



May 8, 2019

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The Honorable Kansen Chu
California State Assembly
State Capital Room 3126
Sacramento, CA 95814

**RE: *Oppose* - AB 600: Local Government: Disadvantaged
Unincorporated Communities**

Dear Assembly Member Chu:

The Orange County Local Agency Formation Commission ("OC LAFCO") must respectfully oppose AB 600 at this time. OC LAFCO commends your effort to address service deficiencies in disadvantaged unincorporated communities ("DUCs") and believes that all of California should receive adequate and safe drinking water and wastewater facilities.

OC LAFCO supports the author's intent, but as currently written, the bill does not represent a collective stakeholder dialogue with reasonable and systemic solutions to the problem. The concerns and reasons for the opposition to AB 600 include the following:

1. Annexation concerns.

The bill allows for an extension of service in lieu of annexation. One of the primary statutory purposes of LAFCO is to ensure orderly growth. Extending services on an individual basis or by service category without annexation only serves to undermine the very purpose of jurisdictional boundaries and sphere of influence plans and conflicts with existing statute, Government Code Section 56133(b).

2. Local circumstances and conditions.

LAFCOs' statutory purposes is to ensure the effective and efficient provision of municipal services. Ultimately, the annexation of a DUC does not ensure they will receive adequate, safe drinking water. The reality is there are engineering and financial issues that must be solved in order to ensure service and this bill does not address those ongoing issues. We want to ensure that local circumstances and

conditions are taken into consideration and this bill offers a “one size fits all” approach that may not be effective in many instances.

3. Lack of clarity.

The bill adds (8)(C) to Government Code Section 56375. As written, this section creates confusion and contradicts §56375(8)(A). We believe the intention is to prohibit LAFCO from approving the annexation of two or more contiguous disadvantaged communities within five years that are individually less than ten acres but cumulatively more than ten acres. If so, then this language conflicts with §56375(8)(A), which allows for Commission policies to guide the Commission in determining the size of the area to be annexed. Further, the term “paragraph” as used in this section creates uncertainty as to what section or subsection is being addressed.

OC LAFCO recognizes the intent of the bill to address service deficiencies to DUCS. However, based on the reasons noted above, OC LAFCO respectfully opposes AB 600.

Respectfully,

Cheryl Brothers
Chair

Cc: Jimmy MacDonald, Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
Pamela Miller, Executive Director, CALAFCO