



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

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

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**Agenda Item 5c (Consent/Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer  
Dawn Mittleman Longoria, Analyst II

**MEETING DATE:** May 4, 2020

**SUBJECT:** Legislative Report

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**RECOMMENDATION**

It is recommended the Commission approve the draft amendment to the *Legislative Platform*, included as Attachment One.

**BACKGROUND AND SUMMARY**

This report includes an update on legislative activities affecting LAFCOs, including a review of all bills tracked by CALAFCO. It is recommended the Commission amend its adopted *Legislative Platform* as described in this report.

***Senate Bill 799 (Dodd)***

On November 18, 2019, the Commission directed staff to submit a report to the Legislature detailing local participation in the California Government Code (G.C.) Section 56133.5 pilot program. The pilot program allows Napa and San Bernardino LAFCOs to authorize cities and special districts to provide municipal services outside their jurisdictional boundaries and spheres of influence to respond to unique local conditions and circumstances. G.C. Section 56133.5 is currently scheduled to be repealed on January 1, 2021. The Commission's letter, included as Attachment Two, was submitted to the Legislature on November 20, 2019. Notably, the letter recommended the Legislature extend the pilot program beyond the date of its scheduled repeal on January 1, 2021.

On February 3, 2020, the Commission discussed Senate Bill (SB) 799, authored by Senator Bill Dodd, which would amend G.C. Section 56133.5. SB 799, as introduced, was limited to eliminating the repeal date for G.C. Section 56133.5. The Commission directed staff to circulate the bill text and a fact sheet for SB 799 to all local agencies inviting comments before the Commission takes a formal position on the bill. No comments were received. Staff was recently informed SB 799 will be held until next year as it doesn't fit the urgent COVID-19 bills that are encouraged to move forward.

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Kenneth Leary, Chair  
Councilmember, City of American Canyon

Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Scott Sedgley, Alternate Commissioner  
Councilmember, City of Napa

Diane Dillon, Vice Chair  
County of Napa Supervisor, 3rd District

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

Gregory Rodeno, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

### ***Legislative Committee***

The Commission's standing Legislative Committee (the "Committee") is comprised of Vice Chair Dillon and Commissioner Mohler along with the Executive Officer. The Committee met on March 9, 2020, and reviewed 30 bills that were tracked by CALAFCO as of March 4, 2020. CALAFCO's Daily Legislative Report is included as Attachment Three and provides a summary and status update for each tracked bill. The Committee agreed to continue watching the following eight bills and potentially return with recommended positions for the full Commission's consideration at a future meeting.

- 1) Assembly Bill 134 (Bloom) – Safe Drinking Water Restoration
- 2) Assembly Bill 1751 (Chiu) – Water and sewer system corporations: consolidation of service
- 3) Assembly Bill 2148 (Quirk) – Climate change: adaptation: regional climate adaptation planning groups: regional climate adaptation plans
- 4) Assembly Bill 3281 (Brough) – Worker status: independent contractors: business-to-business contracting relationship
- 5) Assembly Bill 3338 (Diep) – Community services districts: zones
- 6) Senate Bill 414 (Caballero) – Small System Water Authority Act of 2019
- 7) Senate Bill 931 (Wieckowski) – Local government meetings: agenda and documents
- 8) Senate Bill 1052 (Hertzberg) – Water quality: municipal wastewater agencies

It is important to note the Legislature is now focusing on urgent bills related to COVID-19 and therefore some of the aforementioned bills may be withdrawn.

The Committee also reviewed the Commission's adopted *Legislative Policy* and *Legislative Platform*. The Committee agreed to propose an amendment to the *Legislative Platform*, included with tracked changes as Attachment One. In addition to making minor grammatical corrections, the proposed amendment would direct the Committee to first consider the positions of the League of California Cities, California State Association of Counties, and California Special Districts Association before recommending the full Commission take a formal position on proposed legislation. The proposed amendment would also expand upon the existing criteria informing the Commission's actions relating to proposed legislation.

### **ATTACHMENTS**

- 1) Draft Amendment to the Legislative Platform
- 2) Report to Legislature on G.C. Section 56133.5 (November 20, 2019)
- 3) CALAFCO Daily Legislative Report (March 4, 2020)