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Public Member

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South Bay Irrigation District

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Greg Cox
County Board of
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John S. Ingalls
Santa Fe
Irrigation District

Harry Mathis
Public Member

Kevin Faulconer
City of San Diego
Representative

Executive Officer

Michael D. Ott

Counsel

William D. Smith

**AGENDA
SPECIAL DISTRICTS ADVISORY COMMITTEE
FRIDAY, MAY 18, 2007, 9:30 A.M.
COUNTY ADMINISTRATION CENTER
ROOM 358
1600 PACIFIC HIGHWAY
SAN DIEGO, CA 92101**

Agenda Item:

**Recommended
Action:**

- | | |
|--|----------------------------------|
| 1. Roll Call | |
| 2. Approval of Minutes of Meeting held March 16, 2007 | Approve |
| 3. Director's Recommended Agenda Revisions | |
| 4. Committee Member / Director Announcements | Information |
| 5. Public Comment
Opportunity for persons to speak to the Committee on any subject within the Committee's jurisdiction, but not an item on today's agenda. Each speaker's presentation may not exceed 3 minutes. | |
| 6. Review and Discussion of Special Districts Advisory Committee's Rules (Purpose) | Discussion/
Direction |
| 7. Review and Discussion of Pending Legislation Affecting LAFCO and Special Districts | Discussion/
Direction |
| 8. Adjournment to the June 15, 2007 Meeting Date* | |

*The June 15, 2007 meeting will only be scheduled on an "as needed" basis.

Note: Refreshments will be served at the meeting.

**LOCAL AGENCY FORMATION COMMISSION
SPECIAL DISTRICTS ADVISORY COMMITTEE
MARCH 16, 2007 MEETING**

2

DRAFT MINUTES

There being a quorum present, the meeting was convened at 9:30 a.m., by Chairwoman Jo Mackenzie (Vista ID). Attending were: **Committee Members** – James Alkire (South Bay ID), Gary Arant (Valley Center MWD) (who entered the meeting at 9:40 a.m.), Daniel Goldberg (Fallbrook HCD), Trish Hannan (Vallecitos WD), Keith Lewinger (Fallbrook PUD) (who arrived at 9:40 a.m.), Tom Pocklington (Bonita-Sunnyside FPD), Augie Scalzitti (Padre Dam MWD), and Dennis Shepard (North County CD). **LAFCO Staff** – Executive Officer Michael D. Ott; LAFCO Consultant, Harry Ehrlich; Chief, Policy Research Shirley Anderson; LAFCO Consultant John Traylor; and Administrative Assistant Claire Riley. Absent were: **Committee Members** – Ron Fuller (Alpine FPD), Judy Hanson (Leucadia WD), Dr. Hanno E.G. Ix (Rincon del Diablo MWD), and John Pastore (Rancho Santa Fe CSD).

Item 1

Approval of Minutes of February 17, 2006

With Daniel Goldberg and Dennis Shepard abstaining, ON MOTION OF Trish Hannan, seconded by James Alkire, and carried unanimously by the remaining committee members present, the committee dispensed with reading the minutes of the February 17, 2006 meeting, and approved said minutes.

Item 2

Executive Officer's Recommended Agenda Revisions

Mr. Ott indicated that there were no revisions to the agenda.

Item 3

Committee Member/Executive Officer Announcements

Michael Ott provided the Advisory Committee with an update on the fire reorganization. He said that on February 27th, March 1st and 7th, outreach workshops were held for the *Micro Report: Reorganization of Structural Fire Protection and Emergency Medical Services in Unincorporated San Diego County*. Mr. Ott indicated that the Draft Final Micro Report will be considered by the Commission on May 7, 2007, and encouraged Advisory Committee members to attend the meeting. Mr. Ott said that Shirley Anderson and John Traylor will provide the Advisory Committee with an update of the fire reorganization later in the meeting.

Michael Ott provided an update on the "San Diego County Cemetery District" Municipal Service Review and Updates and Affirmations to the Spheres of Influence for North County, Pomerado, Ramona, and Valley Center Cemetery Districts. Mr. Ott thanked Dennis Shepard for coordinating the municipal service review with the cemetery districts, and also thanked Claire Riley for the completion of the MSR report that will be considered by the Commission on April 2, 2007.

Michael Ott reported that on March 5, 2007, the Commission approved LAFCO's FY 2007-08 budget. He indicated that an information packet would be sent to independent special districts near the end of March.

Item 4
Public Comment

No members of the public requested to speak.

Item 5
Selection of Chair and Vice Chair for 2006

ON MOTION OF Dennis Shepard, seconded by Trish Hannan, and carried unanimously by the committee members present, the committee reelected Jo MacKenzie as the 2007 Chair.

ON MOTION OF Trish Hannan, seconded by James Alkire, and carried unanimously by the committee members present, the committee elected Tom Pocklington as the 2007 Vice Chair.

Gary Arant and Keith Lewinger entered the meeting at 9:40 a.m.

Augie Scalzitti entered the meeting at 9:42 a.m.

Item 6
Introduction of Harry Ehrlich: LAFCO Local Government Consultant – Former Advisory Committee Member

Mr. Ott introduced Harry Ehrlich, former Advisory Committee member, who was retained as LAFCO's Consultant to assist with special projects. Mr. Ott said that Mr. Ehrlich will be coordinating the Advisory Committee, as well as updating the Commission with legislative issues. Mr. Ott also said that Mr. Ehrlich will be assisting LAFCO with the completion of the municipal service review and sphere update program for special districts in San Diego County.

Harry Ehrlich welcomed the committee and said he anticipates that a minimum of 2-3 Advisory Committee meetings would be held in 2007.

Item 7
2007 Special Districts Election Schedule

Harry Ehrlich indicated that a memo to solicit nominations for the Advisory Committee and the Commission will be distributed at the end of April 2007. Mr. Ehrlich indicated that there will be nine positions subject to an election for the Advisory Committee (eight terms expiring in 2011 and one with a term expiring in 2008). He also said that one position for the Special Districts Alternate to the Commission is subject to an election, with a term expiring in 2011. Mr. Ehrlich indicated that a schedule for the 2007 Special Districts Mailed-Ballot Election is enclosed in the agenda.

Item 8

Presentation of Draft “Micro Report” on Reorganization of Structural Fire Protection and Emergency Medical Services in Unincorporated San Diego County

Harry Ehrlich introduced Shirley Anderson and John Traylor who provided the Advisory Committee with an update on the draft “Micro Report.”

Shirley Anderson reported that the draft Micro Report was distributed to the public on January 31, 2007. She said that written comments for the Micro Report are due to LAFCO by April 6, 2007. Ms. Anderson said that the Final Draft Micro Report will be considered by the Commission on May 7, 2007. She provided a timeline of the fire reorganization process, and discussed several topics in the report such as staffing alternatives, costs, and what agencies are in each possible phase of the fire reorganization process.

Harry Ehrlich provided an update on SB 806 (Hollingsworth) that the Commission unanimously supported at its March 5, 2007 meeting. Mr. Ehrlich reported that SB 806 is set for hearing in Sacramento on April 18, 2007. He said that the bill contains funding provisions for the consolidation of districts in San Diego County, into a newly formed fire agency or entity. Funding would be derived from an allocation of an amount equal to 1% of the countywide ad valorem property tax revenue. Mr. Ehrlich said that if the bill is passed in its present form, funding for the newly formed fire agency or entity in San Diego County would commence July 1, 2008.

Item 9

Discussion of Potential LAFCO Workshop in Mid-2007 and Possible Topics

Harry Ehrlich encouraged Advisory Committee members to provide issue topics for possible workshop discussion in Mid-2007. Dan Goldberg suggested that members consider the purpose and procedures of the Advisory Committee as one of the topics of discussion. Mr. Ehrlich recommended that Advisory Committee members review the Special Districts Advisory Committee Rules that was handed out at the meeting, and provide feedback on future topics.

Chairwoman Jo MacKenzie recommended that members of the Advisory Committee attend the May 7, 2007 LAFCO meeting to stay aware of the progress of the Final Draft Micro Report that will be considered by the Commission on that date.

Item 10

Adjournment

There being no further business to come before the Special Districts Advisory Committee, the meeting was adjourned at 11:43 a.m. to the tentatively scheduled meeting on April 20, 2007, if it is to be held.

**Tita Mandapat
Administrative Assistant**

Chairman

Andrew L. Vanderlaan
Public Member

May 04, 2007

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Vice Chairman

Bill Horn
County Board of
Supervisors

TO: Special Districts Advisory Committee

Members

Toni Atkins
Councilmember
City of San Diego

FROM: Local Government Consultant

SUBJECT: Review and Discussion of Special Districts Advisory Committee Rules (Purpose)

Dianne Jacob
County Board of
Supervisors

At the March 16, 2007 Advisory Committee meeting, a discussion was held regarding future meetings and discussion items. One of the requested topics (by member Daniel Goldberg) suggested was to review and discuss the purpose of the SDAC and consider issues for future meetings. As agreed to at the meeting, find attached a copy of the SDAC Rules as last amended on December 17, 2004.

Andrew J. Menshek
Padre Dam
Municipal Water District

Ron Morrison
Mayor
City of National City

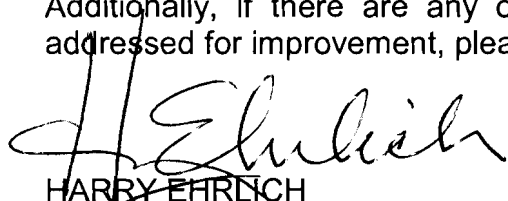
Bud Pocklington
South Bay Irrigation District

The main attention for this topic discussion is Section B and subsections B.1 through B.6. Staff will be prepared to discuss each section and receive input and feedback from the committee on interest and suggestions on implementation of these purpose goals. If the committee has areas of interest not covered by these sections, staff will be prepared to discuss how they might be addressed in the committee process and future meetings. Additionally, if there are any other issues of the policy that might be addressed for improvement, please be prepared to provide that input also.

Betty Rexford
Councilmember
City of Poway

Alternate Members

Mark Lewis
Mayor
City of El Cajon



HARRY EHRLICH
Local Government Consultant

Greg Cox
County Board of
Supervisors

John S. Ingalls
Santa Fe
Irrigation District

HE:tjc

Harry Mathis
Public Member

Attachment: SD LAFCO Special Districts Advisory Committee Rules

Kevin Faulconer
City of San Diego
Representative

Executive Officer

Michael D. Ott

Counsel

William D. Smith

**SPECIAL DISTRICTS ADVISORY COMMITTEE
MAY 18, 2007**

AGENDA ITEM NO. 6

**Review and Discussion of
Special Districts Advisory Committee Rules (Purpose)**

**SAN DIEGO
LOCAL AGENCY FORMATION COMMISSION
SPECIAL DISTRICTS ADVISORY COMMITTEE
RULES**

**SECTION I
FORMATION AND PURPOSE**

A. Authorization for Formation

The Special Districts Advisory Committee was formed on August 2, 1971 to review the "Rules and Regulations Affecting the Functions of Special Districts and for Representation of Independent Special Districts" on San Diego LAFCO. Instead of disbanding the Committee after district representatives were seated, the Commission retained the Committee to serve as both a forum for discussion and a method of channeling information to LAFCO on pending projects/issues.

B. Statement of Purpose

Recognizing the diversity of special districts and the need for technical advice on pending LAFCO projects/issues, the Commission hereby continues the San Diego LAFCO Special Districts Advisory Committee. The purposes of the Committee are to:

1. Assist LAFCO in the performance of its duties by (1) reviewing, before consideration by the Commission, those proposed boundary changes, spheres of influence adoption or amendment, or other special studies that affect special districts and require technical insight and expertise, and (2) making recommendations to the Commission.
2. Identify areas of potential conflict between cities, county service areas, and special districts and facilitate voluntary resolution of those conflicts rather than by formal action of LAFCO.
3. Identify districts that are no longer functioning efficiently and/or cost-effectively and make appropriate recommendations.
4. Assist districts that desire reorganization as a means of providing better service.
5. Assist LAFCO in coordinating its decisions with other agencies.
6. Review, study, and recommend changes to the Cortese/Knox Act.

SECTION II MEMBERSHIP

A. Composition

The San Diego LAFCO Special Districts Advisory Committee shall consist of sixteen (16) members. They shall represent as many different types of special districts as possible. There shall be representation from at least one water, one sewer, and one fire district. Members may be either an elected board member or a staff person. Members of the Committee may not also be members of LAFCO. The number of candidates and members of the Advisory Committee representing the same agency shall be limited to one. In addition, candidates for the advisory committee shall not also be candidates for LAFCO.

Membership is restricted to those independent special districts located entirely within the county of San Diego, or for which the county of San Diego is its principal county. The County of San Diego shall be permitted a nonvoting representative, who shall be appointed by the County Chief Administrative Officer.

B. Selection Procedure

Members of the Special Districts Advisory Committee shall be selected by the Independent Special District Selection Committee of San Diego county, as constituted in Government Code Section 56332. An annual election shall be conducted, in accordance with the adopted "San Diego County Independent Special District Selection Committee Rules," to fill all existing vacancies in the committee membership. If a vacancy occurs subsequent to a regular election, and more than sixty (60) days prior to the next regular election, a list of candidates for consideration to an interim appointment shall be presented for committee discussion at the next available committee meeting after the vacancy occurs. The Committee chairperson may make an interim appointment, with recommendations from the full advisory committee, until the next regular election.

C. Term of Membership

Members shall serve four-year terms that will expire on October 31 or until certification of the election results. Members may serve more than one term.

D. Termination of Membership

Any member may be removed at any time and without cause by a majority vote of the Independent Special District Selection Committee.

A member may be removed if he or she is absent from four (4) consecutive regular meetings.

A member shall be ineligible to continue as a member if he or she ceases to be a board member or staff person of his or her special district, or is appointed to either a regular or alternate position on LAFCO.

SECTION III OFFICERS

A. Number and Selection

The officers of the Committee shall be Chairperson and Vice Chairperson. The Committee may create and appoint such additional officers as may be necessary to carry out the work of the Committee.

The officers shall be chosen annually at the regular December meeting, or the first regular meeting held thereafter. Each officer shall hold office until resignation, removal, other disqualification to serve, or until a successor has been chosen.

B. Duties of the Chairperson

The Chairperson shall preside at all meetings of the Committee, and appoint members and provide instructions to all subcommittees. The Chairperson, the Vice Chairperson, or other designated committee member may attend and represent the Committee at any meeting of LAFCO.

C. Duties of the Vice Chairperson

In the absence of the Chairperson, the Vice Chairperson shall perform all of the duties of the Chairperson. The Vice Chairperson shall also preside as the chairperson of all subcommittees and shall report to the Chairperson on the progress of a subcommittee's activities.

D. Duties of the Secretary

LAFCO shall provide a staff person to act as the Secretary for the Committee. The Secretary shall (1) prepare and mail agendas and other notices to the Committee, (2) take, transcribe, and distribute minutes of committee meetings, and (3) perform such other tasks as are necessary to conduct the business of the Committee.

SECTION IV MEETINGS

A. Compliance with Ralph M. Brown Act

All meetings of the Special Districts Advisory Committee shall be posted, noticed, and conducted in compliance with the Ralph M. Brown Act.

B. Schedule of Meetings

Regular meetings of the Special Districts Advisory Committee shall be scheduled on the third (3rd) Friday of each month. If the regular meeting date of the Local Agency Formation Commission (LAFCO) on the first (1st) Monday of the following month is a holiday, the regular meeting of the Special Districts Advisory Committee shall be on the fourth (4th) Friday.

Special meetings may be called at any time by the Executive Officer or Chairperson, or by nine (9) committee members. Notice of such special meetings shall be mailed or delivered to each member, and must be received at least twenty-four (24) hours before the time set for said meeting.

C. Time and Place of Meeting/Agendas

Meetings of the Committee shall be scheduled to be held at the County Administration Center, 1600 Pacific Highway, San Diego, California. Any meeting may, however, be held at a site other than the County Administration Center at the discretion of the Chairman and/or Executive Officer. The meeting location of all meetings shall be indicated on the agenda distributed and posted for that meeting. Meetings shall be scheduled to commence at 9:30 a.m., and when a quorum is present. The specific meeting room and time will be determined monthly, prior to preparation, distribution, and posting of that month's agenda, and will depend on availability of meeting rooms. All committee members will be sent either an agenda or cancellation notice at least one week prior to each scheduled meeting.

D. Conduct of Meetings

A member unable to attend a meeting shall notify the LAFCO office at least twenty-four (24) hours prior to the meeting.

The Chairman may alter the sequence in which agenda items will be considered.

Except as permitted by Section 54954.2 of the Ralph M. Brown Act, the Committee shall not discuss, or take action on, any item not included on the agenda for that meeting.

A member may briefly respond to statements or questions from members of the public during the Public Comment period.

A member may ask a question for clarification, make a **brief** announcement, or make a **brief** report on his or her own activities.

A member, or the Committee itself, may request LAFCO staff to provide information at a future meeting or to place an item on a future agenda.

SECTION V VOTING

A. Vote Entitlement

Each committee member shall be entitled to one vote, even though that member may be a board member or staff person of more than one special district.

B. Quorum

The presence of five (5) or more members shall constitute a quorum for the transaction of business at any regular or special meeting of the Committee.

C. Number of Votes Required to Carry Action

Adoption of any recommendation or other action shall require a majority affirmative vote. When seven (7) or fewer votes are cast, a minimum of four (4) affirmative votes shall be required to carry an action.

D. Disqualification

When a committee member is a board member or staff person of a district that is a subject district of a proposal (as defined by Gov't Code Section 56077), that member may participate in the discussion of, but may not vote on the Committee's action regarding that proposal.

SECTION VI SUBCOMMITTEES

The Advisory Committee may create such subcommittees as the business of the Committee may require, each of which shall exist for such period and have such authority and perform such duties as the Committee from time to time determines.

**SECTION VII
PLACE OF BUSINESS**

The principal business office of the Special Districts Advisory Committee is in the San Diego LAFCO office, Room 452, County Administration Center, 1600 Pacific Highway, San Diego, California 92101.

**SECTION VIII
AMENDMENT**

These Rules may be amended by a majority vote of the Committee at any regular or special meeting. The Executive Officer may make technical changes as necessary, after consulting with all committee members, to ensure compliance of these Rules with current law and committee policy.

Adopted: September 23, 1971

Amended: December 1972
December 18, 1973
December 21, 1976
July 26, 1994
June 19, 1992
December 20, 1996
December 19, 1997
March 20, 1998
December 17, 2004

Chairman

Andrew L. Vanderlaan
Public Member

May 04, 2007

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Vice Chairman

Bill Horn
County Board of
Supervisors

TO: Special Districts Advisory Committee

FROM: Local Government Consultant

Members

Toni Atkins
Councilmember
City of San Diego

SUBJECT: Review and Discussion of Pending Legislation Affecting
LAFCO and Special Districts

Dianne Jacob
County Board of
Supervisors

At the March 16, 2007 Advisory Committee meeting, a discussion was held regarding future meetings and discussion items. One of the requested topics (by Chairperson MacKenzie) suggested was to review and discuss pending legislation affecting LAFCO and Special Districts in the California Legislature.

Andrew J. Menshek
Padre Dam
Municipal Water District

As agreed to at the meeting, find attached a copy of the most recent CALAFCO Legislative Report dated May 1, 2007.

Ron Morrison
Mayor
City of National City

The San Diego LAFCO participates in the CALAFCO Legislative Committee process that is similar to that of other local governmental associations to advocate for positions on issues impacting their goals and roles of providing services. Members of the SDAC are on various legislative committees so some perspectives of these bills may vary depending upon the agency purpose and impact, either viewed positive or negative.

Bud Pocklington
South Bay Irrigation District

Betty Rexford
Councilmember
City of Poway

Alternate Members

Mark Lewis
Mayor
City of El Cajon

The report gives a summary of each bill, the CALAFCO position (if indicated), and pending status of consideration in the Legislature. Any input or comments on these bills will be appreciated. The San Diego LAFCO has only taken positions on three bills as of this time due to the early status of the 2006-07 Legislative Session, and the fact that many bills may not directly impact SD LAFCO or may be amended in subsequent weeks.

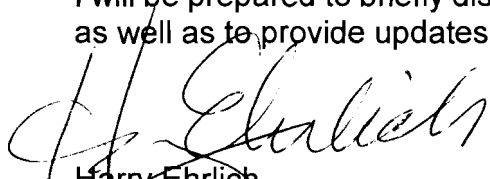
Greg Cox
County Board of
Supervisors

John S. Ingalls
Santa Fe
Irrigation District

I will be prepared to briefly discuss bills that are of interest to the committee, as well as to provide updates on CALAFCO positions.

Harry Mathis
Public Member

Kevin Faulconer
City of San Diego
Representative



Harry Ehrlich
Local Government Consultant

Executive Officer

Michael D. Ott

HE:tjc

Counsel

William D. Smith

Attachment: Excerpts from CALAFCO Legislative Status Report dated
05/01/2007

**SPECIAL DISTRICTS ADVISORY COMMITTEE
MAY 18, 2007**

AGENDA ITEM NO. 7

Excerpts from CALAFCO Legislative Reports dated 05/01/2007

California Association of Local Agency Formation Commissions SUMMARY OF CURRENT LAFCo LEGISLATION as of 5/1/2007

AB 745(Silva) Local agency formation commissions.

Last Amend:

Status: 04/26/2007-From committee: Do pass, and re-refer to Com. on E. & R. Re-referred. (Ayes 7. Noes 0.) (April 25).

Location: 04/26/2007-A E. & R.

Calendar: 05/01/07 1:30 p.m. - Room 444 ASM ELECTIONS AND REDISTRICTING

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 declares the intent of the Legislature that each local agency formation commission establish written policies and procedures. Existing law authorizes a commission, through the adoption of the written policies and procedures, to require lobbying disclosure and reporting requirements for persons who attempt to influence pending decisions by commission members, staff, or consultants. This bill would extend this authority to also permit a commission to require lobbying disclosure and reporting requirements for persons who attempt to influence those who sign petitions or vote in elections called under the act or who otherwise attempt to influence proceedings held under the act.

Position: Support

Priority: 1

Notes: This bill is substantially similar to the language proposed by CALAFCO. The use of these disclosure requirements is at the discretion of each commission through adoption of local policies.

AB 1263(Caballero) Local agency formation commissions: statement.

Last Amend: 04/23/2007

Status: 04/30/2007-Read second time. To Consent Calendar.

Location: 04/30/2007-A CONSENT CALENDAR

Calendar: 05/03/07 179 ASM CONSENT CALENDAR

Summary: This bill will implement the changes recommended by the Legislative Committee, based on the survey and discussions among member LAFCos.

Attachments:

CALAFCO Support Letter

SD LAFCO Position: Support

Position: Sponsor

Priority: 1

Notes: This bill is sponsored by CALAFCO and contains all the recommended changes to MSR/SOI determinations. The changes were based on several surveys of LAFCos and a number of workshops and discussions with LAFCo staff and commissioners around the state. Reduces the nine (9) determinations to six (6).

AB 1646(DeSaulnier) Public health districts.

Last Amend:

Status: 04/18/2007-Set, first hearing. Hearing cancelled at the request of author. (Refers to 4/17/2007 hearing)

Location: 03/26/2007-A HEALTH

Summary: Existing law, the Local Health Care District Law, provides for the establishment of local hospital districts. This bill would authorize the formation of public health districts, as specified. By increasing the duties of local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: 1

AB 1744 (Committee on Local Government) Local government reorganization.

Last Amend:

Status: 03/29/2007-Referred to Com. on L. GOV.

Location: 03/29/2007-A L. GOV.

Calendar: 05/09/07 1:30 p.m. - Room 447 ASM LOCAL GOVERNMENT

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation and change of organization of cities and special districts. In the case of a petition for an annexation, a detachment, or a reorganization consisting solely of annexations or detachments, or both, signed by all of the landowners in the territory affected by the proposal, the local agency formation commission may approve or disapprove the proposal without notice or hearing, if prescribed conditions are met. This bill would make a technical, nonsubstantive change to this provision.

Position: Support

Priority: 1

Notes: This is the Assembly Omnibus Bill for 2007, which contains technical, non-controversial changes to Cortese-Knox-Hertzberg. All of these items (to date) were submitted by the CALAFCO Legislative Committee. Only those items which receive a consensus of various stakeholders (outside of CALAFCO) will appear in the bill. CALAFCO has submitted 11 potential items. Items will be amended into the bill as they clear stakeholder review.

SB 162(Negrete McLeod) Local government: organization.

Last Amend: 03/05/2007

Status: 04/16/2007-In Assembly. Read first time. Held at Desk.

Location: 04/16/2007-S DESK

Summary: Existing law, the Cortese-Knox-Hertzberg Act, specifies the factors that a local agency formation commission is required to consider in the review of a proposal for a change of organization or reorganization including the comments of any affected local agency and information or comments from the landowner or owners, as specified. This bill would also require a local agency formation commission to consider information or comments from voters or residents of the affected territory and the extent that the proposal will promote environmental justice, as defined, thus creating a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: 1

SB 167(Negrete McLeod) General plans: planning grants and incentives.

Last Amend: 03/12/2007

Status: 04/16/2007-Hearing postponed by committee. (Refers to 3/29/2007 hearing)

Location: 03/22/2007-S APPR.

Summary: The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 allocates \$580,000,000 for revitalizing communities and making them more sustainable and livable by investing in sound land use planning, local parks, and urban greening, and specifically authorizes \$90,000,000 for planning grants and incentives, as specified, to encourage, among other things, the development of specified regional and local land use plans. The act also requires that these funds be made available upon appropriation by the Legislature. This bill would require the Governor's Office of Planning and Research to administer multiple programs , as specified, to award (1) grants and loans to cities and counties to prepare and adopt general plans, including , among other things, a preference for a grant or loan if one or more criteria are met, (2) loans to cities and counties to prepare and adopt programs to implement city and county general plans, including specific plans, habitat conservation plans, zoning ordinances, and design standards, (3) grants to councils of governments to prepare regional blueprint projects, and (4) grants and loans to local agency formation commissions to prepare and adopt municipal service reviews and spheres of influence. The bill would also provide that the funding for the programs under (1), (2), and (4) includes the costs of complying with the California Environmental Quality Act (CEQA). The bill would require the OPR to prepare and adopt regulations for this purpose that meet specified criteria and would require the OPR to cooperate with the Secretary of the Resources Agency in any independent audits of expenditures pursuant to these provisions. This bill contains other related provisions and other existing laws.

Position: None at this time

Priority: 1

SB 819(Hollingsworth) Local government: consolidation.

Last Amend:

Status: 04/02/2007-Hearing postponed by committee. Set for hearing May 9. (Refers to 3/26/2007 hearing)

Location: 03/08/2007-S L. GOV.

Calendar: 05/09/07 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

Summary: Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, establishes procedures for the organization and reorganization of cities and special districts. With respect to the consolidation of special districts, until January 1, 2005, the law required all of the districts to have been formed pursuant to the same principal act. Existing law, until July 1, 2008, permits the consolidation of 2 or more special districts not formed pursuant to the same principal act if certain procedures are followed. This bill would delete that July 1, 2008, expiration date on the authorization to consolidate 2 or more special districts not formed pursuant to the same principal act. This bill contains other related provisions and other existing laws.

Attachments:

CALAFCO Letter of Sponsorship and Support

SD LAFCO Position: Support

Position: Sponsor

Priority: 1

Notes: This bill is sponsored by CALAFCO. It removes the sunset on AB 2067 (Harman) that gave LAFCo the authority to consolidate districts formed under different statutes. That authority is currently sunsets on 1 July 2008. This bill will make the statute a permanent provision of Cortese-Knox-Hertzberg. This bill also provides LAFCo with a new authority to initiate a proposal to form a successor district. The

bill is expected to be amended soon to list Senator Kehoe as a principle author, and several other legislators as co-authors.

AB 503(Swanson) Public agencies: overtime: notice.

Last Amend: 04/19/2007

Status: 04/23/2007-Re-referred to Com. on APPR.

Location: 04/23/2007-A APPR.

Summary: Existing law generally regulates the working hours of public and private employees. Existing law provides that 8 hours constitutes a day's work, except as specified. This bill would prohibit a state or local agency, as defined, from requiring any employee entitled to receive overtime compensation pursuant to any federal statute or regulation to perform services outside the employee's normal work schedule unless a minimum of 8 hours' written notice of that work assignment has been provided to the employee. The bill would provide that this notice requirement shall not apply in the event of an operational emergency, and would allow a state or local agency to adopt a reasonable rule defining operational emergency. The bill would provide that these provisions shall not affect any rule in effect prior to January 1, 2008, or any negotiated memorandum of understanding, that provides for a notice of overtime assignments.

Position: Watch

Priority: 2

Notes: This bill will affect those LAFcos who contract with a county or city to staff the LAFco and the employees are city or county employees.

SB 343(Negrete McLeod) Local agencies: open meetings: documents.

Last Amend: 04/09/2007

Status: 04/26/2007-Read second time. To third reading.

Location: 04/26/2007-S THIRD READING

Calendar: 05/07/07 136 SEN THIRD READING FILE

Summary: The Ralph M. Brown Act requires that any meeting of a legislative body of a local agency be open and public and all persons be permitted to attend. The act requires the body to post an agenda at least 72 hours before a regular meeting, requires that agendas and all writings distributed to a body be made available to the public, and prohibits action or discussion on any item not appearing on the posted agenda, with specified exceptions. This bill would provide, notwithstanding any other provision of law, that no action or discussion shall be undertaken during an open and public regular meeting on any agenda item unless all writings that relate to that item that are included in the agenda packet prepared by the local agency or its employees or agents are made available to the public no later than the date the agency posts the agenda that includes that item.

Position: Watch

Priority: 2

Notes: This bill will prevent a LAFco from considering an item on its agenda UNLESS ALL THE WRITINGS AND DOCUMENTATIONS were available at the time of agenda posting.

SB 806(Hollingsworth) Governmental reorganization: fire agencies: San Diego County.

Last Amend:

Status: 04/09/2007-Set, first hearing. Hearing canceled at the request of author.

Location: 03/08/2007-S L. GOV.

Summary: Existing law provides for the reorganization of fire protection districts pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. This bill would provide for the

consolidation of districts into the consolidated regional fire agency or entity in San Diego County, to be funded commencing July 1, 2008, by an allocation by the auditor of the County of San Diego of an amount equal to 1% of the countywide ad valorem property tax revenue. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: 2

SD LAFCO Position:Support

SB 964(Romero) Local agencies.

Last Amend: 04/09/2007

Status: 04/26/2007-Set for hearing May 8.

Location: 04/09/2007-S JUD.

Calendar: 05/08/07 1 p.m. - State Capitol (Room to be announced) SEN JUDICIARY
05/09/07 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

Summary: The Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and all persons be permitted to attend unless a closed session is authorized. The act prohibits any use of direct communication, personal intermediaries, or technological devices that is employed by a majority of the members of the legislative body to develop a collective concurrence as to action to be taken on an item, with an exception for an authorized teleconference. This bill would prohibit any use of technological devices to conduct a meeting of a legislative body among members who are in different locations. It also would prohibit any use of substantive serial communications by members of a legislative body of a local agency, or by any officer, employee, consultant, or designee of the members of the legislative body or of the local agency, to conduct deliberations, as defined, by a majority of the members of that legislative body. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: 2

AB 162(Wolk) Land use: water supply.

Last Amend:

Status: 04/25/2007-From committee: Do pass, and re-refer to Com. on APPR. Re-referred.

(Ayes 9. Noes 4.) (April 24).

Location: 04/25/2007-A APPR.

Summary: The Planning and Zoning Law requires a city or county general plan to include specified mandatory elements, including a land use element that designates the proposed general distribution and general location and extent of the uses of the land for various purposes and a conservation element that considers, among other things, the effect of development within the jurisdiction, as described in the land use element, on natural resources located on public lands, including military installations, and provides that the conservation element may also cover, among other things, flood control. The bill would require the land use element to identify and annually review those areas covered by the general plan that are subject to flooding as identified by floodplain mapping prepared by the Federal Emergency Management Agency or the Department of Water Resources and would require, upon the next revision of the housing element, on or after January 1, 2008, the conservation element of the general plan to identify rivers, creeks, streams, flood corridors, riparian habitat, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management. By imposing new duties on local public officials, the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: 3

AB 224(Wolk) Water supply planning.

Last Amend: 04/25/2007

Status: 04/26/2007-Re-referred to Com. on APPR.

Location: 04/26/2007-A APPR.

Summary: Under existing law, various state and local agencies engage in water resource planning. This bill would enact the Climate Change and Water Resource Protection Act of 2007. The bill would require the Department of Water Resources, as part of its statewide water resource management responsibilities, to include an analysis of the potential effects of climate change, to the extent applicable, in reports or plans that the department is required to prepare. The bill would prohibit the department from approving a request for a specified grant, submitted after January 1, 2009, unless certain requirements are met. The department would be required, by July 1, 2008, to identify available peer-reviewed information, or develop information, regarding climate change and water resources for the state and each of the state's hydrologic basins for specified uses. The bill would require an urban water supplier and an agricultural water supplier to take certain action relating to specified climate change information. This bill contains other related provisions.

Position: Watch

Priority: 3

AB 1497(Niello) Local government: housing elements.

Last Amend:

Status: 04/12/2007-In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 03/29/2007-A L. GOV.

Summary: Existing law requires local governments to adopt a general plan that consists of several elements, including the housing element. The housing element must contain, among other things, an inventory of land suitable for residential development. This bill would exempt from the inventory of land suitable for residential development, land that is currently under a Williamson Act contract, if it meets specified criteria, and land that is owned by the state or the federal government, as specified. This bill contains other related provisions and other existing laws.

Position: None at this time

Priority: 3

SB 144(Committee on Local Government) Local Government Omnibus Act of 2007.

Last Amend: 03/26/2007

Status: 04/23/2007-In Assembly. Read first time. Held at Desk.

Location: 04/23/2007-S DESK

Summary: Existing law authorizes 2 or more public agencies to enter into agreements to jointly exercise any power common to the contracting parties, as specified. Existing law requires specified notice to be filed with the Secretary of State when a joint powers agreement provides for the creation of an agency or entity that is separate from the parties to the agreement, as specified. Existing law also authorizes one or more persons to form a corporation, as specified, by executing and filing articles of incorporation with the Secretary of State. This bill would require a corporation that is created by a local elected agency, as specified, and an agency or entity formed pursuant to a joint powers agreement, as specified, to furnish an additional copy of its articles of incorporation, or notice of the agreement to the Secretary of State, and would require the Secretary of State to forward the extra copy to the Controller. This bill contains other related provisions and other existing laws.

Position: None at this time

Priority: 3

Notes: None of the Senate Omnibus items appear to affect LAFCo. BC

SB 522(Dutton) Infill housing: incentives.

Last Amend: 04/19/2007

Status: 04/19/2007-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on RLS.

Location: 04/19/2007-S RLS.

Summary: Existing law, the Housing and Emergency Shelter Trust Fund Act of 2006, authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury, requires the sum of \$850,000,000 to be deposited in the Regional Planning, Housing, and Infill Incentive Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for infill incentive grants for capital outlay related to infill housing development and other related infill development, and for brownfield cleanup that promotes infill housing development and other related infill development consistent with regional and local plans, subject to the conditions and criteria that the Legislature may provide in statute. This bill would authorize the Department of Housing and Community Development to administer a program to provide grants to cities and counties with allocated bond funds for the construction or acquisition of capital assets, as defined, to qualifying cities, counties, and cities and counties. This bill would further set forth specific criteria upon which the department shall give preference for awarding a grant under this program.

Position: None at this time

Priority: 3

SB 934(Lowenthal) Housing and infrastructure zones.

Last Amend:

Status: 04/30/2007-From committee: Do pass as amended, but first amend, and re-refer to Com. on APPR. (Ayes 8. Noes 3. Page 740.)

Location: 04/30/2007-S APPR.

Calendar: 05/07/07 54 SEN SECOND READING FILE

Summary: The Community Services District Law identifies the procedures for district formation and specifies the services that a district may provide. Among those services are the acquisition, construction, improvement, maintenance, and operation of recreation facilities, including parks and open space, and community facilities, including libraries, and child care facilities; supplying water for any beneficial use; the collection, treatment, or disposal of sewage, wastewater, recycled water, stormwater, and solid waste; and the acquisition, construction, improvement, and maintenance of streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works. This bill would establish a pilot project allowing for the formation, under criteria developed by specified councils of governments and the Secretary of Business, Transportation and Housing, of 100 housing and infrastructure zones in the state. A city or county would be eligible to apply to its council of governments or the agency, as applicable, in order to establish a housing and infrastructure zone, subject to approval by the bank, and specified reporting requirements. By requiring local governments to perform certain duties with respect to the selection and establishment of zones, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: 3