

CALAFCO Legislative Tracking Summary

UPDATED 18 July 2011

PRIORITY LEGISLATION

AB 54 (Solorio D) Drinking water.

Current Text: Amended: 7/11/2011

Calendar: 8/15/2011 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, KEHOE, Chair

Summary: Would specify that any corporation organized for or engaged in the business of selling, distributing, supplying, or delivering water for irrigation purposes, and any corporation organized for or engaged in the business of selling, distributing, supplying, or delivering water for domestic use shall be known as a mutual water company. This bill contains other related provisions and other existing laws.

Position

SUPPORT

CALAFCO Comments: Requires mutual water companies to respond to LAFCo requests for information, requires Mutuals to provide a map of boundaries to LAFCo, adds authority for LAFCo to request MSR data from mutuals and include compliance with safe drinking water standards in MSRs. The bill was most recently amended to make the LAFCo language consistent with the revised definitions in AB 1430.

AB 912 (Gordon D) Local government: organization.

Current Text: Enrollment: 7/11/2011

Status: 7/11/2011-Enrolled and presented to the Governor at 12:45 p.m.

Summary: Would authorize the commission, where the commission is considering a change of organization that consists of the dissolution of a district recommended for dissolution by a prior action of the commission, to immediately order the dissolution if the dissolution was initiated by the district board, or to, within 60 days following the application being deemed complete by the commission, hold at least one noticed public hearing on the proposal, and order the dissolution without an election, unless a majority protest exists, as specified.

Position

SUPPORT

CALAFCO Comments: Provides an expedited process for a commission to dissolve certain special districts if identified for dissolution in an MSR or SOI update, or by resolution of the district board, after a public hearing and the lack of a majority protest.

AB 1430 (Committee on Local Government) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 Omnibus bill.

Current Text: Amended: 6/22/2011

Status: 7/1/2011-From consent calendar. Ordered to third reading. Ordered to inactive file at the request of Senator Simitian.

Summary: Existing law defines various terms for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. This bill would revise various definitions within that act, and would make other conforming and technical changes.

Position

SPONSOR

CALAFCO Comments: CALAFCO Sponsored bill. Makes technical, non-substantive changes to Cortese-Knox-Hertzberg. Includes major definitions update. The bill is currently in the inactive file pending action on AB 54 and SB 244 which both affect the same sections of the Government Code.

ABX1 36 (Solorio D) Vehicle license fees.

Current Text: Introduced: 7/1/2011

Status: 7/5/2011-From printer.

Summary: Current law, as proposed to be amended by SB 89 of the 2011-12 Regular Session, would require that a specified amount of motor vehicle license fees deposited to the credit of the Motor Vehicle License Fee Account in the Transportation Tax Fund be allocated by the Controller, as specified, according to a specified order, with moneys allocated on or after July 1, 2004, but before July 1, 2011, first to the County of Orange, next to each city and county meeting specified criteria, and on or after July 1, 2011, to the Local Law Enforcement Services Account in the Local Revenue Fund 2011, for allocation to cities, counties, and cities and counties. This bill would instead require for all of those times that a specified

portion of those revenues be distributed first to the County of Orange. By authorizing within the Motor Vehicle License Fee Account in the Transportation Tax Fund, a continuously appropriated fund, to be used for a new purpose, the bill would make an appropriation. This bill would become operative only if SB 89 is chaptered, as provided.

Position

Watch

CALAFCO Comments: This bill is under consideration as a fix to the SB 89 shift of VLF from cities to law enforcement programs. It would unwind the SB 89 transfer of VLF funds that dramatically affect incorporations and inhabited annexations. Currently only affects Orange county.

SB 89 (Committee on Budget and Fiscal Review) Vehicles: vehicle license fee and registration fee.

Current Text: Chaptered: 7/1/2011

Status: 6/30/2011- Chaptered by Secretary of State - Chapter 35, Statutes of 2011.

Summary: Would require the Legislature to determine and appropriate annually an amount for the use of the DMV and the FTB for the enforcement of the Vehicle License Fee Law. The bill would deem, for the 2011-12 fiscal year, \$25,000,000 as the cost to the DMV for the collection of the motor vehicle license fee. This bill contains other related provisions and other current laws.

Position

OPPOSE

CALAFCO Comments: This budget-related bill redirects VLF from cities to statewide public safety programs. Most impacted are cities formed after 2006 and inhabited annexations after 2006. Will likely result in disincorporations. Significantly this will also make most all future incorporations and inhabited annexations financially impossible. This language was added at the last minutes and voted on by the Members with little knowledge of the content of the bill. No one outside of the Capital was aware of the language until after the bill passed.

SB 244 (Wolk D) Land use: general plan: disadvantaged unincorporated communities.

Current Text: Amended: 7/1/2011

Calendar: 8/17/2011 9 a.m. - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS, FUENTES, Chair

Summary: Would require the city or county planning agency, after the initial revision and update of the general plan, to review, and if necessary amend, the general plan to update the information, goals, and program of action relating to these communities therein. By adding to the duties of city and county officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

Position

Opposition removed

CALAFCO Comments: Amended to require LAFCo review of disadvantaged unincorporated communities. It adds a definition for disadvantaged unincorporated communities, requires LAFCo to review water, sewer and fire services to the communities in the next SOI update, places more emphasis on LAFCo recommendations on reorganizations for efficient and effective services, requires LAFCo to identify service deficiencies to these communities in MSRs, and specifically requires LAFCo to assess alternatives for efficient and affordable infrastructure and services, including consolidations, in MSRs. Bill requires LAFCo to look at communities "in or contiguous to a sphere of influence." The bill restricts a city's ability to annex undeveloped territory unless it files a separate application to annex a contiguous disadvantaged unincorporated community.

WILLIAMSON ACT LEGISLATION

AB 1265 (Nielsen R) Local government: Williamson Act.

Current Text: Chaptered: 7/15/2011

Status: 7/15/2011-Chaptered by the Secretary of State, Chapter Number 90, Statutes of 2011

Summary: Would beginning January 1, 2012, and until January 1, 2015, authorize a county, in any fiscal year in which payments authorized for reimbursement to a county for lost revenue are less than 1/2 of the participating county's actual foregone general fund property tax revenue, to revise the term for newly renewed and new contracts and require the assessor to value the property, as specified, based on the revised contract term. The bill would provide that a landowner may choose to nonrenew and begin the cancellation process. The bill would also provide that any increased revenues generated by properties under a new contract shall be paid to the county.

Position

SUPPORT

CALAFCO Comments: This bill reinstates the collaboratively-reached interim solution to preserve the Williamson Act that was in an earlier budget trailer bill, but was struck. It has no cost to the state.

AB 1266 (Nielsen R) Local government: Williamson Act: agricultural preserves: advisory board.

Current Text: Introduced: 7/6/2011

Status: 7/14/2011-From consent calendar. Ordered to third reading. Ordered to inactive file at the request of Senator La Malfa.

Summary: Would specify matters on which the advisory board may advise the legislative body of a county or city. This bill would also state that the advisory board is not the exclusive mechanism through which the legislative body can receive advice on or address matters regarding agricultural preserves.

Position

None at this time

CALAFCO Comments: Specifies additional responsibilities for the county or city Williamson Act advisory board. May also be a placeholder for more significant modifications to the Williamson Act.

SB 436 (Kehoe D) Land use: mitigation lands: nonprofit organizations.

Current Text: Amended: 7/13/2011

Calendar: 8/17/2011 9 a.m. - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS, FUENTES, Chair

Summary: Would authorize a state or local public agency to provide funds to a nonprofit organization to acquire land or easements that satisfy the agency's mitigation obligations, including funds that have been set aside for the long-term management of any lands or easements conveyed to a nonprofit organization if the nonprofit organization meets certain requirements. The bill would also state the findings and declarations of the Legislature with respect to the preservation of natural resources through such mitigation, and would state that it is in the best interest of the public to allow state and local public agencies and nonprofit organizations to utilize the tools and strategies they need for improving the effectiveness, cost efficiency, and durability of mitigation for California's natural resources.

Position

SUPPORT

CALAFCO Comments: Would allow a local agency to provide funds to a non profit to acquire land or easements to satisfy an agency's mitigation requirements. May be an important tool for LAFCo in agricultural and open space preservation.

SB 618 (Wolk D) Local government: Williamson Act: compatible uses.

Current Text: Amended: 5/11/2011

Calendar: 8/17/2011 9 a.m. - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS, FUENTES, Chair

Summary: Would authorize the parties to a Williamson Act contract to mutually agree to rescind the contract in order to simultaneously enter into a solar-use easement that would require that the land be used for solar photovoltaic facilities for a term no less than 10 years. This bill would require a county or city to include certain, and authorizes a county or city to include other, restrictions, conditions, or covenants in the deed or instrument granting a solar-use easement. This bill would provide that a solar-use easement would be automatically renewed annually, unless either party filed a notice of nonrenewal. This bill would provide that a solar-use easement may only be extinguished on all or a portion of the parcel by nonrenewal, termination, or by returning the land to its previous contract under the Williamson Act. This bill would require that if the landowner extinguishes the contract either by filing a notice of nonrenewal or by terminating the solar-use easement, the landowner shall restore the property to the conditions that existed before the easement by the time the easement terminates. This bill would authorize a landowner to terminate a solar-use easement by complying with certain procedures, and paying a termination fee based upon the termination value of the property, as determined by the county assessor. This bill would provide that specified parties may bring an action to enforce the easement if it is violated.

Position

None at this time

CALAFCO Comments: Allows renewable energy generation (solar farms) as an acceptable use for Williamson Act lands.

SB 668 (Evans D) Local government: Williamson Act.

Current Text: Amended: 6/22/2011

Calendar: 7/7/2011-In Senate. Concurrence in Assembly amendments pending.

Summary: Would, until January 1, 2016, authorize a nonprofit land-trust organization, a nonprofit entity, or a public agency to enter into a contract with a landowner who has also entered into a Williamson Act contract, upon approval of the city or county that holds the Williamson Act contract, to keep that landowner's land in contract under the Williamson Act, for a period of up to 10 years in exchange for the open-space district's, land-trust organization's, or nonprofit entity's payment of all or a portion of the foregone property tax revenue to the county, where the state has failed to reimburse, or reduced the subvention to, the city or county for property tax revenues not received as a result of Williamson Act contracts.

Position

None at this time

CALAFCO Comments: Would allow an open space district, land trust or non profit to contract with a Williamson Act landowner to keep land in Williamson Act in exchange for paying all or a portion of the

foregone property tax to the county if the state has failed to provide subventions.

AUDIT LEGISLATION

AB 187 (Lara D) State Auditor: audits: high-risk local government agency audit program.

Current Text: Amended: 6/22/2011

Status: 7/11/2011-In committee: Placed on APPR. suspense file.

Summary: Would authorize the State Auditor to establish a high-risk local government agency audit program to identify, audit, and issue reports on any local government agency, including any city, county, or special district, or any publicly created entity that the State Auditor identifies as being at high risk for the potential of waste, fraud, abuse, or mismanagement or that has major challenges associated with its economy, efficiency, or effectiveness. The bill would also authorize the State Auditor to consult with the State Controller, Attorney General, and other state agencies in identifying local government agencies that are at high risk.

Position

None at this time

CALAFCO Comments: Would allow the State Auditor to audit and issue reports on any local agency it identifies as being at high risk for waste, fraud, abuse or mismanagement.

COMPENSATION LEGISLATION

SB 46 (Correa D) Local government: compensation disclosure.

Current Text: Amended: 6/2/2011

Calendar: 6/6/2011-S. THIRD READING

Summary: Would, commencing on January 1, 2013, and continuing until January 1, 2019, require every designated employee and other person, except a candidate for public office, who is required to file a statement of economic interests to include, as a part of that filing, a compensation disclosure form that provides compensation information for the preceding calendar year, as specified. This bill contains other related provisions and other current laws.

Position

Oppose

CALAFCO Comments: Similar to a 2010 bill, this would require all those who file a Form 700 to also file a compensation disclosure report. Those forms would be required to be posted on a LAFCo website. Filing includes all compensation, including reimbursements.

SB 27 (Simitian D) Public retirement: final compensation: computation: retirees.

Current Text: Amended: 7/7/2011

Location: 8/17/2011 9 a.m. - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS, FUENTES, Chair

Summary: This bill would revise the definition of creditable compensation for these purposes and would identify certain payments, reimbursements, and compensation that are creditable compensation to be applied to the Defined Benefit Supplement Program. The bill would prohibit one employee from being considered a class. The bill would revise the definition of compensation with respect to the Defined Benefit Supplemental Program to include remuneration earnable within a 5-year period, which includes the last year in which the member's final compensation is determined, when it is in excess of 125% of that member's compensation earnable in the year prior to that 5-year period, as specified. The bill would prohibit a member who retires on or after January 1, 2013, who elects to receive his or her retirement benefit under the Defined Benefit Supplemental Program as a lump-sum payment from receiving that sum until 180 days have elapsed following the effective date of the member's retirement. This bill contains other related provisions and other current laws.

Position

None at this time

OTHER LEGISLATION OF INTEREST

AB 46 (John A. Pérez D) Local government: cities.

Current Text: Amended: 6/28/2011

Status: 6/28/2011-Read second time and amended. Ordered to third reading.

Summary: Would provide that every city with a population of less than 150 people as of January 1, 2010, would be disincorporated into those cities' respective counties as of 90 days after the effective date of the

bill, unless a county board of supervisors determines, by majority vote within that 90-day period, that continuing such a city within that county's boundaries would serve a public purpose because the location of the city, in a rural or isolated location, makes it impractical for the residents of the community to organize in another forum of local governance.

Position

None at this time

CALAFCO Comments: As written applies only to Vernon. It bypasses much of the C-K-H disincorporation process, leaving LAFCo only the responsibility of assigning assets and liabilities following disincorporation. This bill is double-joined to AB 781.

AB 781 (John A. Pérez D) Local government: counties: unincorporated areas.

Current Text: Amended: 7/12/2011

Calendar: 8/15/2011 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, KEHOE, Chair

Summary: Would create a community services district in the unincorporated area of a county if that unincorporated area of the county was previously a city that was disincorporated by statute and had, immediately prior to disincorporation, provided fire protection, water, telecommunications, gas, or electric utility services, or maintained streets or roads. The district would continue to provide those services within the territory in which the disincorporated city provided those services, and would be a successor in interest as to any contract entered into by the disincorporated city with respect to the provision of those services. The bill would, for a one-year period, limit the authority of the community services district to increase gas or electric utility rates within that territory. This bill contains other related provisions and other current laws.

Position

Watch

CALAFCO Comments: This bill was gutted and amended on 20 June to create a CSD in any unincorporated area that was previously a city and was disincorporated by the legislature. It is specifically targeted at Vernon. It also contains language directing LAFCo on the terms and conditions of the disincorporation. This bill is double-joined to AB 46.

AB 119 (Committee on Budget) State government.

Current Text: Chaptered: 6/29/2011

Status: 6/29/2011-**Chaptered by the Secretary of State, Chapter Number 31, Statutes of 2011**

Summary: Makes various statutory changes to various general government and state administration-related programs that are necessary to implement provisions of the revised FY 2011-12 budget. Includes provisions that remove the requirement for a special district to file written statements regarding functions and services with a LAFCo whenever the commission adopts, amends or updates a sphere of influence. Instead allows the LAFCo to require such written statements. This removes a state mandate.

Position Subject:

Watch

CALAFCO Comments: Language has been added to this budget bill which changes the requirement for special districts to respond to SOI requests for information from a state mandate to a local requirement. This change would eliminate the state requirement to reimburse special districts for the costs of responding to a LAFCo request. It is not anticipated to have any actual change in process.

AB 307 (Nestande R) Joint powers agreements: public agency: federally recognized Indian tribe.

Current Text: Amended: 6/22/2011

Status: 7/14/2011-In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 12 pursuant to Assembly Rule 77.

Summary: Current law authorizes 2 or more public agencies, as defined, to enter into an agreement to exercise common powers. Current law also permits certain federally recognized Indian tribes to enter into joint powers agreements with particular parties and for limited purposes. This bill would include a federally recognized Indian tribe as a public agency that may enter into a joint powers agreement. This bill would also make conforming changes by conforming related code sections. This bill contains other related provisions.

Position

Watch

CALAFCO Comments: Would allow any federally recognized Indian tribe to act as a public agency to participate in any Joint Powers Authority. Significantly expands current law on Indian tribe participation.

NOTE: CALAFCO Counsel believes this would allow a tribe to enter into a JPA with a city and district and circumvent the LAFCo process for delivery of municipal services outside the boundaries of a local agency.

AB 506 (Wieckowski D) Local government: bankruptcy: neutral evaluation.

Current Text: Amended: 7/12/2011

Status: 7/12/2011-Read second time and amended. Re-referred to Com. on RLS.

Summary: Under current law, any taxing agency or instrumentality of the state may file a petition and prosecute to completion bankruptcy proceedings permitted under the laws of the United States. This bill would express the intent of the Legislature to enact legislation that would provide an alternative dispute resolution procedures that cities, counties, and special districts may use before they seek financial relief through the provisions of Chapter 9 of the federal Bankruptcy Code.

Position

Watch

CALAFCO Comments: This bill was significantly amended on 12 July to turn it into an "intent" bill rather than any specific action. It therefore is a study bill and may or may not ultimately result in any action. Prior to this major amendment it was opposed by most local agency associations and many local agencies.

ACA 17 (Logue R) State-mandated local programs.

Current Text: Introduced: 2/15/2011

Status: 4/14/2011-Referred to Com. on L. GOV.

Summary: Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, the state is required to provide a subvention of funds to reimburse the local government. With regard to certain mandates imposed on a city, county, city and county, or special district that have been determine to be payable, the Legislature is required either to appropriate, in the annual Budget Act, the full payable amount of the mandate, determined as specified, or to suspend the operation of the mandate for the fiscal year. The California Constitution provides that the Legislature is not required to appropriate funds for specified mandates.

Position

None at this time

CALAFCO Comments: Changes state mandate law in a proposed constitutional amendment. Included is specific language that releases mandate responsibility if the local agency can change an individual or applicant for the cost of providing the mandated service. Would likely exempt some mandates to LAFCo from state mandate funding.

SB 191 (Committee on Governance and Finance) Validations.

Status: 6/6/2011-Ordered to Senate inactive file on request of Senator Wolk.

SB 192 (Committee on Governance and Finance) Validations.

SB 193 (Committee on Governance and Finance) Validations.

Status: 5/19/2011-Ordered to Assembly inactive file on request of Assembly Member Charles Calderon.

Current Text: Amended: 5/16/2011

Location: 6/6/2011. INACTIVE FILE

Summary: These three bills would enact the First, Second and Third Validating Acts of 2011, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Position

SUPPORT

CALAFCO Comments: These three annual acts validate the boundaries of all local agencies. They have been placed in the inactive file because they removed language related to redevelopment agencies.

SB 235 (Negrete McLeod D) Water conservation districts: reduction in number of directors.

Current Text: Amended: 7/11/2011

Status: 7/11/2011-Enrolled and presented to the Governor at 3:30 p.m.

Summary: The Water Conservation District Law of 1931 generally governs the formation of water conservation districts and specifies the powers and purposes of those districts. This bill would authorize a water conservation district with a board of directors consisting of 7 directors, to reduce the number of directors to 5, consistent with specified requirements. The bill would not apply to districts within the County of Ventura.

Position

None at this time

CALAFCO Comments: Allows specified water districts to reorganize their board of directors to reduce the number of directors, by action of the Board.

SB 288 (Negrete McLeod D) Local government: independent special districts.

Current Text: Chaptered: 7/8/2011

Status: 7/8/2011-Chaptered by Secretary of State - Chapter 66, Statutes of 2011.

Summary: Would additionally authorize the governing board of an independent special district, as defined, to provide, by resolution, for the establishment of a revolving fund in an amount not to exceed 110% of 1/12 of the independent special district's adopted budget for that fiscal year, and would require the resolution establishing the fund to make specified designations relating to the purposes for which the fund may be

expended, the district officer with authority and responsibility over the fund, the necessity for the fund, and the maximum amount of the fund. This bill contains other related provisions and other existing laws.

Position

None at this time

CALAFCO Comments: Allows special districts as defined by C-K-H to set up special revolving funds.

SB 878 (DeSaulnier D) Regional planning: Bay Area.

Current Text: Amended: 6/9/2011

Status: 6/9/2011-From committee with author's amendments. Read second time and amended. Rereferred to Com. on T. & H.

Location: 6/9/2011-S. T. & H.

Summary: Would require the joint policy committee to submit a report to the Legislature by January 31, 2013, on, among other things, methods and strategies for developing and implementing a multiagency set of policies and guidelines relative to the Bay Area region's sustainable communities strategy, including recommendations on organizational reforms for the regional agencies. The bill would require preparation of a work plan for a regional economic development strategy to be submitted to the Legislature on that date. The bill would also require the member agencies to report on public outreach efforts that they individually or jointly perform. The bill would require public meetings in each of the region's 9 counties and creation of advisory committees, as specified. By imposing new duties on local agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

Position

None at this time

CALAFCO Comments: Provides legislative direction to the Bay Area counties on development of their sustainable communities strategy and requires the "joint committee" to report back to the Legislature by 1 January 2013.

DEAD BILLS

AB 83 (Jeffries R) Environment: CEQA exemption: recycled water pipeline.

Summary: Would exempt a project for the installation of a new pipeline, not exceeding a specified length, for the distribution of recycled water within an improved public street, highway, or right-of-way. Because a lead agency, which may include a local agency, is required to determine whether a project qualifies for those exemptions, this bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

CALAFCO Comments: Exempts recycled water pipelines from CEQA in certain circumstances.

AB 148 (Smyth R) Local government: ethics training: disclosure.

Summary: Would additionally define the term ethics laws to include compensation setting guidelines as established by specified organizations or the local agency. This bill contains other related provisions.

CALAFCO Comments: Would add compensation setting guidelines to the ethics training requirements.

AB 162 (Smyth R) Local government: financial reports.

Summary: Would require that, if an audit of a local agency reveals certain financial irregularities, the findings be sent separately to the Controller immediately after the audit has been concluded. By increasing the duties of local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

CALAFCO Comments: Requires disclosure to the State Controller of a variety of irregularities discovered in a local agency annual audit. May have some application for MSR updates.

AB 253 (Smyth R) Local agencies: accounting.

Summary: Would instead require the Controller to prescribe uniform accounting procedures that are applicable only to specified types of special districts, subject to these provisions. The bill would require the Controller to prescribe uniform accounting procedures for cities, subject to specified criteria, in collaboration with the Committee on City Accounting Procedures, which would be created by the bill.

CALAFCO Comments: Establishes uniform accounting practices for special districts and cities.

AB 392 (Alejo D) Ralph M. Brown Act: posting agendas.

Summary: Would require the legislative body of a local agency to post the agenda and specified staff generated reports that relate to items on the agenda on its Internet Web site, if any, as specified. The bill would require the legislative body of the local agency, if it does not have an Internet Web site, to disclose on the posted agenda a public location where the agency would make an applicable staff generated report available for copying and inspection by a member of the public for at least 72 hours prior to the meeting. The bill would prohibit the legislative body from acting on or discussing an item on the agenda for which a

related staff generated report was not properly disclosed at least 72 hours prior to the meeting, except as provided. By expanding the duties of local agencies, this bill would impose a state-mandated local program.
CALAFCO Comments: Adds additional posting requirements to Brown Act.

AB 555 (Norby R) Local agency formation.

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation, change of organization, and reorganization of cities and special districts. This bill would make technical, nonsubstantive changes to the act.

CALAFCO Comments: Placeholder bill, currently targeted to C-K-H.

AB 582 (Pan D) Open meetings: local agencies.

Summary: Would require that proposed compensation increases of more than 5% for specified employees be publicly noticed, as prescribed. By adding to the duties of local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

CALAFCO Comments: Requires public disclosure of compensation increases for unrepresented employees.

AB 779 (Fletcher R) Municipal water districts: oversight.

Summary: Would authorize a municipal water district to establish an independent oversight committee to assist in tracking and reviewing revenues of the district to advance capital improvements, operations and maintenance of district facilities, and allocation methodologies. The bill would authorize an independent oversight committee to perform specified functions for those purposes.

CALAFCO Comments: Allows a municipal water districts to establish an oversight committee on the financial operations of the district.

AB 785 (Mendoza D) Political Reform Act of 1974: public officers: financial interest.

Summary: Would provide, for purposes of this prohibition, that a public official who is an elected or appointed member of a state or local government agency has a financial interest in a decision of that agency if an immediate family member of the public official has a financial interest in the decision. In addition, this bill would ascribe a financial interest to an immediate family member (a) who is acting as an agent for, or otherwise representing, any other person by making a formal or informal appearance before, or by making an oral or written communication to, the state or local government agency, or an officer or employee thereof, for the purpose of influencing the decision or (b) who is a director, officer, or partner of a business entity on which it is reasonably foreseeable that the decision will have a material financial effect. This bill would define "immediate family member" to mean a public official's spouse or domestic partner, child, parent, sibling, or the spouse or domestic partner of a child, parent, or sibling. This bill would impose a state-mandated local program by exposing these public officials to potential criminal penalties for failing to recuse themselves from participation where required by this bill.

CALAFCO Comments: Adds additional restrictions on participating in decisions when one's family members as defined have a financial interest or are lobbying on behalf of an interested party.

AB 1198 (Norby R) Land use: housing element: regional housing need assessment.

Summary: Would repeal the requirement that the department determine the current and projected need for housing for each region, as specified, and other specified provisions relating to the assessment or allocation of regional housing need.

CALAFCO Comments: Would repeal the entire RHNA process and Housing and Community Development authority over housing.

AB 1287 (Buchanan D) Local government: audits.

Summary: Would require local agencies, defined to include cities, counties, a city and county, special districts, authorities, or public agencies, to comply with General Accounting Office standards for financial and compliance audits and would prohibit an independent auditor from engaging in financial compliance audits unless, within 3 years of commencing the first of the audits, and every 3 years thereafter, the auditor completes a quality control review in accordance with General Accounting Office standards.

CALAFCO Comments: Would require regular audits of all local agencies.

SB 31 (Correa D) Local government: lobbyist registration.

Summary: Would enact a comprehensive scheme to regulate lobbying entities, as defined, that lobby local government agencies, including requirements to register and make periodic reports regarding certain lobbying activities. The bill would require each local government agency to create a commission to implement and enforce the provisions of the bill. By requiring local government agencies to implement a new program, the bill would impose a state-mandated local program.

CALAFCO Comments: Would require any "local government agency" to establish a commission to regulate lobbyists and lobbying activities of that agency and prepare periodic reports. Would appear to include

LAFCo, although "local government agency" is not defined. In some ways similar to the recent laws requiring disclosure to LAFCo of financial contributions regarding a LAFCo decision.

SB 160 (Huff R) Local government: reorganization.

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. This bill would make a technical, nonsubstantive change to that act.

CALAFCO Comments: Appears to be a placeholder bill. Typically the senior republican on the Senate Finance & Committee introduces this bill as a placeholder. Usually used for some other purpose than LAFCo.

SB 186 (Kehoe D) The Controller.

Summary: Would expand the above provisions to also include a special district, joint powers authority, or redevelopment agency. This bill would also, until January 1, 2017, authorize the Controller to exercise discretionary authority to perform an audit or investigation of any county, city, special district, joint powers authority, or redevelopment agency, if the Controller has reason to believe, supported by documentation, that the local agency is not complying with the financial requirements in state law, grant agreements, local charters, or local ordinances. This bill would require, until January 1, 2017, the Controller to prepare a report of the results of the audit or investigation and to file a copy with the local legislative body.

CALAFCO Comments: Allows Controller to audit local agencies and determine fiscal viability.

SB 449 (Pavley D) Controller: local agency financial review.

Summary: Would authorize the Controller, if the Controller determines that sufficient funds are made available, to conduct a preliminary review to determine the existence of a local agency financial problem, and perform an audit upon completion of that review, subject to specified criteria.

CALAFCO Comments: Allows state controller to audit local agencies.

SB 648 (Berryhill R) Local government: Williamson Act.

Summary: Would provide an alternative method of cancellation of a contract by a landowner for contracts that are 10 or more years old, and where the landowner has not received a lowered assessment value on the land during the previous 10 consecutive years based on the existence of a residence, including agricultural laborer housing, on the land being valued. The bill would require the board or council, upon petition by the landowner and a showing that these conditions exist, and would prohibit the board or council from charging a cancellation fee.

CALAFCO Comments: Provides an alternative method for immediate cancellation of a Williamson Act contract under certain circumstances.