



### ***Assembly Bill 399 Background and Summary***

San Diego LAFCO approved the detachment of two water districts from the San Diego County Water Authority. The voters within the boundaries of the two water districts were expected to vote on the detachment. The process prior to San Diego LAFCO's decision included numerous meetings among a wide variety of stakeholders. The staff report exceeded 400 pages and provided extensive research and background. The water authority continued to fight the detachment.

AB 399, included as Attachment Five, seeks to circumvent the LAFCO process, retroactively. The bill would require the vote of all the voters within the entire water authority, rather than limiting the vote to the affected area within the two water districts. The bill relies on provisions of a 1945 law that was enacted during World War II to protect water provision to a military base.

San Diego LAFCO formally opposes AB 399. San Diego LAFCO's letter in opposition to AB 399 is included as Attachment Six.

Other key stakeholders have taken the following positions:

- CALAFCO: Oppose
- California State Association of Counties: Pending
- League of California Cities: Watch

CALAFCO opposes AB 399 based on the following:

1. Circumvents the LAFCO process.
2. Sets precedent for other similar legislation.
3. Creates another "spot bill" without considering LAFCOs as a whole.

Staff recommends the Commission also take a formal position opposing AB 399 and direct staff to submit a letter to the Legislature similar to the San Diego LAFCO letter.

The Commission also is invited to discuss any other bills of interest and consider directing staff to submit formal position letters to the Legislature.

### **ATTACHMENTS**

- 1) Legislative Policy
- 2) Legislative Platform
- 3) CALAFCO Legislative Report (Dated July 31, 2023)
- 4) AB 1753 Support Letters
- 5) AB 399 Bill Text
- 6) San Diego LAFCO Letter Opposing AB 399