LAFCO MEMORANDUM

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
105 East Anapamu Street • Santa Barbara CA 93101 • (805) 568-3391 • Fax (805) 568-2249

May 3, 2018 (Agenda)

TO: Each Member of the Commission

FROM: Paul Hood

Executive Officer

SUBJECT: Report on CALAFCO 2018 Current Tracked Legislation

This is an Informational Report. No Action is Necessary

CALAFCO Tracked Legislation:

CALAFCO is tracking a number of bills during the current legislative session. The List of Current Tracked Bills, as of April 10, 2018, is attached as Exhibit A.

EXHIBITS

Exhibit A List of CALAFCO Current Tracked Bills

Please contact the LAFCO office if you have any questions.

CALAFCO List of Current Tracked Bills As of 4/10/2018

Priority 1

AB 2050

(Caballero D) Small System Water Authority Act of 2018.

Current Text: Amended: 3/19/2018 html pdf

Introduced: 2/6/2018 Last Amend: 3/19/2018

Status: 3/20/2018-Re-referred to Com. on E.S. & T.M.

Location: 3/19/2018-A. E.S. & T.M.

Desk Policy Fiscal Floor 1st House	Desk Policy Fiscal Floor	Conf. Enrolled	Vetoed Chantered
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Calendar: 4/10/2018 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC

MATERIALS, QUIRK, Chair

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 applicable drinking water standards as of December 31, 2018.

Position

Subject

Watch

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 system. 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.

CALAFCO met with the sponsors several times and they indicate a desire to work with LAFCos on creating a workable process. We have provided feedback including content of a proposal for service, feedback on the timing and process of dissolution and formation, amended language to ensure LAFCo funding, and several other things. It is our understanding that LAFCo will lack any discretion in the dissolution of any public water agency mandated by the SWRCB and the formation of a new entity as mandated by the SWRCB. CALAFCO will continue to work with the sponsors and author.

AB 2238

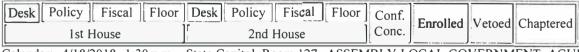
(<u>Aguiar-Curry</u> D) Local agency formation: regional housing need allocation: fire hazards: local health emergencies: hazardous and medical waste.

Current Text: Amended: 4/3/2018 html pdf

Introduced: 2/13/2018 Last Amend: 4/3/2018

Status: 4/4/2018-Re-referred to Com. on L. GOV.

Location: 3/1/2018-A. L. GOV.



Calendar: 4/18/2018 1:30 p.m. - State Capitol, Room 127 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-

CURRY, Chair

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.

Position

Watch

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: 4/9/2018 html pdf

Introduced: 2/13/2018 Last Amend: 4/9/2018

Status: 4/9/2018-From committee chair, with author's amendments: Amend, and re-refer to Com. on L. GOV. Read

second time and amended. Location: 3/15/2018-A. L. GOV.

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Calendar: 4/18/2018 1:30 p.m. - State Capitol, Room 127 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-

CURRY, 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 inactive districts, 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.

Position Subject Sponsor 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, Wieckowksi, 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.

SB 1215

(Hertzberg D) Drinking water systems and sewer systems: consolidation and extension of service.

Current Text: Introduced: 2/15/2018 html pdf

Introduced: 2/15/2018

Status: 3/29/2018-Set for hearing April 18.

Location: 3/1/2018-S. E.O.

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Calendar: 4/18/2018 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, WIECKOWSKI, Chair

Summary: Current law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This bill would also authorize the state board to set timeline and performance measures to facilitate completion of extension of service of drinking water. This bill contains other related provisions and other current laws.

Position

Subject

Watch With Concerns

Disadvantaged Communities, Water

CALAFCO Comments: This bill would authorize 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.

CALAFCO raised a number of concerns to the author's office and the sponsor (Leadership Council for Justice & Accountability). We continue to work with the author, sponsor, SWRCB and CASA.

SB 1496

(Committee on Governance and Finance) Validations.

Current Text: Introduced: 3/1/2018 <u>html</u> <u>pdf</u>

Introduced: 3/1/2018

Status: 4/5/2018-Read second time. Ordered to consent calendar.

Location: 4/5/2018-S. CONSENT CALENDAR

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Calendar: 4/12/2018 #25 SENATE SEN CONSENT CALENDAR SECOND LEGISLATIVE DAY

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.

Position

Support

Subject

SB 1497

(Committee on Governance and Finance) Validations.

Current Text: Introduced: 3/1/2018 html pdf

Introduced: 3/1/2018

Status: 4/5/2018-Read second time. Ordered to consent calendar.

Location: 4/5/2018-S. CONSENT CALENDAR

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Calendar: 4/12/2018 #26 SENATE SEN CONSENT CALENDAR SECOND LEGISLATIVE DAY

Summary: 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. This bill would declare that it is to take effect immediately as an urgency statute.

Position

Subject

Support

LAFCo Administration

SB 1499 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 3/1/2018 httml pdf

Introduced: 3/1/2018

Status: 4/5/2018-Read second time. Ordered to consent calendar.

Location: 4/5/2018-S. CONSENT CALENDAR

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Calendar: 4/12/2018 #27 SENATE SEN CONSENT CALENDAR SECOND LEGISLATIVE DAY

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.

Position Support

Subject LAFCo Administration

Priority 2

AB 2268 (Reves D) Local government finance: property tax revenue allocations: vehicle license fee adjustments.

Current Text: Amended: 4/2/2018 html pdf

Introduced: 2/13/2018 Last Amend: 4/2/2018

Status: 4/3/2018-Re-referred to Com. on L. GOV.

Location: 3/1/2018-A. L. GOV.

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Calendar: 4/11/2018 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-

CURRY, Chair

Summary: Would, for the 2018–19 fiscal year, 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.

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 Amend: 4/2/2018

Status: 4/3/2018-Re-referred to Com. on L. GOV.

Location: 3/5/2018-A. L. GOV.

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Calendar: 4/11/2018 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-

CURRY, 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.

Position

Support

Subject

Tax Allocation

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

AB 2501

(<u>Chu</u> D) Drinking water: consolidation and extension of service.

Current Text: Introduced: 2/14/2018 <u>html</u> pdf

Introduced: 2/14/2018

Status: 4/2/2018-In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 3/8/2018-A. E.S. & T.M.

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Calendar: 4/24/2018 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC

MATERIALS, QUIRK, 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 "small public water system" for these purposes as a system with 200 connections of less.

Position Watch

Subject
Disadvantaged Communities, Water

AB 3023

(Medina D) California Environmental Quality Act. Current Text: Amended: 3/19/2018 html pdf

Introduced: 2/16/2018 Last Amend: 3/19/2018

Status: 3/20/2018-Re-referred to Com. on NAT. RES.

Location: 3/19/2018-A. NAT. RES.

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Summary: Would require lead agencies to post the notices required by CEQA and any environmental review document for a project on their Internet Web sites, if any, or to submit those notices and environmental review documents to the State Clearinghouse for inclusion in the database as specified. Because this bill would impose additional duties on lead agencies, this bill would impose a state-mandated local program.

Position Watch

Subject CEQA

Priority 3

AB 1889

(<u>Caballero</u> D) Santa Clara Valley Water District. Current Text: Amended: 4/4/2018 <u>html</u> <u>pdf</u>

Introduced: 1/18/2018 Last Amend: 4/4/2018

Status: 4/5/2018-Re-referred to Com. on L. GOV.

Location: 2/5/2018-A. L. GOV.

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Calendar: 4/18/2018 1:30 p.m. - State Capitol, Room 127 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-

CURRY, Chair

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

Subject

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

Current Text: Amended: 3/22/2018 html pdf

Introduced: 2/5/2018
Last Amend: 3/22/2018

Status: 4/2/2018-Re-referred to Com. on L. GOV.

Location: 3/22/2018-A. L. GOV.

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Calendar: 4/18/2018 1:30 p.m. - State Capitol, Room 127 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-

CURRY, Chair

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 Subject

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: 3/1/2018-Referred to Com. on L. GOV.

Location: 3/1/2018-A. L. GOV.

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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: Introduced: 2/13/2018 html pdf

Introduced: 2/13/2018

Status: 3/21/2018-From committee: Do pass and re-refer to Com. on L. GOV. (Ayes 14. Noes 0.) (March 20). Re-

referred to Com. on L. GOV. Location: 3/20/2018-A. L. GOV.

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Calendar: 4/11/2018 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-

CURRY, Chair

Summary: Current law 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. This bill contains other related provisions.

Position

Subject

Oppose unless

LAFCo Administration, Special

amended

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). The district has made it clear once done, they do not intend to go to the LAFCo for formal activation of that power. As a result, we have requested a clause of intent be amended into the bill requiring that action.

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 Amend: 4/3/2018

Status: 4/4/2018-Re-referred to Com. on L. GOV.

Location: 3/20/2018-A. L. GOV.

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Calendar: 4/11/2018 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-

CURRY, 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

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

Current Text: Amended: 1/3/2018 html pdf

Introduced: 2/16/2017 Last Amend: 1/3/2018

Status: 1/30/2018-In Assembly. Read first time. Held at Desk.

Location: 1/29/2018-A. DESK

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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

Special Districts Governance

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

Current Text: Amended: 1/23/2018 html pdf

Introduced: 2/17/2017 Last Amend: 1/23/2018

Status: 1/30/2018-Read third time. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly. In Assembly. Read first time.

Held at Desk.

Location: 1/30/2018-A. DESK

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Summary: Under current law, the Fallen Leaf Lake Community Services District is a resident voting district. This bill, notwithstanding existing law, would provide that voters who are residents of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services District.

> 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 Amend: 8/21/2017

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

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Location: 9/1/2017-A. RLS.

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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 <u>html</u> <u>pdf</u>

Introduced: 2/17/2017 Last Amend: 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)

Location: 9/1/2017-A. 2 YEAR

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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

Subject

Watch

Municipal Services

SB 929 (McGuire D) Special districts: Internet Web sites. Current Text: Amended: 3/6/2018 html pdf

> Introduced: 1/25/2018 Last Amend: 3/6/2018

Status: 4/9/2018-Set for hearing April 16.

Location: 4/4/2018-S. APPR.

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Calendar: 4/16/2018 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, LARA, 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.

Position Watch

Subject

SB 1498

(Committee on Governance and Finance) Local Government Omnibus Act of 2018.

Current Text: Introduced: 3/1/2018 html pdf

Introduced: 3/1/2018

Status: 4/6/2018-Set for hearing April 18. Location: 3/15/2018-S. GOV. & F.

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Calendar: 4/18/2018 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

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

Subject

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

Total Bills Tracked: 24