

California Association of Local Agency Formation Commissions  
SUMMARY OF CURRENT LAFCo LEGISLATION as of 4/13/2009

1

**AB 528(Silva) Local government: reorganization: expenditure reporting.**

**Last Amend:** 03/31/2009

**Status:** 04/01/2009-Re-referred to Com. on L. GOV.

**Location:** 04/01/2009-A L. GOV.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered	
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor					

**Calendar:** 04/22/09 1:30 p.m. - Room 127 ASM LOCAL GOVERNMENT

**Summary:** (1) Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act , requires contributions and expenditures for political purposes on boundary changes approved by a local agency formation commission be disclosed and reported to the commission to the same extent and subject to the same requirements of the Political Reform Act of 1974 as provided for local initiative measures. This bill would revise these provisions to require the expenditures to be disclosed and reported pursuant to the Political Reform Act of 1974. This bill contains other related provisions and other existing laws.

**Attachments:**

[CALAFCO Letter of Support](#)

**Position:** Sponsor

**Priority:** 1

**Notes:** This CALAFCO sponsored bill conforms C-K-H financial disclosure requirements with the provisions in the Political Reform Act that were signed into law last year from AB 1998, which CALAFCO also sponsored.

**AB 1109(Blakeslee) The Cortese-Knox-Hertzberg Act of 2000.**

**Last Amend:**

**Status:** 03/02/2009-Read first time.

**Location:** 02/27/2009-A PRINT

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered	
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor					

**Summary:** Existing law makes various findings and declarations regarding boundaries, community development, available housing, and development within the state. This bill would make a technical, nonsubstantive change to this provision.

**Position:** None at this time

**Priority:** 1

**Notes:** Placeholder bill for legislation clarifying LAFCos role in allocating liabilities of local agencies in a dissolution or disincorporation.

**AB 1582(Committee on Local Government) Local agencies: spheres of influence.**

**Last Amend:**

**Status:** 04/01/2009-From printer. May be heard in committee May 1.

**Location:** 03/31/2009-A PRINT

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered	

**Summary:** Existing law requires a commission to develop and determine the sphere of influence of each local governmental agency within the county. A commission is authorized, at the time a commission approves a proposal for an incorporation or a reorganization which includes an incorporation, to determine the sphere of influence for the proposed new city. The commission is required to determine the sphere of influence for any newly incorporated city within one year of the effective date of incorporation. This bill would authorize a commission, beginning January 1, 2010, to determine the sphere of influence for a proposed new district, when a commission approves a formation or reorganization that includes the formation of a district. The commission would be required to determine the sphere of influence for any newly formed district within one year of the effective date of formation. This bill contains other related provisions and other existing laws.

**Position:** Support

**Priority:** 1

**Notes:** This is the Assembly Omnibus bill which makes technical changes to CKH.

**SB 113(Committee on Local Government) Local Government Omnibus Act of 2009.**

**Last Amend:** 04/02/2009

**Status:** 04/02/2009-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on L. GOV.

**Location:** 04/02/2009-S L. GOV.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered	

**Calendar:** 04/15/09 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

**Summary:** (1) Existing law authorizes the formation of a school facilities improvement district in a county, if the board of supervisors adopts a resolution authorizing the establishment of the district. This bill would specify that the resolution of the board of supervisors may authorize a school facilities improvement district to be operative in the county generally, or to one or more school districts or community college districts within the county. This bill contains other related provisions and other existing laws.

**Attachments:**

[CALAFCO Support Letter](#)

**Position:** Support

**Priority:** 1

**Notes:** The Senate Local Government Bill makes non substantial changes to local government laws other than CKH. CALAFCO has a number of items in the 2009 bill.

**SB 163(Cox) Local government: reorganization.**

**Last Amend:**

**Status:** 03/09/2009-To Com. on RLS.

**Location:** 03/09/2009-S RLS.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

**Summary:** Existing law, for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, makes various legislative findings and declarations regarding the use of local government reorganization. This bill would make a technical, nonsubstantive change to that provision.

**Position:** Watch

**Priority:** 1

**Notes:** This bill is a placeholder for an unidentified change to Cortese-Knox-Hertzberg.

**[SB 194\(Florez\)](#) Community development: disadvantaged communities.**

**Last Amend:**

**Status:** 03/09/2009-To Com. on RLS.

**Location:** 03/09/2009-S RLS.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

**Summary:** Existing law provides for the allocation of funds for various economic development projects and programs administered by the Department of Housing and Community Development. This bill would make several findings and declarations of the Legislature relating to disadvantaged unincorporated communities. The bill would declare the intent of the Legislature to encourage investment in these communities.

**Attachments:**

[CALAFCO Letter of Interest](#)

**Position:** None at this time

**Priority:** 1

**Notes:** This is a placeholder bill at the moment. The bill is intended to provide municipal services and infrastructure investment to disadvantaged unincorporated communities. Its intent, in part, is to address the role of regional agencies (including, perhaps LAFCo) in addressing infrastructure deficits through annexation, consolidation and regionalization where appropriate.

**[SB 215\(Wiggins\)](#) Local government: organization.**

**Last Amend:** 03/26/2009

**Status:** 04/01/2009-From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 3. Noes 2. Page 397.) Re-referred to Com. on APPR.

**Location:** 04/01/2009-S APPR.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

**Summary:** Existing law, the Cortese-Knox-Hertzberg Act, requires a local agency formation commission, when reviewing a proposal for a change of organization or reorganization, to consider specified factors, including the proposal's consistency with city or county general and specific plans. This bill would modify that factor so that a commission would be required to consider the proposal's consistency with city or

county general and specific plans, and any applicable transportation plan, when reviewing a proposal for a change of organization or reorganization , thus imposing a state-mandate . This bill contains other related provisions and other existing laws.

**Attachments:**

[CALAFCO Support Letter](#)

**Position:** Support

**Priority:** 1

**Notes:** Adds the SB 375 required "Sustainable Communities Strategy" and "Alternative Planning Strategy" to the factors a LAFCo must consider in reviewing applications in GC 56668 (g) and eliminates the now obsolete GC 56668.5 which allowed LAFCo to consider regional growth goals and policies.

**2**

**[AB 155\(Mendoza\)](#) Local government: bankruptcy proceedings.**

**Last Amend:** 03/27/2009

**Status:** 03/31/2009-Re-referred to Com. on L. GOV.

**Location:** 03/31/2009-A L. GOV.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered	
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**Calendar:** 04/22/09 1:30 p.m. - Room 127 ASM LOCAL GOVERNMENT

**Summary:** Under existing law, any taxing agency or instrumentality of the state may file a petition and prosecute to completion bankruptcy proceedings permitted under the laws of the United States. This bill would provide that a local public entity may only file under federal bankruptcy law with the approval of the California Debt and Investment Advisory Commission, as specified.

**Position:** None at this time

**Priority:** 2

**[AB 432\(Nestande\)](#) Renewable energy resources: solar feed-in tariff pilot program for City of Palm Desert.**

**Last Amend:** 04/02/2009

**Status:** 04/02/2009-From committee chair, with author's amendments: Amend, and re-refer to Com. on U. & C. Read second time and amended.

**Location:** 04/02/2009-A U. & C.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered	
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**Summary:** Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. The Public Utilities Act imposes various duties and responsibilities on the commission with respect to the purchase of electricity by electrical corporations and requires the commission to review and adopt a procurement plan and a renewable energy procurement plan for each electrical corporation pursuant to the California Renewables Portfolio Standard Program. The program requires that a retail seller of electricity, including electrical corporations, purchase a specified minimum percentage of electricity generated by eligible renewable energy resources, as defined, in any given year as a specified percentage of total kilowatthours sold to retail end-use customers each calendar year (renewables portfolio standard). This bill would establish a solar feed-in tariff, as defined, pilot program that is applicable to the City of Palm Desert, which is within the service

territory of Southern California Edison Company. This bill contains other related provisions and other existing laws.

**Position:** None at this time  
**Priority:** 2

**Notes:** Placeholder bill which states the intent of the Legislature to change the manner in which MUD are organized.

**AB 853(Arambula) Local agencies: small community water systems.**

**Last Amend:**

**Status:** 03/23/2009-Referred to Com. on L. GOV.

**Location:** 03/23/2009-A L. GOV.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Summary:** Existing law defines "small community water system" to mean a community water system that serves no more than 3,300 service connections or a yearlong population of no more than 10,000 persons. Under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the local area formation commission is responsible for the conducting organization and reorganization proceedings for special districts, as specified. This bill would require the local agency formation commission to conduct a feasibility review for the consolidation of a small community water system with one or more of the water systems in the county, if the board of supervisors of the county receives a written complaint from a resident or group of residents of a small community water system, and a majority of the board votes to require the report by the commission.

**Position:** None at this time  
**Priority:** 2

**Notes:** This bill would require LAFCo to conduct a feasibility review for the consolidation of a small community water system with one or more of the water systems in the county, if the board of supervisors of the county receives a written complaint from a resident or group of residents of a small community water system, and a majority of the board votes to require the report by the commission.

**AB 1172(Galgiani) Eastern San Joaquin County Water District.**

**Last Amend:**

**Status:** 03/26/2009-Referred to Com. on L. GOV.

**Location:** 03/26/2009-A L. GOV.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar:** 05/06/09 1:30 p.m. - Room 127 ASM LOCAL GOVERNMENT

**Summary:** Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, establishes procedures for the consolidation of special districts. The Water Conservation District Law of 1931 generally governs the formation of water conservation districts and specifies the powers and purposes of those districts. This bill would specify the powers and purposes of the Eastern San Joaquin County Water District on and after the date on which the San Joaquin Local Agency Formation Commission approves the consolidation of the Stockton-East Water District and the Central San Joaquin

Water Conservation District. The bill would state the findings and declarations of the Legislature concerning the need for special legislation.

**Position:** Oppose unless amended  
**Priority:** 2

**AB 1232(Huffman) Local agency formation commissions: service reviews.**

**Last Amend:**

**Status:** 03/31/2009-Referred to Com. on L. GOV.

**Location:** 03/31/2009-A L. GOV.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar:** 04/29/09 1:30 p.m. - Room 447 ASM LOCAL GOVERNMENT

**Summary:** Existing law establishes in each county a local agency formation commission. The commission is required to develop and determine the sphere of influence of each local governmental agency within the county and to enact policies designed to promote the logical and orderly development of areas within the sphere. Existing law requires the commission to conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission, make specific determinations, and prepare a written statement of those determinations. This bill would require a commission to make and include in the written statement projected cost and budget increases associated with future regulatory requirements, including, but not limited to, infrastructure replacement and upgrades. By increasing the duties of a local agency formation commission, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position:** None at this time  
**Priority:** 2

**Notes:** This is a placeholder bill for potential legislation that may affect reviews and/or consolidation of wastewater districts in Marin County.

**AB 1436(Portantino) Hospital districts.**

**Last Amend:**

**Status:** 04/02/2009-Referred to Coms. on HEALTH and L. GOV.

**Location:** 04/02/2009-A HEALTH

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar:** 04/14/09 1:30 p.m. - Room 4202 ASM HEALTH

**Summary:** The existing Local Health Care District Law provides for the formation of local health care districts and specifies district powers, including the power to establish, maintain, and operate, or provide assistance in the operation of, one or more health facilities, or health services, including, but not limited to, outpatient programs, services, and facilities retirement programs, services, and facilities or other health care programs, services, and facilities and activities at any location within or without the district for the benefit of the district and the people served by the district. This bill would provide that this power includes ownership and would revise the definition of health care facilities for purposes of this power to expressly include public hospitals, as defined.

**Position:** None at this time  
**Priority:** 2

**Notes:** Adds ownership of public hospitals to the powers of hospital districts.

**SB 101(Committee on Local Government) Validations.**

**Last Amend:**

**Status:** 03/26/2009-To Com. on L. GOV.

**Location:** 03/26/2009-A L. GOV.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar:** 04/15/09 1:30 p.m. - Room 447 ASM LOCAL GOVERNMENT

**Summary:** This bill would enact the First Validating Act of 2009, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

**Attachments:**

[CALAFCO Support Letter](#)

**Position:** Support

**Priority:** 2

**Notes:** Annual bills which validate errors and omissions made by local officials, including the boundaries of all local agencies.

**SB 102(Committee on Local Government) Validations.**

**Last Amend:**

**Status:** 03/26/2009-To Com. on L. GOV.

**Location:** 03/26/2009-A L. GOV.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Calendar:** 04/15/09 1:30 p.m. - Room 447 ASM LOCAL GOVERNMENT

**Summary:** This bill would enact the Second Validating Act of 2009, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

**Attachments:**

[CALAFCO Support Letter](#)

**Position:** Support

**Priority:** 2

**Notes:** Annual bills which validate errors and omissions made by local officials, including the boundaries of all local agencies.

**SB 103(Committee on Local Government) Validations.**

**Last Amend:**

**Status:** 03/26/2009-To Com. on L. GOV.

**Location:** 03/26/2009-A L. GOV.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

**Calendar:** 04/15/09 1:30 p.m. - Room 447 ASM LOCAL GOVERNMENT

**Summary:** This bill would enact the Third Validating Act of 2009, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Attachments:**

[CALAFCO Support Letter](#)

**Position:** Support

**Priority:** 2

**Notes:** Annual bills which validate errors and omissions made by local officials, including the boundaries of all local agencies.

**SB 162(Cox) Local government: fire suppression.**

**Last Amend:**

**Status:** 03/09/2009-To Com. on RLS.

**Location:** 03/09/2009-S RLS.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
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**Summary:** Existing law, for the purposes of assessments for fire suppression, defines fire suppression to mean firefighting and fire prevention, including, but not limited to, vegetation removal or management undertaken, in whole or in part, for the reduction of a fire hazard. This bill would make a technical, nonsubstantive change to this provision.

**Position:** Watch

**Priority:** 2

**Notes:** This is likely a placeholder for a more substantial change to fire agency law.

**SB 211(Simitian) Park district formation: County of Santa Cruz.**

**Last Amend:** 03/26/2009

**Status:** 04/01/2009-Do pass as amended.

**Location:** 04/01/2009-S L. GOV.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

**Summary:** Existing law generally authorizes the formation of a district by a petition requesting the creation and maintenance of a district, describing the exterior boundaries, signed by at least 5,000 electors residing within the territory proposed to be included in the district, and presented to the board of

supervisors of the county containing the largest area within the proposed district. This bill, in addition, would authorize the formation of a district in the County of Santa Cruz , except as specified, if the exterior boundaries of the proposed district are coterminous with the exterior boundaries of the county and are initiated by a s pecified resolution of the county board of supervisors, after a hearing noticed in accordance with specified procedures, in lieu of the petition and related proceedings required under the above provisions. This bill contains other existing laws.

**Attachments:**

[CALAFCO Letter of Opposition](#)

**Position:** Oppose unless amended

**Priority:** 2

**Notes:** Allows Santa Cruz Board of Supervisors to create a regional open space district outside of LAFCo process. Does not provide a funding source for the district, leaving it to a future vote of the residents.

**[SB 263\(Strickland\)](#) Local government: community service districts.**

**Last Amend:**

**Status:** 03/16/2009-Set for hearing May 6.

**Location:** 03/09/2009-S L. GOV.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

**Calendar:** 05/06/09 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

**Summary:** Existing law, the Community Services District Law, authorizes the establishment of community services districts to provide various services to the geographic area within each district, and further authorizes specified community services districts that own roads that are not formally dedicated to, or kept open for use by, the public for the purpose of vehicular travel, to limit access to those roads to the landowners and residents of that district. This bill would include the Santa Rita Hills Community Services District as one of the specified community services districts authorized to limit access to roads it owns to the landowners and residents of that district.

**Position:** Oppose unless amended

**Priority:** 2

**Notes:** Adds the Santa Rita Hills CSD as one of the specified community services districts authorized to limit access to roads it owns to the landowners and residents of that district.

**[SB 575\(Steinberg\)](#) Local planning: housing element.**

**Last Amend:**

**Status:** 04/03/2009-Set for hearing April 21.

**Location:** 03/19/2009-S T. & H.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

**Calendar:** 04/21/09 1:30 p.m. - John L. Burton Hearing Room (4203) SEN TRANSPORTATION AND HOUSING

**Summary:** Existing law requires every city, county, and city and county to revise the housing element of its general plan as frequently as is appropriate to reflect the results of the periodic review. Existing law

further requires that all local governments within the regional jurisdiction of the San Diego Association of Governments adopt their 5th revision no more than 5 years from the 4th revision. This bill instead would require that all local governments within the regional jurisdiction of the San Diego Association of Governments adopt their 5th revision no later than an unspecified period of time.

**Position:** None at this time  
**Priority:** 2

**Notes:** This is the clean-up bill for SB 375. Currently a placeholder, other elements are likely to be amended in as agreements are reached.

**3**

**AB 9(John A. Perez) Political Reform Act of 1974: expenditures.**

**Last Amend:**

**Status:** 02/05/2009-Referred to Com. on E. & R.

**Location:** 02/05/2009-A E. & R.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered	
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor					

**Calendar:** 05/05/09 1:30 p.m. - Room 444 ASM ELECTIONS AND REDISTRICTING

**Summary:** Under the Political Reform Act of 1974, an "expenditure" means a payment, a forgiveness of a loan, a payment of a loan by a 3rd party, or an enforceable promise to make a payment, unless it is clear from the surrounding circumstances that it is not made for political purposes. Under the act, a candidate or committee that makes an independent expenditure totaling \$1,000 or more in a calendar year to support or oppose a measure or qualification of a measure shall file a report of that disclosure with the Fair Political Practices Commission. This bill clarifies existing law that an expenditure includes the payment of public moneys by a state agency or local government agency, or by an agent of that agency, for a communication to the electorate within the jurisdiction of that agency regarding a clearly identified measure, except if the communication constitutes a fair and impartial presentation of the facts relating to the measure or the communication is otherwise required by law.

**Position:** None at this time  
**Priority:** 3

**Notes:** Adds that monies expended by a public agency to communicate information on a measure to the public must be reported to the FPPC.

**AB 300(Caballero) Subdivisions: water supply.**

**Last Amend:** 04/02/2009

**Status:** 04/02/2009-From committee chair, with author's amendments: Amend, and re-refer to Com. on L. GOV. Read second time and amended.

**Location:** 04/02/2009-A L. GOV.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered	
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**Calendar:** 04/15/09 1:30 p.m. - Room 447 ASM LOCAL GOVERNMENT

**Summary:** The Subdivision Map Act prohibits approval of a tentative map, or a parcel map for which a tentative map was not required, or a development agreement for a subdivision of property of more than 500 dwelling units, except as specified, including the design of the subdivision or the type of improvement, unless the legislative body of a city or county or the designated advisory agency provides written verification from the applicable public water system that a sufficient water supply is available or, in addition, a specified finding is made by the local agency that sufficient water supplies are, or will be, available prior to completion of the project. This bill would require, until January 1, 2020, the public water system, or the local agency if there is no public water system, to review and verify for accuracy, as specified, the subdivider's water savings projections attributable to voluntary demand management measures, as defined . The public water agency would be authorized to collect fees necessary to provide the additional analysis of the voluntary demand management measures. Water savings projections would be authorized to be calculated using the water savings projections adopted by the California Urban Water Conservation Council. Water savings projections for measures for which the California Urban Water Conservation Council does not have adopted findings would be required to be based on substantial evidence in the record and included in the water supply assessment adopted by the water supplier. If a project applicant proposes to use a new voluntary water reduction demand management measure that is not based on water savings projections adopted by the California Urban Water Conservation Council, the legislative body of a city or county or the advisory agency would be required to have the project applicant enter into an agreement with the water utility to implement and monitor the actual water savings over time, as specified. The public water system would be required to prepare a written report of the projected water demand versus the actual water use 5 years after the project has been fully developed , and to provide copies of the report to the project applicant, the city or county that approved the subdivision map, the California Urban Water Conservation Council, and the Department of Water Resources. The bill would also require, at the time of final inspection, that a manual providing directions to the owner or occupant on the proper use of water conservation devices and systems be placed in the dwelling . By adding to the duties of the public water system, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position:** None at this time  
**Priority:** 3

**Notes:** Requires the preparation of a water assessment report for projects which reduce water consumption, which requires consultation with affected agencies, including LAFCo.

**AB 408(Saldana) Local planning: water supplies.**

**Last Amend:**

**Status:** 03/09/2009-Referred to Coms. on L. GOV. and W.,P. & W.

**Location:** 03/09/2009-A L. GOV.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered	
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor					

**Calendar:** 04/22/09 1:30 p.m. - Room 127 ASM LOCAL GOVERNMENT

**Summary:** The Planning and Zoning Law requires a city or county general plan to include specified mandatory elements, including a conservation element that considers, among other things, the identification of rivers, creeks, streams, flood corridors, riparian habitat, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management and a discussion and evaluation of water supply and demand. Before adopting or amending the general plan, the planning agency is required to refer the proposed action to specified entities. This bill would require the planning agency to additionally notify the California regional water quality control board servicing the area before adopting or amending the general plan. The bill would require the regional board, upon receiving this notice, to provide the planning agency with certain information regarding implementation of low-impact development water management to increase local water supplies by increasing stormwater recharge and

reuse. By imposing new duties on local public officials, the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position:** None at this time  
**Priority:** 3

**AB 466(Coto) Santa Clara Valley Water District.**

**Last Amend:**

**Status:** 03/16/2009-Referred to Com. on L. GOV.

**Location:** 03/16/2009-A L. GOV.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered	
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor					

**Calendar:** 04/22/09 1:30 p.m. - Room 127 ASM LOCAL GOVERNMENT

**Summary:** The Santa Clara Valley Water District Act establishes the Santa Clara Valley Water District and specifies its powers and purposes relating to water supply and flood management. The act requires the board of the district, until January 1, 2010, to consist of 2 directors who are appointed and 5 directors who are elected in accordance with specified procedures. The act requires the board of directors, on and after January 1, 2010, to consist of 5 directors who are elected in accordance with specified procedures. This bill would repeal certain provisions of the act relating to the board of the district. The bill would revise the composition of the board of the district by requiring the board to transition to an all-elected board that consists, on and after noon on January 3, 2011, of 7 directors who are elected pursuant to specified requirements. The board also would be required to adopt a resolution establishing the boundaries of the 7 districts. By imposing requirements on the district, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position:** None at this time  
**Priority:** 3

**AB 494(Caballero) Local planning: farmworker housing.**

**Last Amend:**

**Status:** 03/31/2009-Referred to Coms. on L. GOV. and AGRI.

**Location:** 03/31/2009-A L. GOV.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered	
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor					

**Calendar:** 04/15/09 1:30 p.m. - Room 447 ASM LOCAL GOVERNMENT

**Summary:** The Williamson Act authorizes any city or county to enter into a contract with the owner of agricultural land for the purpose of preserving that land in accordance with the conditions established by that contract and the act. The act authorizes a landowner subject to a Williamson Act contract to subdivide not more than 5 acres of land under contract to be sold or leased to a nonprofit organization, a city, a county, a housing authority, or a state agency and used for farmworker housing for at least 30 years, as specified, and the parcel is within a city or is in an unincorporated territory or sphere of influence that is contiguous to one or more parcels that are already zoned residential, commercial, or industrial and developed with existing residential, commercial, or industrial uses. This bill instead would authorize a landowner subject to a Williamson Act contract to subdivide not more than 10 acres of land under a Williamson Act contract to be sold or leased to a nonprofit organization, a city, a county, a housing authority, or a state agency and used for farmworker housing for at least 30 years, as specified, and the parcel is within a city or in an unincorporated territory or sphere of influence that is contiguous to one or more parcels that are already zoned residential, commercial, or industrial and developed with existing

residential, commercial, or industrial uses, or has access to existing water and sewer service. This bill contains other related provisions and other existing laws.

**Position:** None at this time  
**Priority:** 3

**AB 588(Cook) Local government finance.**

**Last Amend:**

**Status:** 02/26/2009-From printer. May be heard in committee March 28.

**Location:** 02/25/2009-A PRINT

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

**Summary:** The Vehicle License Fee Law establishes, in lieu of any ad valorem property tax upon vehicles, an annual license fee for any vehicle subject to registration in this state. Under existing law, the Controller is required to allocate vehicle license fee revenues in the Motor Vehicle License Fee Account in a specified order, as provided. This bill would make a technical, nonsubstantive change to that provision.

**Position:** None at this time  
**Priority:** 3

**Notes:** This is a placeholder bill that is focused on the local VLF allocation. May affect formulas for future annexations and incorporations.

**AB 782(Jeffries) Regional transportation plans: sustainable communities strategies.**

**Last Amend:**

**Status:** 03/26/2009-Referred to Coms. on NAT. RES. and L. GOV.

**Location:** 03/26/2009-A NAT. RES.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

**Calendar:** 04/20/09 1:30 p.m. - Room 447 ASM NATURAL RESOURCES

**Summary:** Existing law, the California Global Warming Solutions Act of 2006, requires the State Air Resources Board to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels of 1990, to be achieved by 2020, as specified. This bill would provide that upon the state board's acceptance that the sustainable communities strategy or an alternative planning strategy, if implemented, will achieve the greenhouse gas emissions reduction targets established by the state board, that acceptance shall be final, and no person or entity may initiate or maintain any judicial proceeding to review the propriety of the state board's acceptance. This bill contains other related provisions and other existing laws.

**Position:** None at this time  
**Priority:** 3

**Notes:** Prevents entities from challenging a sustainable community strategy project once the strategy is approved by local and state agencies.

**AB 1204(Huber) Environment: California Environmental Quality Act (CEQA): sustainable community strategy.**

**Last Amend:**

**Status:** 03/31/2009-Referred to Com. on NAT. RES.

**Location:** 03/31/2009-A NAT. RES.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

**Calendar:** 04/20/09 1:30 p.m. - Room 447 ASM NATURAL RESOURCES

**Summary:** The California Environmental Quality Act (CEQA) provides that a residential or mixed-use residential project that is consistent with the use designation, density, building intensity, and applicable policies for the project area in a sustainable community strategy or an alternative planning strategy and that, if implemented, achieves the greenhouse gas emission reduction targets and incorporates the mitigation measures required by an applicable prior environmental document is exempt from the requirement to reference, describe, or discuss growth inducing impacts or project specific or cumulative impacts from vehicles trips generated by the project on global warming or the regional transportation network in any findings or other determination for an exemption, a negative declaration, a mitigated negative declaration, a sustainable communities environmental assessment, an environmental impact report, or addenda prepared or adopted pursuant to CEQA. This bill would delete the restriction of this exemption to residential or mixed-use residential projects. By requiring a lead agency to determine whether the above exemption applies to additional projects, the bill would increase the level of service provided by a local agency, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position:** None at this time

**Priority:** 3

**Notes:** This bill would extend the CEQA exemption for projects within a sustainable communities strategy to all projects. Current law limits the exemption to residential and mixed-use projects.

**[ABX3 8\(Evans\)](#) State and local government.**

**Last Amend:** 02/15/2009

**Status:** 02/15/2009-Read third time, amended, and returned to third reading. Read third time. Urgency clause refused adoption. (Ayes 19. Noes 13. Page 52.) Motion to reconsider made by Senator Florez. Reconsideration granted. (Ayes 3

**Location:** 02/15/2009-S THIRD READING

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor				

**Calendar:** 04/13/09 12 SEN ASSEMBLY BILLS-THIRD READING FILE

**Summary:** Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including school districts, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. Existing law establishes a procedure for local governmental agencies to file claims for reimbursement of these costs with the Commission on State Mandates. These procedures require the Controller to pay any eligible claim by August 15 or 45 days after the date the appropriation for the claim is effective, whichever is later. This bill would change the date the Controller is required to pay any eligible claim to October 15 or 60 days after the date the appropriation for the claim is effective, whichever date is later. This bill contains other related provisions and other existing laws.

**Position:** None at this time  
**Priority:** 3

**Notes:** Makes changes to the dates and formulas for tax allocations. Will be of interest to those LAFCos conducting fiscal studies for incorporations and annexations.

**SB 115(Lowenthal) Public employment.**

**Last Amend:** 03/24/2009

**Status:** 03/31/2009-From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 3. Noes 2. Page 383.) Re-referred to Com. on APPR.

**Location:** 03/31/2009-S APPR.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered	
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor					

**Summary:** The California Constitution requires Members of the Legislature, and all public officers and employees, to take and subscribe a specified oath of office. The California Constitution permits inferior officers and employees to be exempted by law from this requirement. This bill would require that a public employee or applicant seeking public employment be permitted to decline to take and subscribe the oath of office based on moral, ethical, or religious beliefs that conflict with his or her ability to take and subscribe the oath without mental reservation, if he or she is otherwise willing and able to uphold the United States Constitution and the constitution and laws of this state and to complete the duties of employment. The bill would require that person to sign a statement that he or she declines to take and subscribe the oath required pursuant to existing law, based on moral, ethical, or religious beliefs that conflict with his or her ability to take that oath, as specified, and to take and subscribe a specified alternate statement to that effect. The bill would except from these provisions a public officer, employee, or applicant for public employment who is elected or who serves at the pleasure of an elected official. The bill would also make conforming changes and make a related statement of legislative findings.

**Position:** Watch  
**Priority:** 3

**SB 170(Florez) Agricultural lands: cancellation of Williamson Act contracts.**

**Last Amend:** 03/25/2009

**Status:** 04/08/2009-Author's amendments.

**Location:** 03/25/2009-S L. GOV.

Dead/2YR	1st	1st	1st	1st	2nd	2nd	2nd	2nd	Conf./Conc.	Enrolled	Vetoed	Chaptered	
	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor					

**Calendar:** 04/15/09 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

**Summary:** Existing law authorizes a landowner to petition a county board or supervisors or a city council for cancellation of any Williamson Act contract for all or part of the subject land. The board or council is authorized to grant tentative approval for cancellation of a contract if it finds that cancellation is in the public interest. For these purposes, the board or council is required to find that other public concerns substantially outweigh the objectives of the Williamson Act and that either there is no proximate noncontracted land that is both available and suitable for the use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land. This bill would establish a rebuttable presumption that where a federally recognized Indian tribe has petitioned for a contract cancellation that tribal cultural centers, infrastructure, and housing are alternative uses that are public concerns that

substantially outweigh the objectives of the act and that for tribal cultural centers, infrastructure, and housing, land contiguous to existing tribal land would provide more contiguous patterns of urban development than development of proximate noncontracted land.

**Position:** Watch  
**Priority:** 3

**Notes:** This bill would allow cancellation of Williamson contracts for land to be annexed to Tribal properties and used for tribal development.

**SB 406(DeSaulnier) Land use: environmental quality.**

**Last Amend:**

**Status:** 04/09/2009-Author's amendments.

**Location:** 03/12/2009-S L. GOV.

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

**Calendar:** 04/15/09 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

**Summary:** The Planning and Zoning Law establishes the Planning Advisory and Assistance Council in the Office of Planning and Research, and prescribes the membership and duties of the council. Existing law authorizes the Department of Motor Vehicles to collect a surcharge imposed on vehicle registration fees by ordinance or resolution of a local entity. This bill would change the designated membership, as specified, of the Planning Advisory and Assistance Council and would require that the council work with the Strategic Growth Council, as specified. The bill would also require the council to report to the Legislature on specified regional performance measures and on the manner in which state agencies are implementing the 5-year infrastructure plan. The bill would authorize a municipal planning organization or council of governments to adopt a resolution to impose a \$2 motor vehicle registration surcharge on vehicles registered in the entity's jurisdiction that would be collected by the Department of Motor Vehicles and, after deducting its administrative costs, would be transmitted to the entity imposing the surcharge. The bill would require that the surcharge revenue be expended to develop and implement a regional blueprint plan and would specify that 5% of the surcharge revenue be transmitted to the council for performance of its functions. The bill would provide that the council is to perform specified new functions only when the council has received sufficient revenue from this source.

**Position:** None at this time  
**Priority:** 3

**Notes:** This bill is sponsored by CALCOG and among other things begins to identify funding sources for SB 375 implementation.