFCo authority and tools which provide communities with local governance and efficient service delivery options, including the authority to impose conditions that assure a proposal's conformity with LAFCo's legislative mandates.
- 5.3. Support the creation or reorganization of local governments in a deliberative, open process which will fairly evaluate the proposed agency's long-term financial viability, governance structure and ability to efficiently deliver proposed services.
- 5.4. Support the availability of tools for LAFCo to insure equitable distribution of revenues to local government agencies consistent with their service delivery responsibilities.

**2010 Legislative Priorities**

**Primary Issues**

**Viability of Local Governments** Support legislation that maintains or enhances LAFCo's ability to review and act to assure the efficient and sustainable delivery of local services and the financial viability of agencies providing those services to meet current and future needs. Support legislation which provides LAFCo and local communities with options for local governance and service delivery, including incorporation as a city or formation as a special district. Support efforts which provide tools to local agencies to address fiscal challenges and maintain services.

**Authority of LAFCo** Support legislation that maintains or enhances LAFCo's authority to condition proposals to address any or all financial, growth, service delivery, and agricultural and open space preservation.

**Agriculture and Open Space Protection** Preservation of prime agriculture and open space lands that maintain the quality of life in California. Support policies that recognize LAFCo's ability to protect prime agricultural, and open space lands, and that encourage other agencies to coordinate with local LAFCos on land preservation and orderly growth.

**Water Availability** Insure adequate water supplies and infrastructure planning for current and planned growth. Support policies that assist LAFCo in obtaining accurate data to evaluate current and cumulative water demands for service expansions and boundary changes including impacts of expanding private and mutual water company service areas on orderly growth.

**Issues of Interest**

**Housing** Provision of territory and services to support affordable housing and the consistency of regional land use plans with local LAFCo policies.

**Transportation** Effects of Regional Transportation Plans and expansion of transportation systems on future urban growth and service delivery needs, and the ability of local agencies to provide those services.

**Flood Control** The ability and effectiveness of local agencies to maintain and improve levees and the public safety of uninhabited territory proposed for annexation to urban areas which is at risk for flooding. Support legislation that includes assessment of agency viability in decisions involving new funds for levee repair.

**Annexation of Inhabited Territory** Expedited processes for inhabited annexations should be consistent with LAFCo law and fiscally viable.

## CALAFCO Daily Legislative Report as of 5/17/2010

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### [AB 419](#) (Caballero D) Local government: change of organization or reorganization: elections.

**Current Text:** Amended: 1/14/2010 [pdf](#) [html](#)

**Introduced:** 2/23/2009

**Last Amended:** 1/14/2010

**Status:** 2/11/2010-Referred to Com. on L. GOV.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Calendar:**

6/9/2010 9:30 a.m. - Room 112 SENATE LOCAL GOVERNMENT, COX, Chair

**Summary:**

Would , beginning January 1, 2011, require the board of supervisors or the city council to take action, to order and place the item on the ballot, within 45 days of notification by the local agency formation commission, and would require the elections official to place the item on the ballot at the next regular election if the board of supervisors or the city council fails to take action within 45 days of the notification. This bill would also make conforming changes.

**Attachments:**

[CALAFCO Support Letter](#)

**Position:** Support

**Subject:** CKH General Procedures

**CALAFCO Comments:** This bill was a gut-and-amend to specify that a Board or Council has 45 days to place an item on the next general election ballot when requested by a LAFCo. Current law does not specify the number of days nor state what happens if the item is not placed on the ballot. If the Board or Council does not act within 45 days it requires the election official to place the item on the next General Election ballot. Adds a requirement that LAFCo must notify the election official as well as the Board or Council of an item to be placed on the ballot. It provides clarity to the process.

### [AB 853](#) (Arambula I) Local government: organization.

**Current Text:** Amended: 5/18/2009 [pdf](#) [html](#)

**Introduced:** 2/26/2009

**Last Amended:** 5/18/2009

**Status:** 6/11/2009-Referred to Coms. on L. GOV. and RLS.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Calendar:**

6/16/2010 9:30 a.m. - Room 112 SENATE LOCAL GOVERNMENT, COX, Chair

**Summary:**

Would provide procedures for annexing unincorporated fringe communities and unincorporated island communities , as defined, to a city under specified circumstances, including provisions for a revenue neutrality agreement between the affected local government entities.

**Attachments:**

[CALAFCO Letter of Concern](#)

**Position:** Oppose unless amended

**Subject:** Special District Consolidations

**CALAFCO Comments:** This bill provides a mechanism for residents to petition to a Board of Supervisors to be annexed to a city if they are within 1.5 miles of a boundary or within or adjacent to an existing city SOI. It requires the Board to send a resolution to LAFCo for the annexation and requires LAFCo to approve the annexation. It creates new definitions for "Islands" and for "unincorporated fringe communities." It also prohibits affected districts from terminating the annexation. This bill is sponsored by California Rural Legal Assistance and is tied to their other bill, SB 194. CALAFCO has significant concerns and is working with the author and sponsor on language before taking a position.

### [AB 1668](#) (Knight R) Local government: city councils.

**Current Text:** Amended: 5/6/2010 [pdf](#) [html](#)

**Introduced:** 1/20/2010

**Last Amended:** 5/6/2010

**Status:** 5/6/2010-Read second time and amended. Ordered to third reading.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

**Calendar:**

5/17/2010 #107 SENATE ASSEMBLY BILLS-THIRD READING FILE

**Summary:**

Would require the city council to, within 60 days of a vacancy in an elective office, fill that vacancy by appointment or call a special election to fill the vacancy, as specified. This bill contains other related provisions and other existing laws.

**Attachments:**

[CALAFCO Support Letter](#)

**Position:** Support

**Subject:** Incorporation Proceedings

**CALAFCO Comments:** This bill is nearly identical to AB 18 introduced by Assembly Member Knight in 2009. In addition to specifying the number of days a city council has to fill a vacancy, it clarifies the number of seats up for election at the first election following incorporation. CALAFCO supported AB 18. That bill was vetoed by the Governor because he felt current law was adequate on number of days to fill a vacancy. His veto was silent on number of seats at the first election. CALAFCO has proposed the seats up for election as an Assembly Omnibus Bill item. Should there be no objections from stakeholders, that item would be in the Omnibus and would be amended out of AB 1668.

**[AB 1859](#) (Norby R) Local government: change of organization or reorganization.**

**Current Text:** Amended: 4/8/2010 [pdf](#) [html](#)

**Introduced:** 2/12/2010

**Last Amended:** 4/8/2010

**Status:** 4/23/2010-Failed Deadline pursuant to Rule 61(b)(5). (Last location was L. GOV. on 4/21/2010)

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

**Summary:**

Would include within a local agency formation commission' s powers the power to approve, disapprove, or approve conditionally, a request by a redevelopment agency to establish, extend, or expand a project area. The bill would include within the definition of "change of organization" a proposal to establish, extend, or expand a project area, and would define the term "project area." By expanding a local agency formation commission's duties, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** Annexation Proceedings

**CALAFCO Comments:** This bill would have placed Redevelopment Agency Project Areas under CALAFCO review. It added to LAFCo the power to review and approven deny or conditionally approve a new project area or the expansion of an existing project area. It died in Committee.

**[AB 2795](#) (Committee on Local Government) Local government: organization.**

**Current Text:** Introduced: 3/24/2010 [pdf](#) [html](#)

**Introduced:** 3/24/2010

**Status:** 5/6/2010-In Senate. Read first time. To Com. on RLS. for assignment.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

**Summary:**

Would define "divestiture of power" and "executive officer" as used in the act. This bill would also make additional changes to clarify and maintain the consistency of the act. This bill contains other related provisions and other existing laws.

**Attachments:**

[CALAFCO Support Letter](#)

**Position:** Sponsor

**Subject:** CKH General Procedures

**CALAFCO Comments:** This is the Assembly Local Government Committee Omnibus bill. The bill is prepared and sponsored by CALAFCO and makes technical, non-significant changes to C-K-H.

**SB 194 (Florez D) Community Equity Investment Act of 2010.**

**Current Text:** Amended: 1/7/2010 [pdf](#) [html](#)

**Introduced:** 2/23/2009

**Last Amended:** 1/7/2010

**Status:** 1/28/2010-In Assembly. Read first time. Held at Desk.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

Would enact the Community Equity Investment Act of 2010. The bill would make legislative findings and declarations relating to disadvantaged, unincorporated communities. The bill would specify how funds received pursuant to the federal State Community Development Block Grant Program are expended at the local government level.

**Attachments:**

[CALAFCO Letter of Interest](#)

**Position:** Watch

**Subject:** Municipal Services, Planning

**CALAFCO Comments:** This bill is intended to provide municipal services and infrastructure investment to disadvantaged unincorporated communities. Its intent, in part, is to address the role of regional agencies in addressing infrastructure deficits through changes to state agency funding programs with the intent to improve infrastructure in unincorporated communities. Language in this bill is tied to AB 853 which provides mechanisms for LAFCo to annex these communities to existing cities.

**SB 894 (Committee on Local Government) Local Government Omnibus Act of 2010.**

**Current Text:** Amended: 4/12/2010 [pdf](#) [html](#)

**Introduced:** 1/25/2010

**Last Amended:** 4/12/2010

**Status:** 5/10/2010-In Assembly. Read first time. Held at Desk.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

Would include a cross-reference to this authorization in each of the affected provisions. This bill contains other related provisions and other existing laws.

**Position:** Support

**Subject:** CKH General Procedures

**CALAFCO Comments:** This is the Senate Local Government Committee Omnibus Bill. AT this time it contains one minor item related to LAFCo: It cleans up language in various local government laws to clarify that judges can resolve land use and environmental lawsuits through mediation before it goes to trial.

2

**AB 155 (Mendoza D) Local government: bankruptcy proceedings.**

**Current Text:** Amended: 7/1/2009 [pdf](#) [html](#)

**Introduced:** 1/26/2009

**Last Amended:** 7/1/2009

**Status:** 4/20/2010-From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 3. Noes 2.) (April 19).

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

Would provide that a local public entity may only file under federal bankruptcy law with the approval of the California Debt and Investment Advisory Commission, as specified.

**Position:** None at this time

**Subject:** Financial Viability of Agencies

**CALAFCO Comments:**

**AB 711 (Calderon, Charles D) Local agency formation commissions: cost of incorporation proceedings.****Current Text:** Amended: 4/22/2010 [pdf](#) [html](#)**Introduced:** 2/26/2009**Last Amended:** 4/22/2010**Status:** 4/29/2010-Re-referred to Com. on L. GOV. pursuant to Assembly Rule 77.2. (Page 4927.) Joint Rule 62(a), file notice suspended. (Page 4927.) From committee: With recommendation: That Senate amendments be concurred in.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Calendar:**

5/17/2010 #44 ASSEMBLY UNFINISHED BUSINESS CONCURRENCE IN SENATE AMENDMENTS

**Summary:**

Would transfer \$45,000 from the Environmental Enhancement and Mitigation Program Fund to the General Fund, and appropriate that amount from the General Fund to the Controller for allocation to the Los Angeles County Local Agency Formation Commission for a loan to the East Los Angeles Residents Association, as specified. The bill would make findings and declarations regarding the need for a special statute. This bill contains other related provisions.

**Position:** Watch**Subject:** Incorporation Proceedings**CALAFCO Comments:** This would be the first time legislation has been introduced to provide funds for the State Controller to allocate to fund incorporation studies as provided in CKH. The legislation is specific that the process must be consistent with CKH law.**SB 211 (Simitian D) Park district formation: County of Santa Cruz.****Current Text:** Amended: 9/4/2009 [pdf](#) [html](#)**Introduced:** 2/23/2009**Last Amended:** 9/4/2009**Status:** 9/8/2009-Placed on inactive file on request of Assembly Member Torrico.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

in addition, would authorize the formation of a district in the County of Santa Cruz, except as specified, if the exterior boundaries of the proposed district are coterminous with the exterior boundaries of the county and are initiated by a specified resolution of the county board of supervisors, after a hearing noticed in accordance with specified procedures, in lieu of the petition and related proceedings required under the above provisions. This bill contains other related provisions and other existing laws.

**Attachments:**[CALAFCO Letter of Opposition](#)**Position:** Oppose unless amended**Subject:** Special District Principle Acts**CALAFCO Comments:** Allows Santa Cruz Board of Supervisors to create a regional open space district outside of LAFCo process. Does not provide a funding source for the district, leaving it to a future vote of the residents.**SB 896 (Cox R) Local government: organization.****Current Text:** Introduced: 1/25/2010 [pdf](#) [html](#)**Introduced:** 1/25/2010**Status:** 2/4/2010-To Com. on RLS.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 defines various terms for purposes of the act, including, among others, "affected city." This bill would make a technical, nonsubstantive change to this definition.

**Position:** Watch

**Subject:****CALAFCO Comments:** This appears to be a placeholder bill.**[SB 1023](#) (Wiggins D) Special districts: consolidation and reorganization.****Current Text:** Amended: 4/27/2010 [pdf](#) [html](#)**Introduced:** 2/11/2010**Last Amended:** 4/27/2010**Status:** 5/10/2010-In Assembly. Read first time. Held at Desk.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

**Summary:**

Would until January 1, 2018, authorize the local agency formation commission to approve or conditionally approve an expedited reorganization of specified districts into a community services district, with the same powers, duties, responsibilities, obligations, liabilities, and jurisdiction of the district proposed to be dissolved, unless the governing body of the district proposed to be dissolved files a resolution of objection with the commission, as specified. This bill contains other related provisions and other existing laws.

**Attachments:**[CALAFCO Support Letter](#)**Position:** Support**Subject:** Special District Consolidations

**CALAFCO Comments:** This bill provides an expedited process for the conversion of Resort Improvement Districts and select Municipal Improvement Districts to Community Service Districts. CALAFCO and the affected LAFcos and districts have been consulted on this legislation.

**[SB 1174](#) (Wolk D) Land use: general plan: disadvantaged unincorporated communities.****Current Text:** Amended: 4/29/2010 [pdf](#) [html](#)**Introduced:** 2/18/2010**Last Amended:** 4/29/2010**Status:** 5/12/2010-Read second time. To third reading.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

**Calendar:**

5/17/2010 #68 SENATE SENATE BILLS-THIRD READING FILE

**Summary:**

Would require, prior to January 1, 2013, and thereafter upon each revision of its housing element, a city or county to review and update one or more elements of its general plan, as necessary to address the presence of island, fringe, or legacy unincorporated communities, as defined, inside or near its boundaries, and would require the updated general plan to include specified information. This bill would also require the city or county to make a diligent effort to involve all members of the public in preparing the review and update of the general plan. By adding to the duties of city and county officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position:** Watch**Subject:** Annexation Proceedings, Service Reviews/Spheres, Growth Management, Environmental Justice, Planning**CALAFCO Comments:** Adds conflicting definitions of island communities to general plan law.**[SB 1232](#) (Romero D) Municipal incorporation: Los Angeles Local Agency Formation Commission.****Current Text:** Amended: 4/13/2010 [pdf](#) [html](#)**Introduced:** 2/19/2010**Last Amended:** 4/13/2010**Status:** 5/7/2010-Failed Deadline pursuant to Rule 61(b)(6). (Last location was L. GOV. on 4/15/2010)

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

**Summary:**

Would require the East Los Angeles Residents Association, by October 29, 2010, to deposit any funds required by the Los Angeles County Local Agency Commission to complete a

comprehensive fiscal analysis as a condition to continuation of the current petition for a change of organization. The bill would also require any signatures that were submitted with the petition to continue to be considered valid through October 29, 2010, and after that date if the petition proceeds and is accepted for filing. This bill contains other related provisions.

**Position:** None at this time  
**Subject:** Incorporation Proceedings  
**CALAFCO Comments:**

3

**AB 300 (Caballero D) Subdivisions: water supply.**

**Current Text:** Amended: 6/30/2009 [pdf](#) [html](#)

**Introduced:** 2/17/2009

**Last Amended:** 6/30/2009

**Status:** 7/7/2009-In committee: Set, first hearing. Testimony taken. Further hearing to be set.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

Would require, until January 1, 2017, the public water system, or the local agency if there is no public water system, to review, verify for accuracy, and approve, as specified, the subdivider's water savings projections attributable to voluntary demand management measures, as defined. The public water system would be authorized to collect fees necessary to provide the additional analysis of the voluntary demand management measures. This bill would provide that a water supply assessment completed, as specified, satisfies the existing requirement of verifying sufficient water supply, unless the public water system receives specified new information. The public water system would be required to determine the projected water savings attributable to the voluntary demand management measures that will be incorporated into the subdivision. The projected water savings would be required to be calculated using specified data compiled or maintained by the public water system or the water savings projections adopted by the California Urban Water Conservation Council. If a project applicant proposes to use a new voluntary water demand management measure for which neither the California Urban Water Conservation Council nor the public water system has adopted an estimate or method to calculate the projected water savings of the proposed voluntary demand management measure, the projected water savings would be required to be made based on documented methodologies or calculations submitted in the record. Five years after the project has been fully developed, the public water system would be required to include within its next urban water management plan a report on the monitoring and compliance of voluntary water demand management measures and to determine, if practicable based on readily available information, whether they have resulted in the water savings necessary to achieve the agreed upon water demand offsets. The bill would also require the public water system to document the measured annual water use of the subdivision in comparison to the projected demand associated with the subdivision, and to calculate the water savings attributable to the voluntary mitigation measures financed by the Voluntary Water Demand Mitigation Fund for the subdivision. If the public water system bases its written verification of a sufficient water supply for the subdivision, in whole or in part, on the use of voluntary demand management measures within the subdivision, the written verification would be required to be conditioned on the maintenance and operation of the voluntary demand management measures, or measures that are at least as water efficient, as agreed to by the applicant and the public water system, and the recordation as a covenant running with the land for the lots within the subdivision. The bill would provide that by acceptance of a deed to a lot, each purchaser would acknowledge the obligation to comply with the voluntary demand measures for the lot as described in the covenant. These covenants would be authorized to be enforced pursuant to the existing authority of a public water system. The bill would further require a builder, prior to the close of escrow, to give a purchaser information that would be required to be included in a maintenance manual that informs the purchaser of the existence of the home's unique water saving devices, including specified information. The bill would also encourage the public water system to commit to carrying out the water conservation measures funded by the Voluntary Water Demand Mitigation Fund within 24 months of the sale of the last unit of the proposed subdivision. The bill would require the public water system to choose water conservation measures that are the most cost-effective means to yield water savings. The bill would authorize expenditures from the fund to be made within the subdivision or elsewhere within the service area of the public water supplier, at its discretion. Not less than 40% of the proceeds from the voluntary water demand mitigation fund would be required to be directed to water conservation programs in any disadvantaged community, unless the public water system makes a specified finding. By adding to the duties of the public water system, this bill would impose a

state-mandated local program. This bill contains other related provisions and other existing laws.

**Position:** None at this time

**Subject:** Service Reviews/Spheres, Water

**CALAFCO Comments:** Requires the preparation of a water assessment report for projects which reduce water consumption, which requires consultation with affected agencies, including LAFCo.

**[AB 1974](#) (Cook R) Local government finance: vehicle license fee: administration.**

**Current Text:** Amended: 4/6/2010 [pdf](#) [html](#)

**Introduced:** 2/17/2010

**Last Amended:** 4/6/2010

**Status:** 4/23/2010-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 4/7/2010)

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

Would on and after January 1, 2011, limit any increase in the payment of administrative costs to the Department of Motor Vehicles to 2% per year. This bill contains other related provisions and other existing laws.

**Position:** None at this time

**Subject:** Tax Allocation

**CALAFCO Comments:**

**Total Measures:** 16

**Total Tracking Forms:** 16

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