

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

215 North D Street, Suite 204  
San Bernardino, CA 92415-0490 • (909) 383-9900 • Fax (909) 383-9901  
E-MAIL: lafco@lafco.sbcounty.gov  
www.sbclafco.org

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**DATE: JUNE 17, 2008**

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

**TO: LOCAL AGENCY FORMATION COMMISSION**

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**SUBJECT: AGENDA ITEM #7 – PENDING LEGISLATION**

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**RECOMMENDATION:**

Staff recommends that the Commission:

1. Take a position in support of AB 2484 (Caballero) defining the process for exercising a new or different function or class of service or the divestiture of a power as a change of organization and direct staff to send letter in support to members of the legislature;
2. Direct staff to send a letter to the Governor in support of SB 1458 following its submission for signature; and,
3. Provide staff with direction on other pending bills.

**BACKGROUND:**

A copy of the most current CALAFCO Legislative Summary is attached and the status of bills of interest to the Commission is outlined below:

- AB 1998 (Silva) proposes to transfer the responsibility to the FPPC for the filing required of individuals or groups which secure funds for campaigns in opposition or support of a LAFCO action. This bill has passed out of the Assembly and is now scheduled for hearing by the Senate Elections, Reapportionment and Constitutional Amendments Committee for June 18<sup>th</sup>. To date, no objections have been raised to the bill's provisions.

- AB 1263 (Caballero) proposes amendments to Cortese-Knox-Hertzberg Local Government Reorganization Act related to islands, fee and deposit schedules and other non-substantive changes. During the Committee considerations it was agreed to remove the proposed changes for ownership definition for private railroads at the request of the railroad lobby. New legislation related to this will be introduced next year.
- AB 2484 (Caballero) proposes amendments to the Cortese-Knox-Hertzberg Local Government Reorganization Act to include the exercise of new or different functions or classes of service or the divestiture of a power as a “change of organization”. This bill passed out of the Senate Local Government Committee on June 4<sup>th</sup> with some minor concerns expressed. On May 27<sup>th</sup> the Executive Director of CALAFCO (sponsor of this legislation) indicated concern that opposition was beginning to come forward on this bill to various LAFCO Executive Officers. LAFCO staff identified to Senator Gloria Negrete McLeod, Chair of the Senate Local Government Committee, that San Bernardino LAFCO had reviewed this bill earlier with no concern expressed and that a request would be made at the June 18<sup>th</sup> hearing for a letter of support to be forwarded. Attached to this report is a draft letter of support. This bill will next go to the Senate floor.
- SB1458 (Committee on Local Government) -- This bill is the comprehensive review and update of existing County Service Area (CSA) law. The bill was passed out of the Assembly Local Government Committee on June 4<sup>th</sup> with minor amendments (Prop 218 clarifications at the request of the Howard Jarvis Group) and from the Assembly Floor on June 16<sup>th</sup> with a 74-0 vote. Attached to this report is a draft letter of support to be forwarded to the Governor requesting his signing of this legislation.
- AB 3047 (Assembly Local Government Committee) is the Cortese-Knox-Hertzberg Omnibus bill. This bill is on the Senate Consent Calendar.
- SB 301 (Romero), proposes to address the issue of the sunset for VLF Subventions, was amended on April 29<sup>th</sup> to include the elimination of the sunset for incorporation proposals. This amended bill was passed out of the Assembly Local Government Committee and has been forwarded to Appropriations for consideration.
- SB 1191 (Alquist) – Proposes to add broadband equipment and transmission to the list of authorized CSD powers. The bill passed

out of the Assembly Local Government Committee, and is now on the Assembly Floor.

- SB 375 (Steinberg) Sustainable Communities Strategies legislation has not been amended since March 2008. The CALAFCO Board of directors has taken the position of opposing the bill unless amended to include LAFCO in the process. However, LAFCO staff understands that the concerns for this bill as expressed by the California State Association of Counties (CSAC) are being addressed in proposed amendments to the bill and that CSAC has taken a position in support of the bill.

Staff will be happy to address any questions on the information provided in this report prior to or at the hearing.

/krm

Attachments (3)