

# LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

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**DATE: JULY 12, 2010**

**FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer**

**TO: LOCAL AGENCY FORMATION COMMISSION**

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**SUBJECT: AGENDA ITEM #16 – PENDING LEGISLATION**

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## **RECOMMENDATION:**

Staff recommends that the Commission take the following actions:

1. Ratify the action of the Commission Chairman in submitting a letter, dated June 28, 2010, in opposition to AB 853 as amended for consideration at the Senate Local Government Committee on June 30, 2010;
2. Receive Legislative Report and file; and,
3. Provide direction to staff on any areas of interest in legislative matters.

## **BACKGROUND:**

On June 20, LAFCO staff received the amendments to AB 853 proposed for consideration by the Senate Local Government Committee (SLGC) on June 30, 2010. The amendments addressed some of the concerns expressed by the Commission, but made other changes which would impact our funding. Therefore, staff met with Chairman Mitzelfelt to review a continuing position of opposition to the legislation. On June 28<sup>th</sup> the attached letter from Chairman Mitzelfelt was forwarded to Assembly Member Arambula and the SLGC outlining the Commission's concerns so that they would be considered at the June 30 SLGC hearing. Staff has included as an attachment to this report the amended language of AB 853 received on June 20 and the Senate Local Government Committee analysis of the legislation presented at the June 30 hearing. Staff is requesting that the Commission ratify the Chairman's action in sending the letter to oppose the legislation as written.

Concern for this legislation is also present in other LAFCOs as well as Statewide organizations. Included as an attachment to this report are letters of opposition provided to the SLGC and the written comments of the CALAFCO Executive Director.

Staff has also included the updated listing of legislation of interest to LAFCOs as prepared by CALAFCO for the Commission's review.

At this time, the actions requested of the Commission are to ratify the action of the Chairman in sending the letter of opposition to AB 853 and to note and file receipt of this report. If the Commission has a direction to provide on future legislation for discussion or tracking by staff, they can be provided at the hearing.

/KRM

Attachments:

1. [June 28, 2010 Letter of Opposition to AB 853, the Amended Version of AB 853 as of June 23, 2010 and Senate Local Government Committee Analysis for June 30, 2010 Hearing](#)
2. [Letter of Opposition from Other Agencies and Comments Made by CALAFCO Executive Director to Committee on June 30, 2010](#)
3. [CALAFCO Legislative Update Dated July 9, 2010](#)