



Date: April 30, 2008 for May 7th Agenda
 From: Patrick M. McCormick, Executive Officer
 To: Commissioners
 Subject: Legislation

Summary: The Commission reviews State legislation monthly during the Legislative Sessions, and can take a position on any bill.

Recommendation: Receive this report; take no new positions on pending bills.

The Legislative policy committees are actively reviewing bills. May 2nd is the last day for bills to be passed out of policy committees in the house of origin. I have summarized twelve bills of interest to Santa Cruz LAFCO. The Commission has already acted to support two bills this year. The LAFCO staff is not recommending that the Commission take positions on any other bills at this time. The bills added to the tracking sheet this month are designated with an asterisk (*). An important new bill on the watch list is SB 1118, which would require the establishment of an Airport Land Use Commission in Santa Cruz County. I have attached a legislative analysis of that bill. The Legislative website for bill information is www.leginfo.ca.gov/bilinfo.html.

SUPPORT -----

AB 1998 (Silva) Disclosure of Expenses to Influence LAFCO Proceedings.

Assembly Bill 745 of 2007 (Silva) expanded the minimum disclosure requirements for individuals and groups who raise or spend \$1000 or more to influence a proposal that is subject to LAFCO proceedings. This bill would move the applicable code sections from the Local Government Reorganization Act to the Political Reform Act, and place responsibility to administer the act with the Fair Political Practices Commission. Currently, the disclosure documents are filed with the County Elections Office. Enforcement responsibility falls with the District Attorney. The FPPC has the responsibility for administering the disclosure laws for ballot initiatives and other political campaigns. The proposal would result in more uniform administration of the disclosure requirements.

Status: Passed Assembly, in Senate Rules Committee.

SB 301 (Romero) Revenues to Cities after Incorporations and Annexations.

This bill would extend the sunset on Vehicle License Fee subventions going to new incorporations from July 1, 2009 to July 1, 2014 and would eliminate the sunset for inhabited annexations. In Santa Cruz County, the main effect of this bill would be to enhance the financial feasibility of cities annexing inhabited neighborhoods within their spheres of influence. The bill text and the bill analysis are attached.

Status: Passed Senate, at Assembly Local Government Committee.

WATCH -----

AB 242 (Blakeslee) Regional Housing Needs Allocations.

AB 1019 of 2007 (Blakeslee) responded to an issue in Santa Barbara County regarding the procedure by which an annexing city and a county transfer Regional Housing Needs Allocations (RHNA). This bill would make technical changes to the process. The City of Watsonville, the County of Santa Cruz, and Santa Cruz LAFCO should monitor this bill's effect upon the Atkinson Lane Specific Plan Area, which includes a potential municipal annexation.

Status: Passed Legislature, on Governor's Desk.

AB 1263 (Caballero) Service Reviews.

This bill would recharacterize the subjects that must be addressed in municipal service reviews.

Status: Passed Assembly, at Senate Local Government Committee.

***AB 1617 (Kehoe) State Fire Protection Fees in Wildland Areas.**

This bill would establish state fire protection fees in State Responsibility Areas to be collected on the local property tax bills. The fees would help to funds CalFire.

Status: Passed Assembly Natural Resources Committee,
Assembly Appropriations Committee Hearing May 5.

***AB 2278 (Aghazarian) Property Tax Negotiations for Fire Districts Annexations.**

This bill would authorize fire districts to negotiate property tax transfers when property is proposed for annexation to a city. Currently, the Board of Supervisors negotiates on behalf of all districts.

Status: This bill has been gutted and is being used for other purposes.

AB 2367 (Fuentes) Zoning Freeze after Annexation.

Existing law prohibits a city from rezoning annexed territory for two years after annexation unless the City Council makes a finding that a substantial change has occurred in the circumstances that necessitate a departure from the prezoning. This bill would extend the zoning freeze to five years after annexation and would not allow a City Council to override the zoning by making a finding of changed circumstances.

Status: This bill has been gutted and is being used for other purposes.

***AB 2484 (Caballero) Special District Powers.**

This bill would clarify the LAFCO process when special districts wish to add or discontinue a function. Sponsored by CALAFCO.

Status: Assembly Local Government Committee Hearing April 30.

***AB 3047 (Local Government Committee) Local Government Reorganization Act**

This bill would make a series of minor corrections to the LAFCO laws. In its current form, the bill would clarify the definition of “change of organization”. Sponsored by CALAFCO.

Status: Assembly Local Government Committee Hearing April 30.

SB 375 (Steinberg) Transportation and Regional Planning.

This bill would make changes to the transportation and regional land use planning laws, including the creation of sustainable community strategies to guide the future growth in a region. The bill is not clear about LAFCO’s role in determining orderly growth, spheres of influence, and preservation of agricultural and open space lands. CALAFCO is discussing its concerns with the author.

Status: Passed Senate, at Assembly Appropriations Committee.

***SB 1118 (Negrete-McLeod) Airport Land Use Commissions.**

In counties with no scheduled airline service, like Santa Cruz County, this bill would eliminate the ability of a County Board of Supervisors to exempt the establishment of an Airport Land Use Commission.

Status: Passed Senate Local Government Committee, on Senate Floor.

SB 1458 (Local Government Committee) County Service Area Law.

This bill is a major overhaul of the County Service Area Law.

Status: Passed Senate, at Assembly Desk.

Attachment: Legislative Analysis of SB 1118