

# LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

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**DATE:** MARCH 10, 2008  
**FROM:** KATHLEEN ROLLINGS-McDONALD, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** Agenda Item #10: PENDING LEGISLATION

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## **RECOMMENDATION:**

1. Note report and file.
2. For AB 1998 (Silva) -- Direct the LAFCO Executive Officer to send the letter of support for the legislation.
3. For SB 1458 (Committee on Local Government) – Direct the LAFCO Executive Officer to send the letter of support for the legislation.
4. Provide direction to staff related to other legislation and concerns/positions of the Commission on other legislation.

## **BACKGROUND:**

The deadline for submission of bills for the new legislative session was February 22, 2008. As can be expected, there was a flurry of activity in the days immediately preceding the 22<sup>nd</sup>. Attachment #1 to this report is a copy of the CALAFCO Legislative Report as of March 6<sup>th</sup> which includes an outline of all bills of interest to CALAFCO.

New Legislation currently under consideration at the State level with impacts directly on LAFCO operations are listed below and copies are provided as attachments to this report:

- 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. LAFCO staff has prepared a draft letter in support of this legislation for the Commission's consideration.

- AB 2484 (Caballero) is proposing amendments to the Cortese-Knox-Hertzberg Local Government Reorganization Act to include the exercise of new or different functions or classes or service or the divestiture of a power as a “change of organization”.
- SB1458 (Committee on Local Government) -- This bill is the culmination of six (6) months of review and discussion by a stakeholders group to comprehensively review and update existing County Service Area (CSA) law. I have participated in the discussions as a technical advisor to the Committee working on the rewrite of this legislation. The proposed bill will update the law to comply with, among other provisions, Prop. 13 and Prop. 218 restrictions, address the need for funding review upon formation of a CSA or an improvement zone, and address the issue of the types of extended services to be provided. As a rewrite of existing law, the more controversial topics related to these types of agencies were not resolved since general consensus could not be reached by the members of the Committee. Staff has prepared a draft letter of support to be forwarded to Senator Gloria Negrete-McLeod, Chair of the Senate Local Government Committee, as well as our San Bernardino County legislative delegation.
- AB 2367 (Fuentes) proposes to change the statutory restriction on changes to pre-zoning from the current 2-years to 5-years and removes the exemption language to allow a city the ability to process a change within this period.
- AB 2278 (Aghazarian) proposes to change the provisions of the Revenue and Taxation Code Section 99 to allow Fire Protection Districts to negotiate the property tax transfers required in a change of jurisdiction for themselves. Current law directs that the County Board of Supervisors acts on behalf of all special districts – independent or dependent.

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

KRM/

Attachments:

1. CALAFCO Summary of Current Legislation of Interest to LAFCO Dated March 6, 2008
2. Draft Letter of Support and Bill Text AB 1998 (Silva)
3. AB 2484 (Caballero) – CALAFCO Omnibus Bill
4. Draft Letter of Support, Senate Local Government Committee Outline and Bill Text AB 1458 (Senate Local Government Committee) – CSA Law Rewrite
5. AB 2367 (Fuentes)
6. AB 2278 (Aghazarian)