



Legislative Report

January 25, 2010 for February 3rd 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 legislation.

Submitted by: Patrick McCormick, Executive Officer

The Legislature is back in session. This is the second year of the Legislative session. The last day for new bills to be introduced is February 19, 2010.

The web site for bill information is www.leginfo.ca.gov.

The following table lists six bills of interest to Santa Cruz LAFCO. Five are continued from the 2009 legislative session and one (AB 1668--Knight) is new.

The more significant bills are AB 853 (Arambula) and SB 211 (Simitian).

Assembly Bill 853 (Arambula) and SB 194 (Florez) both address the low level of public services in some poor communities. SB 194 has been amended to channel Community Development Block Grants to low and moderate income communities. AB 853 concerns the municipal annexation of low income islands and fringe communities, located within 1.5 miles of a city boundary or a city sphere of influence. This alternative annexation process would be available to areas where the median household income is less than 80% of the statewide median household income. According to the Bureau of the Census, the annual median household income in California in 2008 was \$61,021. 80% of that is \$48,817.

The municipal annexation of these islands or fringe communities would be initiated by 25% or more of the voters or landowners in an unincorporated area filing a petition with the Board of Supervisors. AB 853 would require the Board of Supervisors to subsequently submit an annexation application with LAFCO, and the law would require LAFCO to approve the annexation.

CALAFCO has taken a position to oppose the bill unless it is amended. CALAFCO's many concerns include:

- Whether the city has capacity to provide and improve services;
- Possible financial effects on removing territory from special districts.
- Lack of any LAFCO authority to correct an obvious gerrymander.

Senate Bill 211 (Simitian) 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, requires the district to set up a citizens' advisory committee, and gives the City of Watsonville the power to veto open space district acquisitions within the Measure U growth areas. CALAFCO and Santa Cruz LAFCO have taken positions to oppose SB 211.

Attachments:

- Summary Table of Bills
- AB 853 (Arambula)
- SB 211 (Simitian)
- Santa Cruz LAFCO's letter of opposition to SB 211

BILL	AUTHOR	SUMMARY	STATUS
Assembly Bills			
AB 300	Caballero	<p><i>Water Supply to Proposed Subdivisions.</i> This bill would further define how water supply assessments for proposed subdivisions creating more than 500 units would factor in voluntary water conservation measures.</p>	<p>Passed Assembly. In Senate Natural Resources and Water Committee.</p>
AB 419	Caballero	<p><i>Elections Following LAFCO's Authorization of a Boundary Change.</i> This bill was amended on January 14, 2010. The new version would require the affected Board of Supervisors or City Council to schedule the election within 45 days of receiving the matter from LAFCO. If the affected board or council didn't act within that time frame, the election official is required to place the matter on the next general election ballot. CALAFCO Position: Support</p>	<p>On Assembly Floor Jan. 25.</p>
AB 853	Arambula	<p><i>Fringe and Island Communities</i> This bill would require LAFCO to authorize the annexation of unincorporated fringe and island communities to a city if the city or the city's sphere of influence is located within 1.5 miles of the fringe or island community. CALAFCO Position: Oppose unless amended.</p>	<p>Passed Assembly. In Senate Rules and Local Gov. Committees</p>
AB 1668	Knight	<p><i>City Council Elections</i> Introduced on January 10, 2010, this bill would require a city council to fill a vacancy in elective office by either making an appointment or calling an election within 120 of the vacancy. It would also clarify the number of council seats up for election in a newly incorporated city. This bill is similar to AB 18 of 2009, which the Governor vetoed.</p>	<p>At Assembly Desk.</p>

BILL	AUTHOR	SUMMARY	STATUS
Senate Bills			
SB 194	Florez	<p><i>Community Equity Investment Act</i> As amended January 7, 2010, this bill would specify how funds received from the federal Community Development Block Grant Program are spent, particularly targeting low and moderate income groups and areas.</p>	On Senate Floor Jan. 25.
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, limits the power of eminent domain, requires the establishment of a citizen's advisory committee, and gives the Watsonville City Council the power to veto an open space district acquisition within the Measure U growth areas.</p> <p>CALAFCO Position: Oppose unless amended. Santa Cruz LAFCO Position: Oppose.</p>	Passed Senate. On Assembly Floor, Inactive.