

LAFCO

Santa Barbara Local Agency Formation Commission

105 East Anapamu Street ♦ Santa Barbara CA 93101

805/568-3391 ♦ FAX 805/647-7647

www.sblafco.org ♦ lafco@sblafco.org

April 2, 2009 (Agenda)

Local Agency Formation Commission
105 East Anapamu Street
Santa Barbara CA 93101

SUBJECT: Report on Pending Legislation
Assembly Bills 528 and 1232
Senate Bills 113, 215 and 263

Dear Members of the Commission

RECOMMENDATION

It is recommended the Commission receive this report, accept all public testimony and adopt the legislative positions as recommended.

DISCUSSION

This report is to inform the Commission regarding LAFCO-related legislation and recommend positions where appropriate.

- **AB 528** (Silva) – The Cortese-Knox-Hertzberg Act requires the contributions for political purposes on boundary changes that have been approved by LAFCO be disclosed and reported to the Commission to the same extent and subject to the same requirements that the Political Reform Act of 1974 provides for local initiative measures.

This bill would revise these provisions to require the disclosure to be made pursuant to the Political Reform Act of 1974 and not to the Commission.

The language was drafted by Senate Local Government Consultant Peter Detwiler and is supported by CALAFCO. No opposition is anticipated at this time.

Recommendation: Support AB 528

- **AB 1232** (Huffman) – LAFCO is required to conduct a review of the municipal services provided by local agencies and prepare a written statement of determinations.

This bill would require LAFCO to make a written statement regarding projected cost and budget increases associated with future regulatory requirements including infrastructure replacement and upgrades.

Recommendation: Watch AB 1232

- **SB 113** (Senate Local Government Committee) – This is the Omnibus Bill that is submitted annually to make non substantive wording changes to the Cortese-Knox-Hertzberg Act, LAFCO's enabling statute.

Recommendation: Support SB 113

- **SB 215** (Wiggins) - Existing law requires that when LAFCO reviews a boundary change proposal, it must consider specific factors, including a proposal's consistency with applicable city or county general and specific plans.

This bill would modify that factor so the Commission is required to consider a proposal's consistency applicable transportation plans. These may involve a "Sustainable Communities Strategy" and "Alternative Planning Strategy." It eliminates the now outdated wording that allowed LAFCOs to consider regional growth goals and policies.

Recommendation: Support SB 215

- **SB 263** (Strickland) - This bill would include the Santa Rita Hills Community Services District as one of the specified Community Services Districts authorized to limit access to roads it owns to the landowners and residents of that District.

Existing CSDs with this authority are the Bear Valley CSD, Bell Canyon CSD, Cameron Estates CSD, Lake Sherwood CSD, Saddle Creek CSD, and Wallace CSD.

Recommendation: Support SB 263

- **Senate Bill 375 (Sustainable Communities) - Follow-up Legislation**

A variety of bills have been introduced to clean-up or modify SB 375. These include:

- **SB 575** (Steinberg), which is presently a placeholder bill, but will likely be amended with a variety of components related to timing, funding and implementation.
- **AB 231** (Huffman) and **SB 31** (Pavley) would provide a fee-based source of funding for implementation of Senate Bill 32.

- **AB 782** (Jeffries) would prohibit legal challenges of a Sustainable Community Strategy (SCS) after acceptance by the California Air Resources Board.
- **AB 1204** (Huber) would extend CEQA exemptions to any project in a SCS, not just residential or mixed use projects.
- **SB 406** (DeSaulnier) would allow a Metropolitan Planning Organization (MPO) or Council of Governments (COG) to impose a motor vehicle surcharge to fund development of an SCS.
- **SB 560** (Ashburn) would provide greenhouse gas emission credits for counties and cities that site and permit commercial wind, solar, and biomass projects may be used as credit in the formulation of a SCS or an alternative planning strategy.

Recommendation: Watch these bills

Please contact the LAFCO office if you have any questions.

Sincerely,

BOB BRAITMAN
Executive Officer

**TO VIEW FULL TEXTS OF THE REFERENCED
BILLS GO TO:
WWW.LEGINFO.CA.GOV**