


# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**DATE :** JANUARY 8, 2020  
**FROM:** SAMUEL MARTINEZ, Executive Officer   
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT: AGENDA ITEM #13 – Legislative Report**

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## **RECOMMENDATION:**

Staff recommends that the Commission indicate its support for Senate Bill 799 (Dodd) related to the removal of the sunset clause for Government Code Section 56133.5.

## **BACKGROUND:**

Assembly Bill (AB) 402, which became effective on January 1, 2016—authored by (then) Assembly member (currently Senator) Bill Dodd—added Government Code Section 56133.5 that established a pilot program for Napa and San Bernardino commissions to authorize a city or district to extend service(s) outside an agency's boundary and sphere of influence. This pilot program is due to sunset on January 1, 2021, and both Napa and San Bernardino LAFCOs were required to submit a report to the Legislature on its participation in the pilot program before January 1, 2020.

This Commission directed staff to submit the required Report at its November 2019 meeting. Attachment #1 includes a copy of the said Report that was forwarded to the State Legislature, which includes a statement that this Commission requests the Legislature to consider repealing the January 1, 2021 sunset date and supports making the pilot program available for all LAFCOs.

Napa LAFCO also submitted its report to the Legislature, which also includes a statement that it recommends extending the pilot program beyond its scheduled repeal date.

Soon after both reports were submitted to the Legislature, staff from Senator Dodd's office reached out to both Napa and San Bernardino LAFCO staff, indicating that the Senator plans to introduce a bill that eliminates the sunset clause for Government Code Section 56133.5, and requested that both Napa and San Bernardino LAFCOs support the bill.

The bill, Senate Bill (SB) 799 was introduced by the Senator on January 7, 2020. A copy of the bill is included as Attachment #2.

Staff is recommending that the Commission adopt a support position for SB 799.

Attachments:

1. [Commission Report to the State Legislature Dated November 21, 2019](#)
2. [Senate Bill 799](#)