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AGENDA REPORT Consent | Information

June 4, 2018

TO: San Diego Commissioners
FROM: Keene Simonds, Executive Officer
Robert Barry, Chief Policy Analyst
SUBJECT: **Legislative Report**

SUMMARY

The San Diego Local Agency Formation Commission (LAFCO) will receive an update on the status of bills under current consideration by the Legislature that directly or indirectly impact LAFCOs. This includes the six bills the Commission previously took formal positions on and highlighted by Assembly Bill (AB) 2050 and provisions to create an expedited consolidation process for non-compliant public or private small drinking water systems into a new public agency overseen by LAFCOs. Other notable bills previously acted on by the Commission updated in this report include AB 2258 and its provision of grant funding opportunities for LAFCOs and AB 1944 and its provision to restructure the implementation of the Sustainable Groundwater Management Act in the San Luis Rey basin. This item is being presented for information and potential Commission discussion.

BACKGROUND

Legislative Resources

San Diego LAFCO draws on its active participation with CALAFCO in considering legislative matters affecting the Commission's ability to effectively administer its regulatory and planning responsibilities. The CALAFCO Legislative Committee comprises of nearly two dozen members across the state – including San Diego LAFCO's current Chair and Chief Policy Analyst – and is tasked with drafting and or reviewing proposed legislation and related items. San Diego LAFCO relies on the information and analysis generated from the CALAFCO Legislative Committee in making its own position recommendations relative to local needs and interests.

Key Legislative Dates

The Legislature will be transitioning from policy and fiscal committee hearings to floor sessions starting May 29th and through June 1st. The last day for each house to pass bills introduced in their respective chamber is June 1st. Committee meetings may resume on June 4th. The State budget is required to be approved by June 15th. Assuming a budget is approved the Legislature will begin its summer recess on July 6th and remain out through August 6th. The last day for bills this session to be approved in both houses and presented for the Governor's signature is August 31st.¹

DISCUSSION

This item is for San Diego LAFCO to receive an update on current bills and related legislative matters of interest that directly or indirectly impact LAFCOs. This includes summarizing the current status of the six bills with adopted Commission positions. The following discussion is intended to aid the review and summarizes (a) bills with approved Commission positions and (b) other bills of general interest.

Bills with Approved Commission Positions

AB 2050 (Caballero) | Small System Water Authority Act of 2018

This bill would authorize the State Water Resources Control Board to order formation of a public agency with powers to absorb, improve, and competently operate community water systems – including privately owned – that are not in compliance with applicable drinking water standards as of December 31, 2018.² The affected public/private small water systems would be dissolved and consolidated to form a new type of public agency: a Small System Water Authority (SSWA). The bill requires consolidation of a minimum of five local non-compliant public/private small water systems in order to create a SSWA with sufficient economies of scale to remedy the violations of drinking water standards. Following the submittal of a formation application and plan for services to LAFCO, the Commission would be required to approve the SSWA formation with or without conditions.

Approved Position: SUPPORT

The Commission approved a support position for AB 2050 at its May 7th meeting citing the bill's provisions to improve and economize the delivery of safe drinking water in California and in particular to disadvantaged areas. It is noted as of January 2018 there are 11 small drinking water systems in San Diego County identified as non-compliant with drinking water standards and potentially subject to the AB 2050 consolidation provisions. The 11 affected local drinking water systems are divided between two

¹ With respect to key dates for CALAFCO the next Legislative Committee meetings will be by conference call on June 8th and July 27th.

² The bill specifies eligible consolidations are limited to those public or private systems that are non-compliant and have less than 3,000 service connections or serve less than 10,000 people.

public agencies and nine private companies as detailed in the accompanying footnote.³ AB 2050 has been recently referred back to the Assembly's Committee on Appropriations and scheduled for hearing on May 23rd with the expectation it will pass out and proceed to the floor.

AB 2238 (Aguiar-Curry) | Proposal Review Factors: Hazard Mitigation Plan & Safety Element

This bill would expand the existing list of factors required by LAFCO in the review of change of organizations and reorganizations to include applicable fire mitigation plans or general plan safety elements. This includes determining whether the proposed action is consistent with the applicable documents. The bill responds to the recent wildfires experienced in Northern California and within Assemblymember Aguiar-Curry's District (Yolo/Napa/Solano).

Approved Position: SUPPORT

The Commission approved a support position for AB 2238 at its May 7th meeting. San Diego LAFCO already focuses its analysis to consider applicable wildfire safety in the review of proposals within or near State Responsibility Areas given historical wildfire events in San Diego County. Towards this end, the bill would serve to formalize a best practice already followed by the Commission. AB 2238 passed out of the Assembly on May 10th with a vote tally of 73-0-5 and currently awaiting assignment in the Senate.

AB 2258 (Caballero) | Strategic Growth Council Grant Program

This bill is sponsored by CALAFCO and follows up on a recent Little Hoover Commission's recommendation for the Legislature to provide LAFCOs one-time grant funding to pursue certain projects. This bill would require the Strategic Growth Council to establish and administer a LAFCO grant program through January 1, 2024 with a funding focus on initiating and completing the dissolution of inactive districts. Other contemplated projects include the preparation of special studies and the development and reorganization plans.

Approved Position: SUPPORT

The Commission approved a support position for AB 2258 at its May 7th meeting and in doing so noted there are a number of ongoing local efforts in San Diego County that could be viable candidates for grant funding under the legislation. Coordination among all interested LAFCOs would be priority to help ensure the best use of grant monies is achieved and requires CALAFCO leadership. AB 2258 is awaiting hearing in the Assembly Committee on Appropriations.

³ The two public agencies subject to AB 2050 as of January 1, 2018 are the Descanso Community Services District (CSD) and the Warner Springs Unified School District. The non-compliant private systems are located in the unincorporated communities of Alpine, Borrego Springs, Guatay, Pauma Valley, and Ramona.

AB 3254 (ALGC) | Omnibus Bill

This is the annual Assembly Local Government Committee (ALGC) omnibus bill that includes proposed changes to – and among other statutes – LAFCO law. Only non-controversial items are included in the omnibus. Proposed items in AB 3254 include redefining “affected territory” and “inhabited territory” to cross-reference into the processing procedures for outside service extensions. The bill also proposes to formally define “uninhabited territory.”

Approved Position: SUPPORT

The Commission approved a support position for AB 3254 at its May 7th meeting. The bill passed out of the Assembly Committee on Local Government on May 10th and proceeded through two readings on the Assembly floor. A third and final reading on the Assembly floor is pending.

AB 1944 (Garcia) | San Luis Rey Valley Groundwater Basin

The Sustainable Groundwater Management Act (SGMA) was passed in 2014. It requires all groundwater basins designated by the Department of Water Resources as high or medium priority basins subject to critical conditions of overdraft to develop groundwater sustainability plans in achieving sustainability (i.e., no net losses) within 20 years of implementation. The deadline to initiate implementation is January 31, 2022. AB 1944 is specific to addressing SGMA implementation for the San Luis Rey basin in San Diego. It would expand and divide the basin into upper and lower subbasins and designate the latter as medium priorities until the Department reassesses basin prioritization. The bill is co-authored by two local Assemblymembers, Garcia (Coachella) and Waldron (Escondido).

Approved Position: SUPPORT

The Commission approved a support position for AB 1944 at its May 7th meeting. The Commission’s support recognizes the efforts of local stakeholders – including several special districts – to collaborate in sponsoring the bill to align updated knowledge of the basin in step with meeting the intent of SGMA to equitably manage future groundwater extractions. This includes expanding the basin to allow more affected stakeholders – including Native American tribes – to directly participate in SGMA implementation in the San Luis Rey region. AB 1944 passed out of the Assembly on May 3rd with a vote tally of 71-0-7 and currently awaiting hearing in the Senate Committee on Natural Resources and Water.

SB 623 (Monning) | Safe and Affordable Drinking Water Fund

This two-year bill would establish the Safe and Affordable Drinking Water Fund in the State Treasury and provide that monies are continuously appropriated to the State Water Resources Control Board. The measure is part of a budget trailer and intended to fill gaps in funding for disadvantaged communities and low-income residents without access to safe drinking water. Funding would be primarily drawn from a new fee collected by local water agencies on all drinking water meters serving residential, business, industrial, and governmental customers. (An additional fee on agricultural users is also proposed.) The fee for most residential users would equal close to \$1 per month.

Approved Position: OPPOSE

The Commission approved an oppose position for SB 623 at its May 7th meeting. The opposition is borne from concerns with the bill's placement as a budget trailer and avoidance therein of the normal vetting of legislative proposals. This is particularly concerning given the bill's imposition of a new fee on all water users in California and cited accordingly in the Commission's opposition letter to the author.

Other Bills of Interest

The following bills are being tracked by CALAFCO and merit review by San Diego LAFCO. Staff does not recommend taking a position on these other bills of interest at this time either due to the lack of local significance and/or incomplete information. These other bills of interest are noted below and more fully evaluated as part of Attachment One.

- AB 2019 (Aguilar-Curry) | Healthcare Districts
- AB 2600 (Flora) | Regional Park and Open Space Districts
- SB 929 (McGuire) | Special District Websites
- SB 1215 (Hertzberg) | Provision of Sewer Service to Disadvantaged Communities

ANALYSIS

The second year of the 2017-2018 legislative session has been relatively quiet with no bills proposing significant impacts on LAFCOs. There are several bills of interest, however, to LAFCOs that would further – and largely advantageously – define and/or broaden existing regulatory and planning responsibilities. These bills are detailed in the preceding section and highlighted by AB 2050 and its provisions to create an expedited consolidation process for non-compliant public or private small drinking water systems into a new public agency overseen by LAFCOs with 11 eligible systems already identified in San Diego County. Separately, only one bill in this second year causes concern. This involves SB 623 and its provisions to establish a new fee on water systems to help fund improvements for disadvantaged unincorporated communities. The underlying concern with this bill is not with its content, but placement as a trailer to the budget process and avoidance of the otherwise merited vetting most legislation typically receives.

ALTERNATIVES FOR ACTION

This item is being presented for information only.

RECOMMENDATION

It is recommended San Diego LAFCO receive the item; no action necessary. Should the Commission desire taking a new position on a bill, it is recommended the membership provide direction to the Executive Officer in issuing a comment letter on behalf of LAFCO.

PROCEDURES

This item has been placed on the San Diego LAFCO's agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation unless otherwise specified by the Commission.

On behalf of staff,

A handwritten signature in black ink, appearing to read 'R. Barry', with a stylized flourish at the end.

Robert Barry, AICP
Chief Policy Analyst

Attachment:
1) CALAFCO Legislative Report

CALAFCO Daily Legislative Report as of Thursday, May 24, 2018

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[AB 2050](#) ([Caballero D](#)) **Small System Water Authority Act of 2018.**

Current Text: Amended: 5/9/2018 [html](#) [pdf](#)

Introduced: 2/6/2018

Last Amended: 5/9/2018

Status: 5/23/2018-In committee: Set, first hearing. Referred to APPR. suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would create the Small System Water Authority Act of 2018 and state legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems. The bill, no later than March 1, 2019, would require the state board to provide written notice to cure to all public agencies, private water companies, or mutual water companies that operate a public water system that has either less than 3,000 service connections or that serves less than 10,000 people, and are not in compliance with one or more state or federal primary drinking water standard maximum contaminant levels as of December 31, 2018, and for 4 consecutive quarters, as specified.

Position: Watch

Subject: LAFCo Administration, Municipal Services, Water

CALAFCO Comments: This bill is sponsored by Eastern Municipal Water District and the CA Municipal Utilities Assoc. The intent is to give the State Water Resources Control Board (SWRCB) authority to mandate the dissolution of existing drinking water systems (public, mutual and private) and authorize the formation of a new public water authority. The focus is on non contiguous systems. The SWRCB already has the authority to mandate consolidation of these systems, this will add the authority to mandate dissolution and formation of a new public agency.

LAFCo will be responsible for dissolving any state mandated public agency dissolution, and the formation of the new water authority. The SWRCB's appointed Administrator will act as the applicant on behalf of the state. LAFCo will have ability to approve with modifications the application, and the new agency will have to report to the LAFCo annually for the first 3 years.

CALAFCO continues to work with the author and sponsor on additional amendments including giving the authority to levy fines to the SWRCB (rather than the LAFCo); addressing process and timing issues/details; ensuring proper LAFCo funding language (a more generic statement rather than a not-to-exceed amount), and other issues.

[AB 2238](#) ([Aguiar-Curry D](#)) **Local agency formation: regional housing need allocation: fire hazards: local health emergencies: hazardous and medical waste.**

Current Text: Amended: 4/3/2018 [html](#) [pdf](#)

Introduced: 2/13/2018

Last Amended: 4/3/2018

Status: 5/10/2018-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 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, among other things, the proposal's consistency with city or county general and specific plans. This bill would require the commission to consider information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high

fire hazard zone or maps that identify land determined to be in a state responsibility area if it is determined that such information is relevant to the area that is the subject of the proposal.

Attachments:

[CALAFCO Support Letter May 2018](#)

Position: Support

Subject: Climate Change, Growth Management

CALAFCO Comments: This bill seeks to add another factor for LAFCo consideration in the review of a proposal. That factor is information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

The bill also adds two non-LAFCo-related sections pertaining to the update of a housing element.

This bill is in response to the rash of wildfires throughout the state over the past several years and the ongoing threat of same as a result of climate change.

[AB 2258](#) (Caballero D) Local agency formation commissions: grant program.

Current Text: Amended: 4/23/2018 [html](#) [pdf](#)

Introduced: 2/13/2018

Last Amended: 4/23/2018

Status: 5/9/2018-In committee: Set, first hearing. Referred to APPR. suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/25/2018 Upon adjournment of Session - State Capitol, Room 4202
ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ FLETCHER, Chair

Summary:

Current law establishes the Strategic Growth Council in state government and assigns to the council certain duties, including providing, funding, and distributing data and information to local governments and regional agencies that will assist in the development and planning of sustainable communities. This bill would require the Strategic Growth Council, until January 1, 2024, to establish and administer a local agency formation commissions grant program for the payment of costs associated with initiating and completing the dissolution of districts listed as inactive, the payment of costs associated with a study of the services provided within a county by a public agency, and for other specified purposes, including the initiation of an action, based on determinations found in the study, as approved by the commission.

Attachments:

[CALAFCO Support March 2018](#)

[CALAFCO Support March 2018](#)

Position: Sponsor

Subject: Other

CALAFCO Comments: This is a CALAFCO sponsored bill following up on the recommendation of the Little Hoover Commission report of 2017 for the Legislature to provide LAFCos one-time grant funding for in-depth studies of potential reorganization of local service providers. CALAFCO is working with the Strategic Growth Council (SGC) who has agreed to administer the grant program. Grant funds will be used specifically for conducting special studies to identify and support opportunities to create greater efficiencies in the provision of municipal services; to potentially initiate actions based on those studies that remove or reduce local costs thus incentivizing local agencies to work with the LAFCo in developing and implementing reorganization plans; and the dissolution of inactive districts (pursuant to SB 448, Wieckowski, 2017). The grant program would sunset on December 31, 2023.

The bill also changes the protest threshold for LAFCo initiated actions, solely for the purposes of actions funded pursuant to this new section. It allows LAFCo to order the dissolution of a district (outside of the ones identified by the SCO) pursuant to a majority protest (mirroring existing language in Government Code Section 57077.1.c). For all other changes of organization or reorganization pursuant to this section, the threshold would be 25% rather than 10%, in accordance with Government Code Section 57075.

A separate budget ask of \$2 million over 5 years is being done as a companion to this bill.

AB 2600 (Flora R) Regional park and open space districts.

Current Text: Introduced: 2/15/2018 [html](#) [pdf](#)

Introduced: 2/15/2018

Status: 5/3/2018-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize the formation of a district by the adoption of a resolution of application by the legislative body of any county or city that contains the territory proposed to be included in the district. The bill would require the resolution to contain certain information, including the methods by which the district would be financed. The bill would require a public hearing before the adoption of the resolution, as provided.

Attachments:

[CALAFCO Support March 2018](#)

Position: Support

CALAFCO Comments: This bill would expand the process of initiating the formation of a regional pack and open space district by adding that a local governing body may adopt a resolution proposing to form a new district. This would be in lieu of having a 5,000 signature petition. The LAFCo process remains intact.

The intent of this bill is to create an easier way to proposed the formation of these types of districts, thereby removing the need for special legislation to do so. The bill is author-sponsored.

AB 3254 (Committee on Local Government) Local government organization: omnibus.

Current Text: Amended: 5/17/2018 [html](#) [pdf](#)

Introduced: 3/14/2018

Last Amended: 5/17/2018

Status: 5/22/2018-In Senate. Read first time. To Com. on RLS. for assignment.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act) provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Current law defines various terms for purposes of that Act, including the terms "affected territory" and "inhabited territory." This bill would revise those definitions to include territory that is to receive extended services from a local agency, and additionally define the term "uninhabited territory" for purposes of the Act.

Attachments:

[CALAFCO Support](#)

Position: Sponsor

CALAFCO Comments: This is the annual Assembly Local Government Committee Omnibus bill, sponsored by CALAFCO. Amendments are pending to add several items.

SB 1215 (Hertzberg D) Provision of sewer service: disadvantaged communities.

Current Text: Amended: 4/30/2018 [html](#) [pdf](#)

Introduced: 2/15/2018

Last Amended: 4/30/2018

Status: 5/18/2018-Set for hearing May 25.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/25/2018 Upon adjournment of Session - John L. Burton Hearing Room (4203)
SENATE APPROPRIATIONS - SUSPENSE, LARA, Chair

Summary:

This bill would authorize the State Water Resources Control Board to order the provision of sewer service by a special district, city, or county to a disadvantaged community, as defined,

under specified circumstances. By authorizing the state board to require a special district, city, or county to provide sewer service, this bill would impose a state-mandated local program.

Position: Watch With Concerns

Subject: Disadvantaged Communities, Water

CALAFCO Comments: As amended, this bill authorizes the State Water Resources Control Board (SWRCB) to mandate extension of service or consolidation of wastewater systems - both public and private, under certain circumstances. The process mirrors the process set forth in SB 88 giving the SWRCB authority to mandate the same for drinking water systems.

The current version includes a number of amendments that address previous CALAFCO concerns. However, there is an outstanding issue of annexing territory to which services were extended into a city. (The bill does now call for a mandatory annexation into a district should the services be extended by them.)

SB 1496 (Committee on Governance and Finance) Validations.

Current Text: Enrollment: 5/23/2018 [html](#) [pdf](#)

Introduced: 3/1/2018

Status: 5/23/2018-Enrolled and presented to the Governor at 10:30 a.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would enact the Second Validating Act of 2018, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill would declare that it is to take effect immediately as an urgency statute.

Attachments:

[CALAFCO Support March 2018](#)

Position: Support

SB 1497 (Committee on Governance and Finance) Validations.

Current Text: Enrollment: 5/23/2018 [html](#) [pdf](#)

Introduced: 3/1/2018

Status: 5/23/2018-Enrolled and presented to the Governor at 10:30 a.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the First Validating Act of 2018, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[CALAFCO Support March 2018](#)

Position: Support

Subject: LAFCo Administration

SB 1499 (Committee on Governance and Finance) Validations.

Current Text: Enrollment: 5/23/2018 [html](#) [pdf](#)

Introduced: 3/1/2018

Status: 5/23/2018-Enrolled and presented to the Governor at 10:30 a.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would enact the Third Validating Act of 2018, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[CALAFCO Support March 2018](#)

Position: Support

Subject: LAFCo Administration

[AB 2268](#) ([Reyes D](#)) Local government finance: property tax revenue allocations: vehicle license fee adjustments.

Current Text: Amended: 4/16/2018 [html](#) [pdf](#)

Introduced: 2/13/2018

Last Amended: 4/16/2018

Status: 5/2/2018-In committee: Set, first hearing. Referred to APPR. suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/25/2018 Upon adjournment of Session - State Capitol, Room 4202
ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ FLETCHER, Chair

Summary:

for the 2018–19 fiscal year, would require the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount in the 2017–18 fiscal year, the product of that sum and the percentage change in gross taxable assessed valuation within the jurisdiction of that entity between the 2017–18 fiscal year to the 2018–19 fiscal year, and the product of the amount of specified motor vehicle license fee revenues that the Controller allocated to the applicable city in July 2010 and 1.17.

Attachments:

[CALAFCO Support Letter May 2018](#)

Position: Support

Subject: Tax Allocation

CALAFCO Comments: Sponsored by the League, this bill will reinstate ERAF funding for inhabited annexations.

[AB 2491](#) ([Cooley D](#)) Local government finance: vehicle license fee adjustment amounts.

Current Text: Amended: 4/2/2018 [html](#) [pdf](#)

Introduced: 2/14/2018

Last Amended: 4/2/2018

Status: 4/25/2018-In committee: Set, first hearing. Referred to APPR. suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/25/2018 Upon adjournment of Session - State Capitol, Room 4202
ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ FLETCHER, Chair

Summary:

Would establish a separate vehicle license fee adjustment amount for a city incorporating after January 1, 2012, including an additional separate vehicle license fee adjustment amount for the first fiscal year of incorporation and for the next 4 fiscal years thereafter. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Support March 2018](#)

Position: Support

Subject: Tax Allocation

CALAFCO Comments: Sponsored by the League, this bill will reinstate ERAF funding for cities incorporating after 2017.

[AB 2501](#) ([Chu D](#)) Drinking water: consolidation and extension of service.

Current Text: Amended: 4/17/2018 [html](#) [pdf](#)

Introduced: 2/14/2018

Last Amended: 4/17/2018

Status: 5/16/2018-In committee: Set, first hearing. Referred to APPR. suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/25/2018 Upon adjournment of Session - State Capitol, Room 4202
ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ FLETCHER, Chair

Summary:

The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order extension of service to an area within a disadvantaged community that does not have access to an adequate supply of safe drinking water so long as the extension of service is an interim extension of service in preparation of consolidation. The act defines "disadvantaged community" for these purposes to mean a disadvantaged community that is in an unincorporated area, is in a mobilehome park, or is served by a mutual water company or small public water system. This bill would redefine "disadvantaged community" for these purposes to also include a disadvantaged community that is served by a state small water system or domestic well.

Position: Watch

Subject: Disadvantaged Communities, Water

AB 1889 (Caballero D) Santa Clara Valley Water District.

Current Text: Amended: 4/4/2018 [html](#) [pdf](#)

Introduced: 1/18/2018

Last Amended: 4/4/2018

Status: 5/10/2018- Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Santa Clara Valley Water District Act authorizes the district to impose special taxes at minimum rates according to land use category and size. The district act authorizes the district to provide an exemption from these taxes for residential parcels owned and occupied by one or more taxpayers who are at least 65 years of age, or who qualify as totally disabled, if the household income is less than an amount approved by the voters of the district. This bill would authorize the district to require a taxpayer seeking an exemption from these special taxes to verify his or her age, disability status, or household income, as prescribed.

Position: Watch

AB 2019 (Aguiar-Curry D) Health care districts.

Current Text: Amended: 4/30/2018 [html](#) [pdf](#)

Introduced: 2/5/2018

Last Amended: 4/30/2018

Status: 5/15/2018- In Senate. Read first time. To Com. on RLS. for assignment.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Local Health Care District Law provides for local health care districts that govern certain health care facilities. The bill would require a district that is authorized and elects to use the design-build process, as specified, for the construction of housing to require that at least 20% of the residential units constructed be subject to a recorded affordability restriction for at least 55 years and be affordable to lower income households, very low income households, extremely low income households, and persons and families of low or moderate income, as defined, unless the city, county, or city and county in which the district is predominantly located has adopted a local ordinance that requires a greater percentage of the units be affordable to those groups. This bill contains other related laws and provisions.

Position: Watch

CALAFCO Comments: This bill places a number of statutory requirements on healthcare districts (HCDs). One provision that directly affects LAFCo is the HCDs will be required to notify their respective LAFCo when they file for bankruptcy.

AB 2179 (Gipson D) Municipal corporations: public utility service: water and sewer service.

Current Text: Introduced: 2/12/2018 [html](#) [pdf](#)

Introduced: 2/12/2018

Status: 5/14/2018- Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/25/2018 #80 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary:

Would authorize a municipal corporation to utilize the alternative procedures to lease, sell, or transfer that portion of a municipal utility used for furnishing sewer service outside the boundaries of the municipal corporation.

Position: Watch

Subject: Municipal Services

[AB 2262](#) (Wood D) Coast Life Support District Act: urgent medical care services.

Current Text: Amended: 4/16/2018 [html](#) [pdf](#)

Introduced: 2/13/2018

Last Amended: 4/16/2018

Status: 5/3/2018-Referred to Coms. on GOV. & F. and HEALTH.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, the Coast Life Support District Act, establishes the Coast Life Support District and specifies the powers of the district. The district is authorized, among other things, to supply the inhabitants of the district emergency medical services, as specified. This bill would additionally authorize the district to provide urgent medical care services.

Attachments:

[CALAFCO Oppose Unless Amended](#)

[CALAFCO Support as amended](#)

Position: Support

Subject: LAFCo Administration, Special District Powers

CALAFCO Comments: This is a single district bill in which the district is seeking to add the power of providing urgent care (actually to codify powers they have been performing for a number of years). As amended, the bill cleans up the outdated reference to the Act and adds a provision requiring the district to seek LAFCo approval to activate the new power. As a result of these amendments, CALAFCO has removed our opposition and now supports the bill.

[AB 2339](#) (Gipson D) Water utility service: sale of water utility property by a city.

Current Text: Amended: 4/3/2018 [html](#) [pdf](#)

Introduced: 2/13/2018

Last Amended: 4/3/2018

Status: 4/25/2018-In committee: Set, first hearing. Referred to APPR. suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/25/2018 Upon adjournment of Session - State Capitol, Room 4202
ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ FLETCHER, Chair

Summary:

Would permit a city that owns and operates a public utility for furnishing water service to sell the public utility for the purpose of consolidating its public water system with another public water system pursuant to the specified procedures, only if the potentially subsumed water system is wholly within the boundaries of the city, if the city determines that it is uneconomical and not in the public interest to own and operate the public utility, and if certain requirements are met. The bill would prohibit the city from selling the public utility for one year if 50% of interested persons, as defined, protest the sale.

Position: Watch

Subject: Water

[SB 522](#) (Glazer D) West Contra Costa Healthcare District.

Current Text: Amended: 1/3/2018 [html](#) [pdf](#)

Introduced: 2/16/2017

Last Amended: 1/3/2018

Status: 4/19/2018-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

6/13/2018 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

Current law provides for the formation of local health care districts and specifies district powers. Under existing law, the elective officers of a local health care district consist of a board of hospital directors consisting of 5 members, each of whom is required to be a registered voter residing in the district and whose term shall be 4 years, except as specified. This bill would dissolve the existing elected board of directors of the West Contra Costa Healthcare District, effective January 1, 2019, and would require the Board of Supervisors of the County of Contra Costa, at its election, to either serve as the district board or appoint a district board, as specified.

Position: Watch

Subject: Special Districts Governance

SB 561 (Gaines R) Fallen Leaf Lake Community Services District: elections.

Current Text: Amended: 5/10/2018 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amended: 5/10/2018

Status: 5/10/2018-From committee with author's amendments. Read second time and amended. Re-referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Under current law, the Fallen Leaf Lake Community Services District is a resident voting district. This bill would require the El Dorado County elections official, with the assistance of the Fallen Leaf Lake Community Services District, to conduct district elections pursuant to the Uniform District Election Law, except as otherwise provided in the bill.

Position: Watch

Subject: Special Districts Governance

SB 623 (Monning D) Water quality: Safe and Affordable Drinking Water Fund.

Current Text: Amended: 8/21/2017 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amended: 8/21/2017

Status: 9/1/2017-From committee: Without recommendation. (Ayes 11. Noes 0.) (September 1) Re-referred to Com. on RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the State Water Resources Control Board. The bill would require the board to administer the fund to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure. The bill would authorize the state board to provide for the deposit into the fund of federal contributions, voluntary contributions, gifts, grants, bequests, and settlements from parties responsible for contamination of drinking water supplies.

Position: Watch

Subject: Water

SB 778 (Hertzberg D) Water systems: consolidations: administrative and managerial services.

Current Text: Amended: 7/13/2017 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amended: 7/13/2017

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. on 8/23/2017)(May be acted upon Jan 2018)

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require, on or before March 1, 2018, and regularly thereafter, as specified, the State Water Resources Control Board to track and publish on its Internet Web site an analysis of all voluntary and ordered consolidations of water systems that have occurred on or after July 1, 2014. The bill would require the published information to include the resulting outcomes of the consolidations and whether the consolidations have succeeded or failed in providing an adequate supply of safe drinking water to the communities served by the consolidated water systems.

Position: Watch

Subject: Municipal Services

[SB 929](#) (McGuire D) Special districts: Internet Web sites.

Current Text: Amended: 3/6/2018 [html](#) [pdf](#)

Introduced: 1/25/2018

Last Amended: 3/6/2018

Status: 4/30/2018-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptored
1st House				2nd House							

Calendar:

6/13/2018 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

The California Public Records Act requires a local agency to make public records available for inspection and allows a local agency to comply by posting the record on its Internet Web site and directing a member of the public to the Web site, as specified. This bill would, beginning on January 1, 2020, require every independent special district to maintain an Internet Web site that clearly lists contact information for the special district, except as provided. Because this bill would require local agencies to provide a new service, the bill would impose a state-mandated local program.

Attachments:

[CALAFCO Support Letter May 2018](#)

Position: Support

[SB 1498](#) (Committee on Governance and Finance) Local Government Omnibus Act of 2018.

Current Text: Amended: 4/18/2018 [html](#) [pdf](#)

Introduced: 3/1/2018

Last Amended: 4/18/2018

Status: 5/10/2018-Read third time. Passed. (Ayes 37. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptored
1st House				2nd House							

Summary:

Current law sets forth various provisions governing cities that reference various officers and employees. This bill would make these references gender neutral.

Position: Watch

CALAFCO Comments: This is the annual Senate Governance & Finance Committee Omnibus bill.

Total Measures: 23

Total Tracking Forms: 23

5/24/2018 2:59:41 PM

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