

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
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June 1, 2005

TO: Sacramento Local Agency Formation Commission

FROM: Peter Brundage, Executive Officer

RE: Legislative Update

CONTACT: Donald J. Lockhart, AICP, Assistant Executive Officer (916) 874-2937

RECOMMENDATION

Information only, no action is recommended. This is a status report on pending 2004-05 LAFCo related legislation.

SUMMARY

This memo is part of the ongoing effort to keep your Commission informed regarding various legislative matters. An ad-hoc committee appointed by the CALAFCo Board of Directors has considered and adopted positions on several bills. Staff will continue to track the bills, in collaboration with CALAFCo, and report back to your Commission.

LEGISLATION

SB 135 (Keho) Passed unanimously in the Senate. Sent to the Assembly Committee on Local Government May 23

Summary: This is the comprehensive rewrite of the community services district law. Existing law contains provisions relating to the establishment of community services districts, including the formation of a district, the selection of a district governing board, the powers and duties of the board, and procedures for changing those powers. This bill would repeal those provisions and enact the Community Services District Law which would specify the procedures for district formation, procedures for the selection of district governing board members, the powers and duties of the board, and the procedures for changing those powers and duties. The bill would also make other conforming changes.

CALAFCo **Supports** this bill. Your staff forwarded Resolution # 1299 to the author, in support of the bill.

AB 1746 [Authored by the Committee on Local Government (Salinas (Chair), Emmerson (Vice Chair), De La Torre, Houston, Lieber, Nation, and Wolk)] Passed the Assembly sent to Senate Rules Committee for assignment, May 16.

Summary: Amend Government Code §56425(f) to extend by three years the “deadline” for reviewing all spheres of influence following the changes brought by AB 2838.

CALAFCo **Supports** this bill.

AB 797 (Kehoe) In committee: Set, first hearing. Referred to appropriations – to suspense file, May 18.

Summary: This bill would prohibit a local agency formation commission from approving or conditionally approving a change of organization, a reorganization, or a change to a sphere of influence of a local government agency of territory that is part of the primary zone of the Sacramento-San Joaquin Delta, if that approval would allow the agency to provide facilities or services related to sewers, nonagricultural water, or streets or roads to the affected territory, unless these facilities or services are allowed under the applicable resource management plan. The bill also would recast the membership of the commission to consist 21 members.

CALAFCo **Opposes** this bill, unless amended.

AB 1140 (Dymally) Re-referred to Comm. on Elections and Redistricting May 18.

Summary: This bill would provide that, subject to any constitutional requirements, only registered voters who reside within the territory of a district that provides services to that voter may vote in an election conducted by or on behalf of the district. This bill reflects the tensions that can arise between residents and absentee landowners. However, LAFCo establish landowner districts upon careful review of the circumstances, and most principal acts contain provisions to convert a districted to registered voter balloting.

SB 1100 (Perata) May 9 In Assembly. Read first time. Held at Desk.

Summary: As introduced, this bill would have imposed a 60-day noticing requirement to the California Department of Forestry (CDF) for proposals involving fire districts in State Responsibility Area. In its amended form (attached), the notice requirement will be 21-days. At the recommendation of the Legislative Committee, the Advisory Committee adopted an “oppose unless amended” position for this bill, requesting a change to a 30-day notice requirement. Peter Detwiler, consultant to the Senate Local Government Committee, spoke at length with the Legislative Chair and Nevada LAFCO Executive Officer S.R. Jones. After these conversations, he proposed the amended bill.

CALAFCo **Opposes** this bill.