

**LOCAL AGENCY FORMATION COMMISSION
COUNTY OF SAN BERNARDINO**

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DATE: FEBRUARY 14, 2007

FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #7 – PENDING LEGISLATION

RECOMMENDATION:

Staff recommends that the Commission receive the information provided on potential legislation and provide direction to staff on a position on any of the pieces of legislation presented.

BACKGROUND:

Attached to this report is a copy of the published CALAFCO Legislative Report as of February 14, 2007. I have included materials which relate to three of the bills listed on this document:

- Identified as a Priority #1 by CALAFCO -- A copy of SB 162 by Senator Negrete-McLeod, Chair of the Senate Local Government Committee, who represents the southwestern portion of San Bernardino Valley, proposing to include "Environmental Justice" as a factor of consideration for the Commission. As a part of this information I have included an e-mail provided to all LAFCO Executive Officers expressing concern regarding this bill. While staff has concern regarding the introduction of a new factor of consideration, the language of the bill does not state that it takes precedence over all the other factors required for consideration. There is some interest that such a factor would promote the need to address islands or pockets of unincorporated territory to address the equity of service delivery and availability of public services.
- Identified as a Priority #1 by CALAFCO -- A copy of SB 167 by Senator Negrete-McLeod which proposes \$90,000,000 for planning grants and

incentives for the preparation and adoption of General Plans, with the stipulation that certain agreements are made to meet criteria for such items as updating the general plan every 10 years, and so on.

- Identified as a Priority #2 by CALAFCO – A copy of Senate Bill 12 by Senator Lowenthal which proposes a revision in the method for allocating the Regional Housing Need Allocation (RHNA) numbers for the Southern California Association of Governments (SCAG).

A copy of the minutes from the October 6th Legislative Committee Meeting and the e-mail distributing copies to the Executive Officers is provided as Attachment #2. As noted, the position of the Legislative Committee, to be presented to the CALAFCO Executive Board, is to propose removal of the sunset language for the consolidation of two districts not formed under the same principal act (§56700 and §56826.5) and to rewrite the Municipal Service Review factors to be considered (§56430).

Attachment #3 is notification received from the Public Utilities Commission on a proposed resolution to support improved information exchange between private water companies and LAFCOs.

If there is a section of Cortese-Knox-Hertzberg that Commission members feel should be revised or additions needed to the statute, these can be discussed at the Commission hearing. No further action is required of the Commission at this time.

KRM

Attachments:

1. CALAFCO Legislative Report Dated 2/14/07 and Copies of SB 162, SB 167 and SB 12
2. E-Mail From Bill Chiat, Executive Director of CALAFCO, Forwarding Minutes of October 6, 2006 CALAFCO Legislative Committee Meeting
3. Correspondence from Public Utilities Commission Dated January 31, 2007