



Legislative Report July 30, 2009 for August 5th Agenda

Summary: The LAFCO staff tracks bills during the legislative session, and makes monthly written reports. The Commission may take a position on a bill.

Staff Recommendation: Receive this report and take no new position on pending legislation.

Submitted by: Patrick McCormick, Executive Officer

To be considered for adoption in 2009, bills must have passed out of the policy committee in the second house no later than July 10, 2009. Bills that didn't meet this deadline are either dead or continued for consideration in 2010. The web site for bill information is www.leginfo.ca.gov.

The following table lists fourteen bills of interest to Santa Cruz LAFCO. This memo will focus on Senate Bill 211 (Simitian), which would allow the Santa Cruz County Board of Supervisors to authorize an election to form a regional open space district in Santa Cruz County without LAFCO review. The bill limits the power of eminent domain in the proposed district. At its March 4th meeting, LAFCO heard a presentation on this bill from the Executive Director of the Land Trust of Santa Cruz County.

The City of Watsonville, in a letter sent by Mayor Rivas on June 24th, stated its opposition to the bill. The City's main concerns were:

- expanding the governance structure of the proposed district to include more representation of city and south county interests, and
- assuring that the acquisition activities of the proposed district did not conflict with the city growth policies as adopted in Measure U.

Since then, the City has been in discussions with the bill sponsor (Land Trust of Santa Cruz County), the Legislators representing Santa Cruz County, and other interested parties (such as the Farm Bureau and environmental organizations) to find amendments the bill to address the City's concerns. On July 1, the bill was amended to include:

- a nine-member citizens advisory committee with representatives of the four city councils, the county board of supervisors, and four interest groups, and
- a limitation that any open space acquisition within the Measure U growth areas is subject to the approval of the City of Watsonville.

The latter amendment has caused some environmental groups to either withdraw their support or to oppose the bill.

LAFCO staff will be available at the August 5th LAFCO meeting to answer questions about any of the bills being tracked in the Legislature.

cc: Four City Councils
Board of Supervisors
Land Trust of Santa Cruz County
Santa Cruz County Farm Bureau

Attachments:

- Summary Table of Bills
- SB 211 (Simitian) and Analysis
- June 24, 2009 Letter of Watsonville Mayor Rivas

BILL	AUTHOR	SUMMARY	STATUS
Assembly Bills			
AB155	Mendoza	<i>Local Government Bankruptcy</i> This bill would provide that a local public entity may only file under federal bankruptcy law with the approval of the California Debt and Investment Advisory Commission	Passed Assembly . In Senate Local Gov. Com.
AB 528	Silva	<i>Reporting of Contributions and Expenditures Related to LAFCO Applications</i> This bill would revise the Local Government Reorganization Act to conform to the financial disclosure changes made last year in the Political Reform Act. CALAFCO Position: Support Santa Cruz LAFCO Position: Support	Passed Legislature. On Governor's desk.
AB 853	Arambula	<i>Fringe and Island Communities</i> This bill would require LAFCO to authorize the annexation of unincorporated fringe and island communities. CALAFCO Position: Oppose unless amended.	Passed Assembly. At Senate Rules and Local. Gov. Committees
AB 1109	Blakeslee	<i>Local Government Reorganization Act</i> This bill would authorize a LAFCO to order the administration of non-performing districts and prepare a performance study.	At Assembly Local Gov. Committee.
AB 1172	Galgiani	<i>Eastern San Joaquin County Water District</i> This bill would specify powers and purposes of the Eastern San Joaquin County Water District before the district is formed.	Passed Assembly. On Senate floor.
AB 1232	Huffman	<i>Wastewater Agency Consolidations</i> This bill would authorize Marin LAFCO to initiate and approve the consolidation of small wastewater agencies in Southern Marin County.	Passed Assembly. On Senate floor.
AB 1582	Assembly Local Gov. Committee	<i>Omnibus LAFCO Bill</i> This bill would make technical, non-substantive changes to the Local Government Reorganization Act (LAFCO law). CALAFCO Position: Support	Passed Legislature. On Governor's desk.

BILL	AUTHOR	SUMMARY	STATUS
Senate Bills			
SB 113	Sen. Local Gov. Comm.	<p><i>Local Government Omnibus Bill of 2009</i></p> <p>This bill would make 25 technical changes in the local government laws. Three concern LAFCOs:</p> <ol style="list-style-type: none"> 1. Appropriation Limits for New Local Governments 2. County Boundary Change Cross-References 3. Latent Power Cross-References <p>CALAFCO Position: Support</p>	<p>Passed Senate.</p> <p>Passed Assembly Local Gov. Com. On Assembly Floor.</p>
SB 163	Cox	<p><i>Local Government Reorganization</i></p> <p>Placeholder bill. This bill would make non-substantive changes to the Local Government Reorganization Act. It is a placeholder for potential amendments to this law.</p>	<p>At Senate Rules Committee.</p>
SB 194	Florez	<p><i>Community Equity Investment Act</i></p> <p>This bill would create incentives for cities and counties to plan for services to disadvantaged island and fringe communities.</p>	<p>At Senate Approp. Committee</p>
SB 211	Simitian	<p><i>Regional Open Space District in Santa Cruz County</i></p> <p>This bill would permit the formation of a regional open space district in Santa Cruz County via a proceeding initiated by, and conducted by, the Board of Supervisors. The bill exempts the formation process from LAFCO review, and limits the power of eminent domain.</p> <p>CALAFCO Position: Oppose</p>	<p>Passed Senate.</p> <p>Passed Assem. Loc. Gov. Com. On Assem. Floor.</p>
SB 215	Wiggins	<p><i>Local Government Organization</i></p> <p>This bill would modify a factor that LAFCO's use in reviewing a boundary change so that it must consider the proposal's consistency with any applicable regional transportation plan (such as a sustainable communities strategy or alternate planning strategy).</p> <p>CALAFCO Position: Support</p>	<p>Passed Senate.</p> <p>Passed Assembly Local Gov. Committee. On Assem. Floor.</p>
SB 263	Strickland	<p><i>Santa Rita Hills Community Services District</i></p> <p>This bill would allow a Santa Barbara County district that does not yet exist to limit access to district-owned roads.</p>	<p>Passed Legislature. Signed by Governor.</p>

BILL	AUTHOR	SUMMARY	STATUS
SB 737	Negrete McLeod	<p style="text-align: center;">Senate Bills</p> <p><i>Airport Land Use Commissions</i></p> <p>This bill would require Santa Cruz County and eight other counties to establish Airport Land Use Commissions.</p>	In Senate Approp. Com.