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Carolyn Emery
Executive Officer

Scott Smith
General Counsel

October 13, 2021

6c | Consent
Calendar

TO: Local Agency Formation Commission
of Orange County

FROM: Executive Officer
Policy Analyst

SUBJECT: Legislative Quarterly Report (1st Quarter)

BACKGROUND

When the Legislature reconvened from its summer recess on August 16, proposed legislation continued to move through the House and Senate to meet the October 10 deadline for Governor Newsom to sign or veto bills.

This report provides an update on the status of legislation reviewed by the Commission during the 2020-21 legislative session and a preview of anticipated legislation for the upcoming legislative session that will begin in December. Additionally, the report includes information regarding appointments to the CALAFCO Legislative and Advisory Committees for the southern region.

Update to Previously Reviewed Legislation

The 2020-21 legislative session for legislation of LAFCO interest proved to be a busy year as the Commission adopted positions on a total of eleven bills. Proposed legislation involved the key topics of technical corrections to the CKH Act, public meeting proceedings during the pandemic, stormwater management agreements, and small water systems consolidation. The table below provides an additional description and an update on each bill since the Commission's last legislative report of July 14, 2021.

Status of 2020-21 Proposed Legislation			
Bill	Description	Commission's Adopted Position	Status
AB 339	Proposes to continue remote participation in local hearings and meetings by phone or internet. Allows agencies to create a registration for public comment and requires translation services as requested by the public.	Oppose Unless Amended	Passed both Houses of the Legislature on September 9, 2021. Enrolled to Governor.
AB 361	Proposes to authorize a local agency until January 1, 2024 to conduct teleconference meetings under abbreviated conditions without complying with certain requirements of the Ralph M. Brown Act.	Support	Signed by the Governor on September 16, 2021.
AB 1053	Proposes to reduce the quorum requirement to one-third for the Los Angeles County City Selection Committee meetings that are postponed due to lack of quorum.	Watch	Held in Senate Appropriations Committee as a two-year bill.
AB 1581	Makes minor and/or non-substantive changes to the Cortese-Knox-Hertzberg Government Reorganization Act of 2000 and provides consistency in how the CKH Act is applied throughout the State.	Support	Signed by the Governor on June 28, 2021.
SB 55	Proposes to allow development in very high fire hazard zones if there is substantial evidence that the local agency has provided evidence of adopted comprehensive, necessary, and appropriate wildfire preventions to mitigate significant risk of loss, injury, or health.	Oppose Unless Amended	Held in Senate Governance and Finance Committee as a two-year bill.

Status of 2020-21 Proposed Legislation			
Bill	Description	Commission's Adopted Position	Status
SB 273	Proposes to allow municipal wastewater agencies to enter into agreements with agencies primarily engaged in stormwater management without the need for special legislation.	Support	<i>Signed by the Governor on September 23, 2021.</i>
SB 403	Proposes to allow the State Water Resource Board the authority to consolidate public water systems and domestic wells at risk of failing to provide an adequate supply of safe drinking water to a disadvantaged community.	Oppose Unless Amended	<i>Signed by the Governor on September 23, 2021.</i>
SB 274	Proposes to require local agencies and special districts to provide a copy of agendas by email when requested.	Oppose Unless Amended	Passed both Houses of the Legislature on August 30, 2021. <i>Enrolled to Governor.</i>
SB 810, SB 811, SB 812	Yearly Validating Acts are meant to retroactively fix typographical, grammatical, and procedural errors that might invalidate boundary changes or bond issues.	Support	<i>Signed by the Governor on June 28, 2021.</i>

Preview of 2021-2022 Legislation

As many bills introduced during last session became two-year bills, the 2021-22 Legislative Session is expected to include legislation that may directly or indirectly impact LAFCOs. Additionally, the CALAFCO Legislative Committee has identified the following legislative priorities for the next session:

- Annual Omnibus Bill (Co-sponsored by CALAFCO).
- Revisions to the protest provisions within the CKH Act to improve clarity and provide consistency within the conducting authority proceedings.
- Clarify the provision that provides LAFCO's authority involving the extension of services by an agency outside its jurisdictional boundary (Govt. Code §56133. This effort is currently being led by the San Diego LAFCO.

The Committee's recommendation of these priorities will be considered by the CALAFCO Board at their next meeting on October 8. The Board will also review amendments of the Association's legislative policies and committee guidelines. Both are key in assisting the Board and Legislative Committee in establishing legislative priorities and considering proposed legislation impacting LAFCOs.

CALAFCO Legislative Committees

Prior to the start of a new legislative session, the CALAFCO Board of Directors appoints members of the CALAFCO Legislative Committee. The Committee's structure includes: five board directors, eight LAFCO staff members, three LAFCO legal counsels, and five additional staff that serve as alternates. The Board also appoints members to the CALAFCO Legislative Advisory Committee that consists of staff and legal counsel volunteers. Members of the advisory committee are not voting members and serve in an advisory role to the Legislative Committee. The Board will consider the committee appointments at their next meeting on October 8. If approved, the following staff members will represent the Southern Region for the 2021-22 legislative session.

Carolyn Emery, Executive Officer - Orange LAFCO (voting member)

Gary Thompson, Executive Officer - Riverside LAFCO (voting member)

Paula Graf, Senior Analyst - Imperial LAFCO (alternate member)

Crystal Craig, Assistant Executive Officer - Riverside LAFCO (advisory committee)

Priscilla Allen, Local Government Analyst - San Diego LAFCO (advisory committee)

Luis Tapia, Policy Analyst - Orange LAFCO (advisory committee)

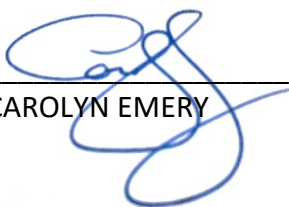
The next legislative report is scheduled for January 12, 2022.

RECOMMENDED ACTION

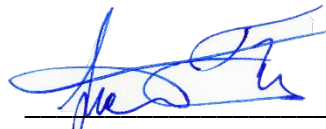
Staff recommends that the Commission:

1. Receive and file the First Quarter Legislative Report.

Respectfully Submitted,



CAROLYN EMERY



LUIS TAPIA