

August 10, 2022

7d | Consent
Calendar

TO: Local Agency Formation Commission
of Orange County

FROM: Executive Officer
Assistant Executive Officer

SUBJECT: Legislative Report (August 2022)

BACKGROUND

The Legislature reconvened from Summer Recess on July 31, 2022 to complete the last quarter of the 2022 legislative session. Proposed legislation is moving through both houses to meet the critical deadlines of the Legislature's calendars and proceeding to Governor Newsom's desk for consideration. This report provides a brief update on the status of legislation previously reviewed by the Commission.

UPDATE TO PREVIOUSLY REVIEWED LEGISLATION

During the current legislative session, the Commission adopted positions on 10 bills of LAFCO interest. Key topics of the proposed legislation include: technical corrections to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act), the extension of water service to Indian tribes, amendments to the protest provisions within the CKH Act, funding for annexations of inhabited unincorporated islands, and the Validating Acts. The following table provides an update on each bill since the Commission's legislative report given on June 8, 2022.

REGULAR MEMBERS

CHAIR
Douglass Davert
Special District Member

VICE CHAIR
Donald P. Wagner
County Member

IMMEDIATE PAST CHAIR
Derek J. McGregor
Public Member

Lisa Bartlett
County Member

Wendy Bucknum
City Member

James Fisler
Special District Member

Peggy Huang
City Member

ALTERNATES

Andrew Do
County Member

Kathryn Freshley
Special District Member

Lou Penrose
Public Member

Vacant
City Member

STAFF

Carolyn Emery
Executive Officer

Scott Smith
General Counsel

2022 Proposed Legislation			
Bill	Description	Commission's Adopted Position	Status
AB 1944	Proposes to allow a legislative body to decide by a majority vote if the body's public meetings will provide the opportunity for its members to attend by teleconference and not require its members to identify the address of any private location from which the member elects to participate.	Watch	Died in the Senate Governance and Finance Committee.
AB 2081	Proposes to extend the sunset date to allow some Indian tribes contiguous to a special district to request water services. The district is mandated to provide the services without the local LAFCO conducting a thorough review of the extension of service.	Oppose	AB 2081 is scheduled for hearing by the Senate Governance and Finance Committee. The hearing date had not been identified as of August 2, 2022.
AB 2449	Proposes to allow a member of a legislative body to use teleconferencing without identifying the teleconference location in the notice and agenda of the meeting if at least a quorum of the members of the legislative body participates in person from a singular location.	Watch	AB 2449 is scheduled for hearing by the Senate Appropriations Committee. The hearing date had not been identified as of August 2, 2022.
AB 2647	Proposes that a local agency that receives written communication for members of its legislative body in less than 72 hours before an open meeting to promptly post the communication. The transmission must be posted at a public office or designated location by the local agency.	Support	AB 2647 is scheduled for hearing by the Senate Governance and Finance Committee. The hearing date had not been identified as of August 2, 2022.

Bill	Description	Commission's Adopted Position	Status
AB 2957	Makes minor and/or non-substantive changes to the CKH Act and provides consistency in how the Act is applied throughout the State.	Support	Signed by the Governor on June 21, 2022.
SB 938	Proposes to amend the protest provisions included in the CKH Act by consolidating and reorganizing the provisions and modifying the protest threshold for LAFCO-initiated dissolutions of special districts.	Support	Signed by the Governor on July 1, 2022.
SB 1449	Proposes a grant program to support the annexation of unincorporated islands substantially surrounded by a city.	Support	SB 1449 is scheduled for hearing by the Assembly Appropriations Committee on August 3.
SB 1490 SB 1491 SB 1492	Yearly Validating Acts are meant to retroactively fix typographical, grammatical, and procedural errors that might invalidate boundary changes or bond issues.	Support	Signed by the Governor on July 1, 2022.

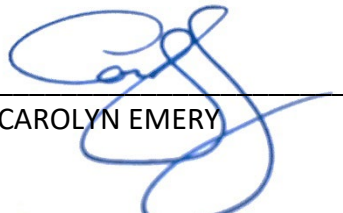
The next legislative report is scheduled for October 12, 2022 and will include a wrap-up of bills signed or vetoed by the Governor and a summary of legislation anticipated for the next legislative session that begins in December 2022.

RECOMMENDED ACTIONS

Staff recommends that the Commission:

1. Receive and file the August 10, 2022 Legislative Report.

Respectfully submitted,


CAROLYN EMERY


LUIS TAPIA