

TO: Sacramento Local Agency Formation Commission

FROM: Peter Brundage, Executive Officer
Donald J. Lockhart, Assistant Executive Officer

RE: Legislative Update

RECOMMENDATION

Information only, no action is recommended. This is a status report on pending 2003-04 LAFCo related legislation.

SUMMARY

This matter was previously discussed by your Commission April 2, 2003. Staff forwarded the position of Sacramento LAFCo to the Legislature. Most bills have proceeded consistent with the position of your Commission. The exception to this is AB 520, which is further discussed below.

Previously
Bill Recommended
Number Author Topic Position

AB 192 Harman Non-contiguous Annexation Support
Status - Withdrawn (04/23/2003)

AB 208 Harman Dissolutions Support
Status - In committee: Set, second hearing. Hearing canceled at the request of author (04/23/2003).

Bill Recommended
Number Author Topic Position

AB 518 Salinas Regional Housing Needs Plan Watch/ Support
Status: In Senate. Read first time. To Housing and Community Development Comm. and Local Gov't Comm. (05/29/2003)

AB 520 Salinas Annexation Phasing Oppose in
Original Form
Status: Read second time, amended, and set to third reading. Sen. third reading (05/28/2003)

AB 668 Cox Regional Housing Support
Needs Plan
Status: In Senate. Read first time. To Comm. on Rules for assignment. (05/23/2003)

AB 838 Spitzer CC & R's/ Incorporation Watch

Status: In Senate. Read first time. To Comm. on Rules for assignment. (05/20/2003)

AB 1385 Haynes Water Rights/ San Diego Watch

Status: In Ass. Local Gov't Comm., set, second hearing. Hearing canceled at the request of author. (05/07/2003)

SB 282 Oller El Dorado Incorporation Oppose

Status: Last action: To Sen. Comm. on Local Gov't. 02/25/2003

SB 341 SLGC Public Cemetery District Law Support

Status: 05/15/2003 from Sen. to Ass. Comm. on Local Gov't. Hearing date 06/18/2003

SB 487 Torlakson Special District Annexation Support

Status: 05/15/2003 Sen. to Ass. Comm. on Local Gov't. Hearing date 06/18/2003

SB 865 Hollings- Notice Requirements Watch
worth L.A. County Only

Status: To Sen. Comm. on Local Gov't (03/13/2003)

BILL SUMMARY

AB 192 Harman Support

Withdrawn by CALAFCo to allow for further language refinement.

AB 208 Harman Support

This bill provides that a successor agency may not be prevented from continuing to perform any or all functions of the extinguished local agency, regardless of whether the successor agency previously performed that function. This is a two year bill. Concerns raised by ACWA are presently being discussed. Sponsored by CALAFCo.

AB 518 Salinas Watch/ Support

Current law calls upon LAFCo to consider the effect of a change of organization or reorganization on the receiving entity's ability to meet its regional housing needs allocation (RHNA). CALAFCo is seeking modification of this language to better reflect the nature of the RHNA process. CALAFCo has proposed that the language require LAFCo to consider the effect on both the city and the county. CALAFCo is working with Assemblyman Salinas' office to craft the most appropriate form of language. Sponsored by CALAFCo.

AB 520 Salinas Oppose

Applies to annexations in Santa Cruz County. Has been amended to reflect concerns of Santa Cruz LAFCo. The amendments clarify LAFCo terminology, and impose a sunset of 2009. Opposed by CALAFCo and Sacramento LAFCo.

SUPPORT (Verified 5/28/03)

City of Watsonville (source)

County of Santa Cruz

Pajaro Valley Chamber of Commerce

OPPOSITION (Verified 5/28/03)

California Association of LAFCOs

Sacramento LAFCo

Friends of Buena Vista

ARGUMENTS IN SUPPORT: According to Senate Local Government Committee analysis, Watsonville's consensus building effort is truly historic, ending decades of bitter squabbles over where, when, and how the community should accommodate growth. The community groups that gained voter approval of Measure U know that carrying out the plan requires political stability and certainty. Watsonville's leaders worry that statutory limitations on LAFCO could undermine the long-term implementation of their expanded urban limit line. This bill allows -- but does not require -- the Santa Cruz LAFCo to contribute to the certainty of Watsonville's agreement by approving the overall annexation but implementing it in phases.

ARGUMENTS IN OPPOSITION: California Association of Local Agency Formation Commissions (CALAFCO) opposes this bill stating, "this bill creates special annexation provisions for the City of Watsonville in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 in an effort to implement a local initiative, Measure U. CALAFCO opposes bills that grant special status to individual agencies for the purpose of bypassing the provisions of existing LAFCo law.

AB 668 Cox Support

Requires that city and county must agree to transfer of fair share housing needs prior to annexation of an area. LAFCo could impose this agreement as a term or condition of the annexation.

AB 838 Spitzer Watch

Recent incorporations have included commercial and industrial properties subject to CC & R's. This bill seeks to limit the applicability of these CC & R's when they are inconsistent with the General Plan adopted by the city. **This bill should have no impact on incorporations in Sacramento County.**

AB 1385 Hayes Watch

Applies to the County Water Authority Act only. There is only one agency that exists, the San Diego County Water Authority. This bill will have no impact on Sacramento LAFCo.

SB 282 Oller Oppose

This bill preempts existing law to make exceptions for the proposed incorporation of El Dorado Hills. This legislation circumvents the LAFCo process. CALAFCo opposes.

Senate Local

SB 341 Government Committee Support

Rewrite of law relating to public cemetery districts. **Sacramento LAFCo has already supported this bill. CALAFCo supports.**

SB 487 Torlakson Support

Under existing law, annexations to a special district initiated by an applicant other than the district must be terminated by LAFCo if the district passes a resolution to that effect within 60 days of filing the proposed annexation. The District is not required to make findings. This bill would empower applicants to challenge a special district's veto action in court. **CALAFCo supports this bill.**

SB 865 Hollingsworth Watch

Impacts Los Angeles County only. Relates to noticing requirements.

DL

(Legislation June 4, 2003)