



Legislative Report August 26, 2009 for September 2nd 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 Legislative session ends September 11, 2009.

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 recent activities concerning 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. On August 5, the Santa Cruz LAFCO took a position to oppose the bill. On August 5, 2009, the Scotts Valley City Council took a position to oppose SB 211. On August 13, 2009, the Capitola City Council voted to endorse SB 211. The Land Trust of Santa Cruz County issued a press release on August 26, 2009 indicating that, with the author's consent, SB 211 will become a two-year bill. Therefore, the Legislature will not consider the bill for final passage in the remainder of the 2009 session.

LAFCO staff will be available at the September 2nd 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
- LAFCO's letter opposing SB 211

--Other correspondence regarding SB 211
--Land Trust's August 26th Press Release

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. Signed by Governor. Chapter 113.
AB 853	Arable	<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. In 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.	In 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. Signed by Governor. Chapter 155.

BILL	AUTHOR	SUMMARY	STATUS
Senate Bills			
SB 113	Sen. Local Gov. Comm.	<p><i>Local Government Omnibus Bill of 2009</i> 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>	Passed Legislature. On Governor's Desk
SB 163	Cox	<p><i>Local Government Reorganization</i> 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>	In Senate Approp. Committee
SB 194	Florez	<p><i>Community Equity Investment Act</i> This bill would create incentives for cities and counties to plan for services to disadvantaged island and fringe communities.</p>	Passed Senate. On Assem. Floor.
SB 211	Simitian	<p><i>Regional Open Space District in Santa Cruz County</i> 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 Santa Cruz LAFCO Position: Oppose</p>	Passed Senate. Passed Assembly Local Gov. Com. On Assembly Floor
SB 215	Wiggins	<p><i>Local Government Organization</i> 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>	Passed Legislature. On Governor's Desk.
SB 263	Strickland	<p><i>Santa Rita Hills Community Services District</i> This bill would allow a Santa Barbara County district that does not yet exist to limit access to district-owned roads.</p>	Passed Legislature. Signed by Governor. Chapter 11.

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.