



November 9, 2016

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General Public

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Representative of  
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**CAROLYN EMERY**  
Executive Officer

**TO:** Local Agency Formation Commission

**FROM:** Executive Officer  
Policy Analyst

**SUBJECT:** Legislative Quarterly Report (November 2016)

**BACKGROUND**

The *Legislative Quarterly Report* provides a review of legislation of LAFCO-interest introduced during the legislative session that ended on August 31, 2016. The report also provides a brief preview of 2017-2019 legislation that will be reviewed through OC LAFCO's participation with the California Association of LAFCOs ("CALAFCO") Legislative Committee.

The next legislative update is scheduled for February 10, 2017. As the Commission is aware, the activity of proposed legislation is often unpredictable and often does not align with the timeline for the LAFCO quarterly legislative reports. Should any items require Commission review or action prior to the next scheduled update, staff will coordinate any necessary responses or actions with the Chairman and, if necessary, the Ad Hoc Committee.

**RECAP OF 2015-16 LEGISLATIVE SESSION**

Since their return from summer recess in early August, the legislators moved a number of pending bills through the House and Senate and ultimately for consideration by Governor Brown. The deadline for signature by the Governor was September 30, 2016.

During the 2015-16 legislative session, the Commission adopted positions on six bills. These bills proposed legislation involving city disincorporation, adequate water services to disadvantaged communities and non-substantive modifications to the Cortese-Knox-

Hertzberg Reorganization Act of 2000. Positions adopted by the Commission are discussed in the table below:

Bill	Description	Commission's Adopted Position	Status
AB 2032	Establishes that the financial liabilities pertaining to a city filing for disincorporation will be paid by its residents. The bill ensures that the financial burdens of the disincorporated city are not unjustly passed to the regional County.	Support	Signed by Governor on August 22, 2016.
AB 2910	Makes minor and/or non-substantive changes to the Cortese-Knox-Hertzberg Reorganization Act that clarifies and provides consistency in how the CKH Act is applied throughout the state.	Support	Signed by Governor on August 22, 2016.
SB 1266	Mandates that Joint Power Authorities providing municipal services submit a copy of their agreements and any amendments to agreements to their county LAFCO by July 1, 2017.	Support	Signed by Governor on August 22, 2016.
SB 1262	Amends existing law to require new subdivision residential development to demonstrate that the water supply is sufficient and sustainable for the subdivision development.	Watch	Signed by Governor on August 22, 2016.
SB 1292	Proposed to provide the opportunity for an agency subject of a Grand Jury report to provide preliminary comments addressing the report and for comments to be attached to the final report.	Support	Died in Committee.
SB 1318	Proposed modifications to existing LAFCO law on municipal service reviews for facilitating adequate water service delivery to the residents of disadvantaged unincorporated communities.	Oppose	Withdrawn by the author.
For more information on each bill visit <a href="http://leginfo.legislature.ca.gov">http://leginfo.legislature.ca.gov</a>			

#### POTENTIAL LEGISLATION OF LAFCO-INTEREST FOR 2017

Over the past few years, municipal service delivery, in particular water and wastewater services, to disadvantaged unincorporated communities has been a key subject of proposed legislation. Senator Wolk, has authored multiple bills seeking to address the

existing disparities of local water and wastewater services in disadvantaged communities and disadvantaged unincorporated communities. One of the bills proposed amendments to State law with the intention of defining the role of LAFCOs in identifying and assisting disadvantaged unincorporated communities not receiving adequate water and wastewater services. For several months, the CALAFCO Executive Director communicated with the bill author and other stakeholders and submitted amendments to proposed legislation developed by the Legislative Committee for consideration. The bill was ultimately withdrawn by the author, however, CALAFCO anticipates that this effort will continue in the next legislative session.

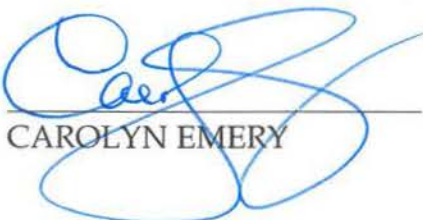
Additional subjects for 2017 legislative year include potential amendments to the protest and election procedures for changes of organization and reorganization, streamlining provisions involving the process for appointment of LAFCO special district members, and the annual Omnibus Bill which suggest minor or non-substantive changes to the Cortese-Knox-Hertzberg Act of 2000. The CALAFCO Legislative Committee will conduct its first meeting to further identify legislative priorities for the upcoming year on Friday, November 4, 2016. The legislative priorities will subsequently be considered by the CALAFCO Board at a future board meeting.

#### **RECOMMENDATION**

Staff recommends that the Commission:

1. Receive and file the November 9, 2016 Legislative Quarterly Report.

Respectfully Submitted,

  
CAROLYN EMERY

  
LUIS TAPIA