



THIS MEETING WILL BE CONDUCTED UTILIZING TELECONFERENCING AND ELECTRONIC MEANS PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDER N-29-20.

In order to minimize the spread of the COVID-19 virus, please consider the following:

You are strongly encouraged to observe the live stream of the LAFCO Commission meetings at:

<https://zoom.us/j/94131898387?pwd=cGtVRmtqNDZXdlldGWFP4c2R6dHVBdz09>

Webinar ID: **941 3189 8387**

Password: **311450**

Call in number: **1 669 900 6833**

1. Submit **written** comment on any matter within the Commission's subject matter jurisdiction, regardless of whether it is on the agenda for Commission consideration or action. Submit your comment via email or U.S. mail by 1 p.m. on the Wednesday before the Commission meeting. You may submit comments via email to imarquez@SLOLAFCO.com. Your comments will be read at the meeting; limited to 3 minutes per item.
2. Submit **verbal** comment by calling (805) 781-5795; state and spell your name, mention the agenda item number you are calling about and leave your comment. Verbal comments must be received by the Clerk of the Commission no later than 1 p.m. on the Wednesday before the Commission meeting. Your comments will be read at the meeting; limited to 3 minutes per item.
3. Submit **live** comment by joining the meeting and press the "raise a hand" button or if joining by phone only, press *9 to indicate a desire to make comment. The chair will call you by name or phone number when it is your turn to comment; limited to 3 minutes per item.

* If you are joining by zoom & phone, still use the zoom raise hand button as *9 will not work.

For detailed information and updates about COVID-19, please visit the County of San Luis Obispo webpage at <https://www.emergencyslo.org/en/covid19.aspx>.

The San Luis Obispo LAFCO thanks you for doing your part to prevent the spread of COVID-19.



SAN LUIS OBISPO LAFCO

Local Agency Formation Commission

Meeting Agenda

May 20, 2021, at 9:00 a.m.

MISSION STATEMENT

The Local Agency Formation Commission is committed to serving the residents of San Luis Obispo County and the State of California by discouraging urban sprawl and encouraging the orderly formation and development of local agencies based on local conditions and circumstances.

COMMISSIONERS

Robert Enns, Chair, Special District
Ed Waage, Vice-Chair, City
Marshall Ochylski, Special District
Steve Gregory, City

Tom Murray, Public
Debbie Arnold, County
Lynn Compton, County

ALTERNATES

Ed Eby, Special District
Charles Bourbeau, City
Heather Jensen, Public
John Peschong, County

Meeting Location

ZOOM meeting info is provided on
Agenda Cover & website.

Contact Information

David Church, Interim Executive Officer
Phone: (805) 781-5795 | Fax: (805) 788-2072 | www.slolafco.com

MEETING ACCESS AND COMMENTS

LAFCO Commission meetings can be viewed at:

<https://zoom.us/j/94131898387?pwd=cGtVRmtqNDZXdlldGWFP4c2R6dHVBdz09>

Webinar ID: 941 3189 8387 **Password:** 311450

Call in number: 1 669 900 6833 **Public Comments:** On the agenda cover

MEETING AGENDA

Call to Order/Roll Call

Approval of the Minutes: April 15, 2021

Non-Agenda Public Comment Period

This is the period in which the Commission Clerk will read out loud all non-agenda public comments that were submitted on or before 1 p.m. on the Wednesday before the Commission meeting. Following, there will be an opportunity to provide live comments; each speaker will be limited to a three-minute presentation. Go to the Agenda cover for more details on how to submit public comment.

Regular Matters

A-1: Final Fiscal Year 2021-22 San Luis Obispo LAFCO Budget (Recommend Review and Approval)

Informational Matters

B-1: Special District Elections Results (Recommend Receive and File)



B-2: CALAFCO Legislative Update (Recommend Approval and Receive and File)

Commissioner Comments

Legal Counsel Comments

Executive Officer Comments

Adjournment

Note: 1.) In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate at this meeting, please contact the Clerk at 805-781-5795. Notification provided a minimum of 48 hours prior to the meeting will enable the Clerk to make reasonable arrangements to ensure accessibility to this meeting. Pursuant to the ADA, the meeting room is accessible to the physically disabled. 2.) It is required by Government Code Section 84308 that a participant in a LAFCO proceeding who has a financial interest in the decision and who has made a campaign contribution of more than \$250 to any Commissioner within (12) months prior, must disclose the contribution. If you are affected, please notify Commission Staff before the hearing.

Submitted Proposals and Sphere of Influence Municipal Service Review Updates

File #	Name	Project Status
Proposals		
2-R-21	Anx #18 & SOI to the Cayucos Sanitary District (WRF)	Info hold sent 3-19-2021. In Property Tax Negotiations.
1-R-21	Anx #82 to City of San Luis Obispo (Froom Ranch)	Info hold sent 3-9-2021. In Property Tax Negotiations.
4-R-20	Anx #29 to NCSD (Torres)	Info hold sent 11-20-20.
3-R-20	Anx #90 to Paso Robles (Gateway)	In Property Tax Negotiations.
1-R-20	Anx #81 to SLO (Fiero East – West)	Filed with BOE 3-26-21. Awaiting Acknowledgment.
2-S-19	SOI Amendment Tri-W site	Info hold sent 11-14-19.
SOI/MSR		
1-S-20	North County (Templeton, San Miguel, Heritage Ranch)	MSR program has been on hold due to staff levels.



**SAN LUIS OBISPO
LOCAL AGENCY FORMATION COMMISSION
APRIL 15, 2021, MEETING MINUTES**

Call to Order

The San Luis Obispo Local Agency Formation Commission (LAFCO) meeting was called to order at 9:01 a.m. on Thursday, April 15, 2021, pursuant to the COVID-19 provisions of the Governor's Executive Order N-29-20 by Chairperson Robert Enns. Viewing and commenting instructions were provided on the COVID-19 Agenda Cover and LAFCO's Website Homepage.

Roll Call

Present: Chairperson Robert Enns, Vice-Chair Ed Waage, Commissioners Debbie Arnold, Lynn Compton, Steve Gregory, Tom Murray, Marshall Ochylski and Alternate Commissioners Ed Eby and Heather Jensen.

Absent: Alternate Commissioner Charles Bourbeau and John Peschong.

Staff: David Church, LAFCO Interim Executive Officer
Brian Pierik, LAFCO Legal Counsel
Imelda Marquez, LAFCO Analyst

Approval of Minutes

Chairperson Enns announced the consideration of approval for the March 18, 2021, and March 25, 2021, Meeting Minutes.

Chairperson Enns asked for public comments before opening the discussion to the Commission.

Ms. Marquez reported that no public comments were received and no one attending the meeting wished to comment.

Chairperson Enns asked for a motion to approve the Meeting Minutes.

Commissioner Waage motioned to approve the minutes.

Commissioner Gregory seconded the motion.

AYES: Commissioners Waage, Gregory, Arnold, Compton, Murray, Ochylski, and Chairperson Enns

NAYS: None

ABSTAINING: None

The motion was passed with a unanimous roll call vote.

Non-Agenda Public Comments

Chairperson Enns asked Ms. Marquez to report if any written or live non-agenda public

comment requests were received.

Ms. Marquez reported that no public comments were received and no one attending the meeting wished to comment.

Consent Agenda

A-1: Third Quarter Fiscal Year 2020-2021 LAFCO Budget Status Report (Recommend Review and Direct Interim Executive Officer to submit to the County Auditor)

Chairperson Enns asked Ms. Marquez to report if any written or live public comment requests were received.

Ms. Marquez reported that no public comments were received and no one attending the meeting wished to comment.

Chairperson Enns asked for any Commissioner questions or a motion.

Commissioner Murray asked about the financial audit process.

Mr. Church clarified that this matter could be included into the budget discussion.

Commissioner Murray agreed to move his comment to the budget item and proceeded to make a motion to approve the Consent Agenda.

Commissioner Waage seconded the motion.

AYES: Commissioners Murray, Waage, Arnold, Compton, Gregory, Ochylski, and Chairperson Enns

NAYS: None

ABSTAINING: None

The motion passed with a unanimous roll call vote.

Regular Matters

B-1: Employment Contract between the San Luis Obispo Local Agency Formation Commission and Robert Fitzroy (Recommend Review and Approval)

Mr. Pierik presented the item.

Chairperson Enns opened the item for Commissioner comments or questions.

Commissioner Murray asked a general question about severance pay with high level Executive positions.

Mr. Pierik clarified that severance is offered in the contract for six months' pay in salary, in the case that the contract is terminated by either party. Additionally, Mr. Pierik added that the six-month time period is a standard time frame.

Commissioner Murray asked for additional clarification on whether the six-month severance could be provided to the employee under any circumstance.

Mr. Pierik said that severance would only be payable if the termination is by convivence and not by cause.

Chairperson Enns asked for any other Commissioner questions, hearing none he asked Ms. Marquez to report if any written or live comments from the public were received.

Ms. Marquez reported that there was no submitted comments and one live public comment request.

Mike Prater congratulated and welcomed Rob Fitzroy to the LAFCO.

Chairperson Enns thanked Mr. Prater for his comments and continued by closing public comment.

Chairperson Enns asked for any Commissioner questions or a motion.

Commissioner Ochylski made a motion to approve staff recommendation.

Commissioner Compton seconded the motion.

AYES: Commissioners Ochylski, Compton, Arnold, Gregory, Murray, Waage, and Chairperson Enns

NAYS: None

ABSTAINING: None

The motion passed with a unanimous roll call vote.

B-2: Proposed LAFCO Budget for Fiscal Year 2021-22 (Recommend Review and Approval)

Mr. Church presented the item.

Chairperson Enns opened the item for Commissioner comments.

Commissioner Murray discussed the idea of incorporating an audit in the next fiscal year.

Commissioner Waage suggested deferring the discussion to the following year.

Chairperson Enns asked Ms. Marquez to report if any written or live public comment requests were received.

Ms. Marquez reported that no public comments were received and no one attending the meeting wished to comment.

Chairperson Enns asked for a motion from the Commission.

Commissioner Arnold made a motion to approve staff recommendation.

Commissioner Waage seconded the motion.

AYES: Commissioners Arnold, Waage, Compton, Gregory, Murray, Ochylski, and Chairperson Enns

NAYS: None

ABSTAINING: None

The motion passed with a unanimous roll call vote.

B-3: Amendment to Temporary Employment Agreement between the San Luis Obispo Local Agency Formation Commission and David Church (Recommend Review and Approval)

Mr. Pierik presented the item.

Chairperson Enns opened the item for Commissioner comments, hearing none.

Chairperson Enns asked Ms. Marquez to report if any written or live public comment requests were received.

Ms. Marquez reported that no public comments were received and no one attending the meeting wished to comment.

Chairperson Enns asked for additional comments or a motion from the Commission.

Commissioner Ochylski made a motion to approve staff recommendation.

Commissioner Waage seconded the motion.

AYES: Commissioners Ochylski, Waage, Arnold, Compton, Gregory, Murray, and Chairperson Enns

NAYS: None

ABSTAINING: None

The motion passed with a unanimous roll call vote.

Mr. Church announced that item C-1 would be moved up and item B-4 would be pushed to the end.

C-1: Status Report of Submitted Proposals and Upcoming Proposal Activities (Recommend Receive and File)

Ms. Marquez presented the item.

Chairperson Enns commented on one of the projects.

Chairperson Enns opened the item for Commissioner comments, hearing none.

Chairperson Enns asked Ms. Marquez to report if any written or live public comment requests were received.

Ms. Marquez reported that no public comments were received and no one attending the meeting wished to comment.

Chairperson Enns announced that the item was received and filed and announced that the Commission would be returning to Regular Item B-4.

B-4: Request for Amicus Support by the San Luis Obispo Local Agency Formation Commission, regarding the City of Pismo Beach, et. al. Superior Court Case No. CV130383; 2d Civ. No. B296968 (Recommend Review and Approval)

Commissioner Waage announced that he would be recusing himself from this item because he had a conflict of interest.

Mr. Pireik presented the item.

Chairperson Enns asked Ms. Marquez to report if any written or live public comment requests were received.

Ms. Marquez reported that no public comments were received and no one attending the meeting wished to comment.

Chairperson Enns asked for a motion from the Commission.

Commissioner Murray made a motion to approve staff recommendation.

Commissioner Enns seconded the motion.

AYES: Commissioners Murray, Chairperson Enns, Commissioner Arnold, Compton, Gregory, and Ochylski

NAYS: None

ABSTAINING: None

The motion passed with a unanimous roll call vote.

Jim Wagoner, SDRMA Representative, was briefed on the action and announced updates on amicus support letters.

Commissioner Comments: None

Legal Counsel Comments: None

Executive Officer Comments: Updated the Commission on in person meetings.

Adjournment: With no further business before the Commission, the meeting adjourned at

9:48 a.m. until the next meeting of the Commission pursuant to Governor's Executive Orders, depending upon the progression of the COVID-19 pandemic.

THESE MINUTES ARE NOT OFFICIAL NOR ARE THEY A PERMANENT PART OF THE RECORD UNTIL THEY ARE APPROVED BY LAFCO COMMISSIONERS AT THE NEXT REGULAR MEETING.

Respectfully submitted,
Imelda Marquez, LAFCO Analyst



LAFCO - San Luis Obispo - Local Agency Formation Commission
SLO LAFCO - Serving the Area of San Luis Obispo County

TO: MEMBERS, FORMATION COMMISSION

FROM: DAVID CHURCH, INTERIM EXECUTIVE OFFICER

DATE: MAY 20, 2021

SUBJECT: FINAL FISCAL YEAR 2021-22 SAN LUIS OBISPO LAFCO BUDGET

Recommendation: It is respectfully recommended that the Commission;

- 1) Adopt by resolution the final San Luis Obispo Local Agency Formation Commission budget for the Fiscal Year 2021/22 found in Attachment A; and
- 2) That the Executive Officer distribute the Budget and Resolution to the local agencies per the Cortese-Knox-Hertzberg Act.

Summary. The Proposed Fiscal Year 2021-22 Budget was approved by the Commission on April 15, 2021, with no changes and is being brought back to your Commission with one minor change described in the following paragraph. The Cortese-Knox-Hertzberg Act (CKH) calls for the final budget to be adopted by June 15, 2021. Today's action adopts the Final Budget prior to that date.

Attachments

A: Resolution and FY 2021-22 LAFCO Budget

The funding formula for Local Agency Formation Commission's (LAFCO) budget is established in the Cortese-Knox-Hertzberg Act. LAFCO's budget is funded primarily by the County, Cities and Independent Special Districts, with each group paying one-third of the LAFCO adopted budget. A \$1,500 reduction in the Retirement Line Item is noted in the final budget. This minor change is due to a recalculation of LAFCO's contribution to the retirement plan.

The Proposed and Final Budgets have been distributed to the County, Cities, and Special Districts pursuant to the CKH Act. The final budget and resolution will be submitted to the County Auditor's Office. The City and District shares are pro-rated based on general revenues reported to the State Controller's Office by the jurisdictions. The County Auditor will calculate the cost to each jurisdiction and distribute invoices for payment to the Cities and Special Districts within the County in the first quarter of the 2021-2022 fiscal year.

COMMISSIONERS

Chairperson
ROBERT ENNS
Special District Member

Vice-Chair
ED WAAGE
City Member

DEBBIE ARNOLD
County Member

LYNN COMPTON
County Member

MARSHALL OCHYLSKI
Special District Member

STEVE GREGORY
City Member

TOM MURRAY
Public Member

ALTERNATES

ED EBY
Special District Member

CHARLES BOURBEAU
City Member

HEATHER JENSEN
Public Member

JOHN PESCHONG
County Member

STAFF

DAVID CHURCH
Interim Executive Officer

BRIAN A. PIERIK
Legal Counsel

IMELDA MARQUEZ
Analyst

Attachment A

Resolution and Final Fiscal Year 21-22

LAFCO Budget

IN THE LOCAL AGENCY FORMATION COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Date:

PRESENT:

ABSENT:

RESOLUTION NO. 2021-___

**RESOLUTION ADOPTING THE FINAL FISCAL YEAR 2021-22
LAFCO BUDGET**

The following resolution is now offered:

WHEREAS, the Executive Officer has given the notices required by law and forwarded the LAFCO budget to officers, persons and public agencies as prescribed by law; and

WHEREAS, the matter was set for public hearing at 9:00 a.m. on Thursday, April 15, 2021 and May 20, 2021, staff reports were prepared, and the hearing was conducted under the Covid-19 modified meetings laws and the LAFCO Budget for Fiscal Year 2021-22 was considered; and

WHEREAS, at said hearing, this Commission heard and received all written protests, objections and evidence which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said proposed budget; and

WHEREAS, the Commission considered and approved the Proposed Budget at the April 15, 2021, LAFCO meeting and approved the Final Budget for Fiscal Year 2021-2022 on May 20, 2021;

WHEREAS, the San Luis Obispo LAFCO finds that it can accomplish its legislative purpose and adopted work plan with the final budget as required by Cortese-Knox-Hertzberg Act; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Local Agency Formation Commission of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct, and valid.
2. That pursuant to Government Code Section 56381(a), the Commission hereby adopts a

Final Budget for Fiscal Year 2021-22 in the amount set forth in Exhibit A. The amount charged to the Cities, Special Districts and County, after deducting fees from applications and using of fund balance available is also found in Exhibit A. This amount will be charged to the Funding Agencies based on the formula and procedure contained in the Cortese-Knox-Hertzberg Act and as implemented by the County Auditor-Controller's office.

3. That the Commission finds that it can accomplish its legislative purpose and adopted work plan with the adopted budget as required by Cortese-Knox-Hertzberg Act.
4. That the Executive Officer of this Commission is hereby authorized to mail and email copies of the Final Budget in the manner provided by law.

Upon a motion of Commissioner _____, seconded by Commissioner _____, and on the following roll call vote:

AYES:

NAYS:

ABSTAIN:

Robert Enns, Chairperson Date
Local Agency Formation Commission

ATTEST:

David Church Date
LAFCO Interim Executive Officer

APPROVED AS TO FORM AND LEGAL EFFECT:

Brian Pierik Date
LAFCO Legal Counsel

Exhibit A
San Luis Obispo Local Agency Formation Commission
Final Budget - Fiscal Year 2021-2022

Adopted 5/20/2021

EXPENDITURES SUMMARY	Current Year	Expense YTD	Proj. Yr End	Final 21-22	Inc/Dec	% Inc/Dec
Salaries	279,293	218,300	268,860	289,892	10,599	4%
Benefits and Taxes	177,380	79,022	105,362	186,239	8,859	5%
Services and Supplies	131,984	89,041	108,958	136,547	4,563	3%
Total Expenses	588,658	386,364	483,180	612,679	24,021	4%

EXPENDITURES DETAIL	Current Year	Expense YTD	Proj. Yr End	Final 21-22	Inc/Dec	% Inc/Dec
Salaries and Benefits						
Salaries	279,293	218,300	268,860	289,892	10,599	4%
Benefits and Taxes	177,380	79,022	105,362	186,239	8,859	5%
Subtotal Salaries & Benefits	456,673	297,322	374,222	476,131	19,458	4%
Variable Costs (%) :						
FICA -Employer Match	14,486	11,906	16,138	17,971	3,485	24%
Medicare - Employer Match	3,435	3,326	4,000	4,261	826	24%
Retirement-Employer Contribution	82,518	33,393	45,000	87,657	5,139	6%
Retirement-Employer for Employee	12,921	6,407	6,407	-	(12,921)	-100%
Retirement - Employee Contribution	20,615		10,000	38,703	18,088	88%
Pension Obligation Bond Payment	14,521	7,016	9,662	18,850	4,329	30%
SUI-Employer Contribution	1,500	0	500	1,500	-	0%
Fed Unemploy Tax-Employer Cont	300	0	-	-	(300)	-100%
Fixed Costs (\$) :						
Health Plan/Café Cash	41,700	16,574	22,455	45,000	3,300	8%
Life Insurance	500	0	-	1,000	500	0%
Def Comp - EO Employer Match	5,500	400	1,200	10,000	4,500	82%
Total Benefits	177,380	79,022	105,362	186,239	8,858	5%

Services and Supplies	Current Year	Expense YTD	Proj. Yr End	Final 21-22	Inc/Dec	% Inc/Dec
Food	800	105	300	600	(200)	-25%
Maintenance - Equipment	300	-	100	30	(270)	-90%
Maintenance - Software	500	412	500	50	(450)	-90%
CALAFCO/Other Memberships	7,000	6,404	6,404	8,000	1,000	14%
Office Supplies	2,500	347	1,000	2,500	-	0%
Commissioner/Consultant	10,000	4,367	6,000	10,000	-	0%
Publication/Legal Notices	1,000	1,370	1,400	1,000	-	0%
Rent	37,000	30,565	37,000	37,000	-	0%
Small Equipment	400	199	200	400	-	0%
Large Equipment	1,000	(514)	1,200	1,000	-	0%
Computer Software	500	446	500	500	-	0%
Employee Mileage	200	-	-	200	-	0%
Commissioner Mileage	1,800	-	-	1,200	(600)	-33%
Airfare/Public Transportation	500	-	500	-	(500)	-100%
Accommodations/Travel	3,000	-	-	2,500	(500)	-17%
Auto Allowance	3,323	208	208	5,400	2,077	63%
Training/Conf Registration	3,500	-	-	3,500	-	0%
Utilities	4,000	2,850	3,600	4,200	200	5%
Car/Vehicle Rentals	1,000	-	-	500	(500)	-50%
Postage	1,000	368	500	1,000	-	0%
Custodian	1,000	755	1,000	1,100	100	10%
Copying	800	-	200	300	(500)	-63%
ITD-SAP/Board Chambers	850	-	-	850	-	0%
Phones	2,800	2,213	3,000	3,000	200	7%
County Auditor	8,511	8,511	8,511	8,817	306	4%
Insurance/Worker Comp/Property/Liability	13,500	11,635	11,635	16,500	3,000	22%
Legal Counsel/Other Co Billings	25,200	18,800	25,200	26,400	1,200	5%
Subtotal Services & Supplies	131,984	89,041	108,958	136,547	4,563	3%

Total Expenses	588,658	386,364	483,180	612,679	24,021	4%
-----------------------	----------------	----------------	----------------	----------------	---------------	-----------

Exhibit A
San Luis Obispo Local Agency Formation Commission
 Final Budget - Fiscal Year 2021-2022 - page 2

REVENUE DETAIL	Current Year	Realized YTD	Proj. Yr End	Final 21-22	Inc/Dec	% Inc./Dec.
Interest	4,000	2,586	3,000	4,000	-	0%
Environmental Fees	1,000	5,000	5,000	1,000	-	0%
Sphere of Influence Fee	2,000	6,000	6,000	2,000	-	0%
LAFCO Processing Fees	14,000	23,179	23,179	14,000	-	0%
				-		
Sub-Total w/out Agency Charges	21,000	36,765	37,179	21,000	-	0%
LAFCO Charge to Agencies	497,016	497,016	497,016	556,679	59,663	12%
Total Revenue (Includes use of Fund Balance)	543,016	533,781	534,195	612,679	69,663	13%
Other Revenue/Fund Balance Available -if Need	25,000	Not Needed	Not Needed	35,000	10,000	0%

RESERVES and FUND BALANCE	Janaury 2021 Fund Balance	% of Budget	Proj. Year End Fund Balance	Projected Year End Fund Bal.	Projected FB FY 21-22	% of Budget
Fund Balance Available	155,365		213,215	264,230	229,230	
Designated Fund Balance	57,850					
Projected Year End Fund Balance			51,015			
Use of Fud Balance in 21/22 Budget				(35,000)		
Total	213,215	36%	264,230	229,230	229,230	37%

CHARGES TO AGENCIES

Agency Share	FY 2020-21	FY 2021-22	Inc/Dec	% Inc/Dec
Cities	165,672	185,560	19,888	12%
County	165,672	185,560	19,888	12%
Special Districts	165,672	185,560	19,888	12%
Total	497,016	556,679	59,663	12%



LAFCO - San Luis Obispo - Local Agency Formation Commission
SLO LAFCO - Serving the Area of San Luis Obispo County

TO: MEMBERS, FORMATION COMMISSION
FROM: DAVID CHURCH, INTERIM EXECUTIVE OFFICER
DATE: MAY 20, 2021
SUBJECT: SPECIAL DISTRICT ELECTION RESULTS

RECOMMENDATION. Please receive and file this report.

Summary. The 35 Special Districts in the County are represented on the San Luis Obispo Local Agency Formation Commission (LAFCO) by Marshall Ochylski from Los Osos Community Service District (CSD), Robert Enns from Cayucos Sanitary District, and Alternate Commissioner Ed Eby from Nipomo CSD.

Commissioner Robert Enns has served on LAFCO for a number years. His most recent term ended in December 2020. He is allowed to serve as Commissioner until the Special Districts re-elect him or someone else is elected.

Attached are the instructions for nominating a Special District Board member to be placed on the ballot for the LAFCO Special District Commissioner. This was sent to all 35 special districts in the County via email on March 4, 2021, giving the Districts 45 days to nominate a candidate.

The nomination period for the LAFCO Special District Commission ended April 19, 2021, at 5:00 p.m. Only one nomination was submitted by the deadline. The nomination form for Robert Enns, Cayucos Sanitary District is attached.

GC Section 56332(c)(2) indicates that if only one nominee is submitted during the nomination period then that nominee shall be deemed appointed to the Commission.

Robert Enns is hereby appointed to serve on LAFCO for a 4-year term ending in December, 2024.

Congratulations to Robert and thanks to him for past and continued service. He really does a great job.

Attachments

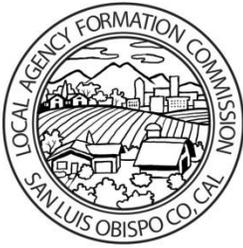
A: Special District Nomination and Election Procedure

B: Nomination Forms

- COMMISSIONERS**
- Chairperson
ROBERT ENNS
Special District Member
- Vice-Chair
ED WAAGE
City Member
- DEBBIE ARNOLD
County Member
- LYNN COMPTON
County Member
- MARSHALL OCHYLSKI
Special District Member
- STEVE GREGORY
City Member
- TOM MURRAY
Public Member
- ALTERNATES**
- ED EBY
Special District Member
- CHARLES BOURBEAU
City Member
- HEATHER JENSEN
Public Member
- JOHN PESCHONG
County Member
- STAFF**
- DAVID CHURCH
Interim Executive Officer
- BRIAN A. PIERIK
Legal Counsel
- MELDA MARQUEZ
Analyst

Attachment A

Nomination and Election Procedure for Special Districts



LAFCO - San Luis Obispo - Local Agency Formation Commission
SLO LAFCO - Serving the Area of San Luis Obispo County

TO: EACH INDEPENDENT SPECIAL DISTRICT
FROM: DAVID CHURCH, INTERIM LAFCO EXECUTIVE OFFICER
DATE: MARCH 4, 2021
RE: REQUEST FOR NOMINATIONS FOR LAFCO SPECIAL DISTRICT MEMBER

The term of the Special District seat currently held by LAFCO Commissioner Robert Enns expired in December 2020. The Cortese-Knox-Hertzberg Act allows Commissioner Enns to represent Special Districts on LAFCO until the nomination and election process is complete.

Background. The appointment could not be completed by the Independent Special District Selection Committee due to the difficulty in gathering a quorum. In the event that a meeting of the Selection Committee is not feasible, the Government Code allows the LAFCO Executive Officer to conduct the business of the committee in writing or via e-mail. If only one candidate is nominated, that candidate shall be deemed selected, with no further proceeding.

Instructions. If your District wishes to nominate a candidate for this position, please schedule this request for nominations on an agenda for a meeting of your Board of Directors as soon as possible.

The nomination must be approved by the District's governing body. Nomination forms are required to be submitted by the end of nomination period. **The nomination period ends at 5:00 p.m. on April 19, 2021.**

The completed nomination form may be submitted to the LAFCO office via mail, Fax-805-788-2072, or [e-mail: Imarquez@slolafco.com](mailto:Imarquez@slolafco.com). Please make sure the form is signed by the Board President or General Manager and the Nominee.

If more than one nomination is received, the Executive Officer shall prepare a ballot and send it by email to each special district with voting instructions.

A nomination form is attached to assist your District in the nomination process. Also, the LAFCO website (www.slolafco.com) has additional information about LAFCO. Please call me at 805.788-2096 if you have any questions.

cc: Members, Formation Commission
Brian Peirik, LAFCO Legal Counsel

COMMISSIONERS

Chairperson
ROBERT ENNS
Special District Member

Vice-Chair
ED WAAGE
City Member

DEBBIE ARNOLD
County Member

MARSHALL OCHYLSKI
Special District Member

STEVE GREGORY
City Member

LYNN COMPTON
County Member

TOM MURRAY
Public Member

ALTERNATES

ED EBY
Special District Member

VACANT
City Member

HEATHER JENSEN
Public Member

JOHN PESCHONG
County Member

STAFF

DAVID CHURCH
Executive Officer

BRIAN A. PIERIK
Legal Counsel

IMELDA MARQUEZ
Analyst

**NOMINATION FOR LAFCO
SPECIAL DISTRICT MEMBER**

The _____
(Insert Name of Special District)

Hereby nominates _____ as a nominee to serve as the
(Insert Name of Nominee)

Special District Member on the San Luis Obispo Local Agency Formation Commission (SLOLAFCO).

The Board of Director's action was taken on an agenda item on:

(Insert Date of Board Agenda and Action)

(General Manager or Chairman/President)

(Email address)

(Signature-Nominee)

Attachment B

Nomination Forms

**NOMINATION FOR LAFCO
SPECIAL DISTRICT MEMBER**

The Cayucos Sanitary District
(Insert Name of Special District)

Hereby nominates Robert Enns as a nominee to serve as the
(Insert Name of Nominee)

Special District Member on the San Luis Obispo Local Agency Formation Commission (SLOLAFCO).

The Board of Director's action was taken on an agenda item on:

March 18, 2021
(Insert Date of Board Agenda and Action)

Rick Koon
(General Manager or Chairman/President)

rkoon@cayucossd.org
(Email address)

Robert B. Enns
(Signature-Nominee)



LAFCO - San Luis Obispo - Local Agency Formation Commission
SLO LAFCO - Serving the Area of San Luis Obispo County

COMMISSIONERS

Chairperson
ROBERT ENNS
Special District Member

Vice-Chair
ED WAAGE
City Member

DEBBIE ARNOLD
County Member

LYNN COMPTON
County Member

MARSHALL OCHYLSKI
Special District Member

STEVE GREGORY
City Member

TOM MURRAY
Public Member

ALTERNATES

ED EBY
Special District Member

CHARLES BOURBEAU
City Member

HEATHER JENSEN
Public Member

JOHN PESCHONG
County Member

STAFF

DAVID CHURCH
Interim Executive Officer

BRIAN A. PIERIK
Legal Counsel

IMELDA MARQUEZ
Analyst

TO: MEMBERS, FORMATION COMMISSION
FROM: DAVID CHURCH, INTERIM EXECUTIVE OFFICER
DATE: MAY 20, 2021
SUBJECT: CALAFCO LEGISLATIVE UPDATE

RECOMMENDATION. It is respectfully recommended that the Commission 1) Approve and direct the Executive Officer to submit the attached letter supporting the annual CALAFCO Omnibus bill; and 2) Receive and file the attached CALAFCO Strategic Plan and Daily Legislative Report.

Omnibus Bill Support. Every year CALAFCO pulls together a list of minor but important changes to the Cortese-Knox-Hertzberg Act (CKH). These changes must be non-controversial and function in nature. Otherwise, they would not make it out of the Local Government Committee and into the bill. These changes normally improve the clarity and intent of CKH Act. A letter of support is found in Attachment A.

CALAFCO Strategic Plan. On April 30, 2021, the CALAFCO Board of Directors met and took several important actions including the adoption of a 2021-22 CALAFCO Strategic Plan, which is attached to this report. This document summarizes legislative priorities, key issues, goals and strategies that CALAFCO will focus on over the next year. Thanks Commissioner Tom Murray for serving on the CALAFCO Board and helping get the plan done!

CALAFCO Daily Legislative Report. This report is found in Attachment C and it provides a variety of information and details about the legislation that might impact LAFCO. Please review the attached report and let Staff know if you would like additional information about a particular bill. We can do some research to help inform Commissioners and the Public.

Attachments

A: Support Letter for Omnibus Bill

B: CALAFCO 2021 - 22 Strategic Plan

C: Daily Legislative Report-CALAFCO

Attachment A

Support Letter for Omnibus Bill



LAFCO - San Luis Obispo - Local Agency Formation Commission
SLO LAFCO - Serving the Area of San Luis Obispo County

May 20, 2021

Honorable Cecilia Aguiar-Curry, Chair
Assembly Local Government Committee
California State Assembly
State Capitol, Room 5144
Sacramento, CA 95814

Subject: **Support of Assembly Bill 1581 (Omnibus Bill)**

Dear Chair Aguiar-Curry:

The Local Agency Formation Commission of San Luis Obispo County is pleased to support the Assembly Local Government Committee Bill (**AB 1581**), sponsored by the California Association of Local Agency Formation Commissions (CALAFCO), which makes technical, non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH Act").

This annual bill includes technical changes to the CKH Act which governs the work of LAFCOs. These changes are helpful as Commissions implement the CKH Act and small inconsistencies are found or clarifications are proposed to make the law more clear. AB 1581 currently makes minor technical corrections to language used in the CKH Act that are not opposed by CSDA or the League of Cities. San Luis Obispo LAFCO is thankful to your Committee, staff and CALAFCO, all of whom worked diligently on this language to ensure there are no substantive changes while creating a significant increase in the clarity of the CKH Act for all stakeholders.

This legislation helps make the Cortese-Knox-Hertzberg Act a vital and practical law that is more consistently applied around the State. We appreciate your Committee's authorship and support of this bill, and your support of the mission of LAFCOs.

Sincerely,

David Church
Interim Executive Officer

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

COMMISSIONERS

Chairperson
ROBERT ENNS
Special District Member

Vice-Chair
ED WAAGE
City Member

DEBBIE ARNOLD
County Member

LYNN COMPTON
County Member

MARSHALL OCHYLSKI
Special District Member

STEVE GREGORY
City Member

TOM MURRAY
Public Member

ALTERNATES

ED EBY
Special District Member

CHARLES BOURBEAU
City Member

HEATHER JENSEN
Public Member

JOHN PESCHONG
County Member

STAFF

DAVID CHURCH
Interim Executive Officer

BRIAN A. PIERIK
Legal Counsel

IMELDA MARQUEZ
Analyst

Attachment B

CALAFCO 2021-22 Strategic Plan

2021 - 2022 Association Strategic Plan

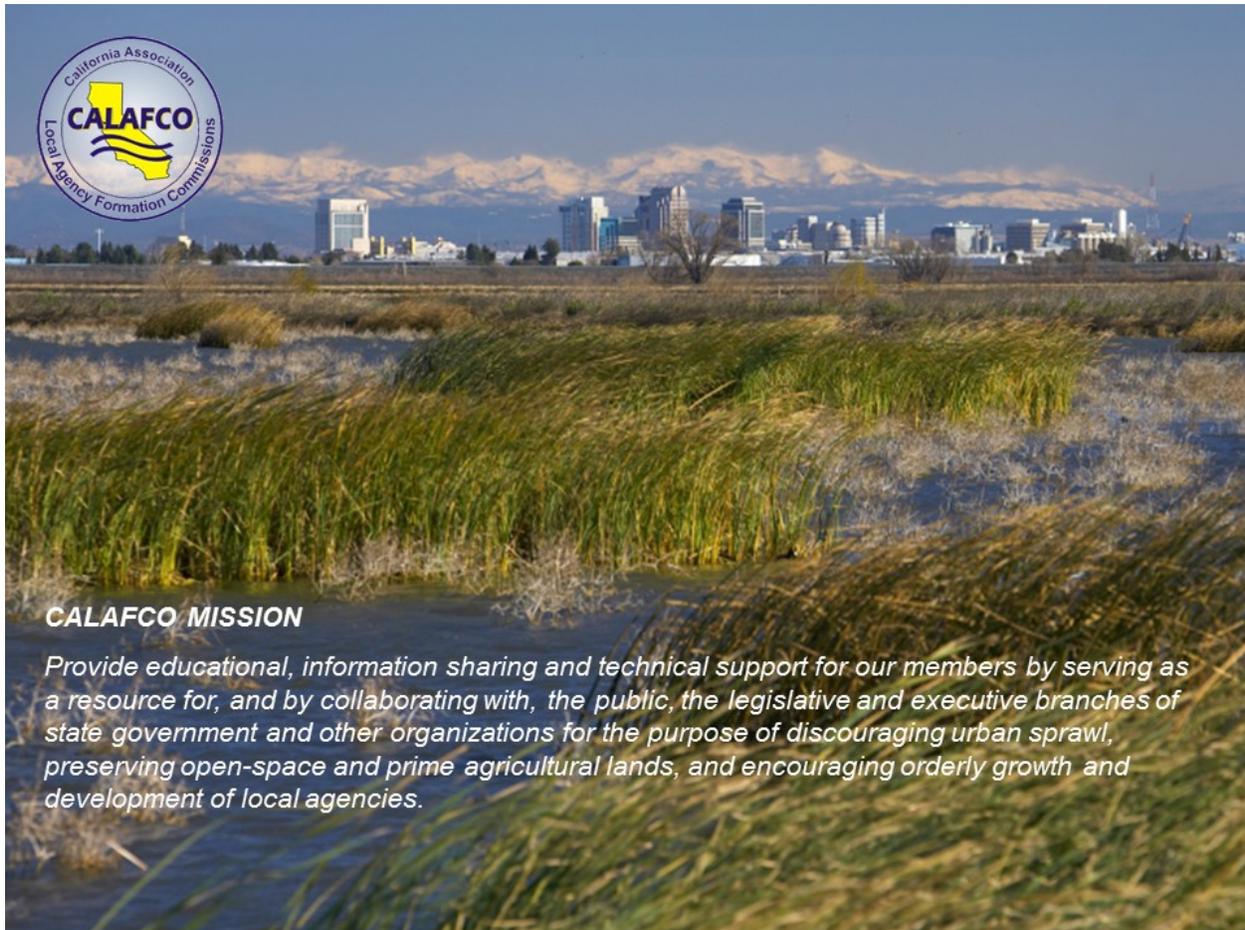
As adopted by the CALAFCO Board of Directors on April 30, 2021



CALAFCO MISSION

CALAFCO provides educational, information sharing and technical support for its members by serving as a resource for, and by collaborating with, the public, the legislative and executive branches of state government, and other organizations for the purpose of discouraging urban sprawl, preserving open-space and prime agricultural lands, and encouraging orderly growth and development of local agencies.

Reaffirmed by the Board of Directors on 11 January 2017.



CALAFCO MISSION

Provide educational, information sharing and technical support for our members by serving as a resource for, and by collaborating with, the public, the legislative and executive branches of state government and other organizations for the purpose of discouraging urban sprawl, preserving open-space and prime agricultural lands, and encouraging orderly growth and development of local agencies.

2021 Policy and Legislative Priorities

As they relate to and impact discouraging urban sprawl, preserving open-space and prime agricultural lands, and encouraging orderly growth and development of local agencies.

PRIMARY ISSUES

Authority of LAFCo

Support legislation that maintains or enhances LAFCo's authority to condition proposals to address any or all financial, growth, service delivery, and agricultural and open space preservation issues. Support legislation that maintains or enhances LAFCo's ability to make decisions regarding boundaries and formations, as well as to enact recommendations related to the delivery of services and the agencies providing them, including changes of organization and reorganizations.

Agriculture and Open Space Protection

Support policies, programs and legislation that recognize LAFCo's mission to protect and mitigate the loss of all types of agricultural lands, including prime agricultural lands and open space lands and that encourage other agencies to coordinate with local LAFCOs on land preservation and orderly growth. Support efforts that encourage the creation of habitat conservation plans.

Water Availability

Support policies, programs and legislation that promote an integrated approach to water availability and management. Promote adequate water supplies and infrastructure planning for current and planned growth as well as to support the sustainability of all types of agricultural lands, including prime agricultural lands and open space lands. Support policies that assist LAFCo in obtaining accurate and reliable water supply information to evaluate current and cumulative water demands for service expansions and boundary changes including impacts of expanding water company service areas on orderly growth, and the impacts of consolidation or dissolution of water companies providing services.

Viability of Local Services

Support legislation that maintains or enhances LAFCo's ability to review and act to determine the efficient and sustainable delivery of local services and the financial viability of agencies providing those services to meet current and future needs including those identified in regional planning efforts such as sustainable communities strategies. Support legislation which provides LAFCo and local communities with options for local governance and service delivery to ensure efficient, effective, and quality service delivery. Support efforts which provide tools to local agencies to address aging infrastructure, fiscal challenges, the maintenance of services, and services to disadvantaged communities.

2021 Issues of Interest

As these issues relate to and impact orderly growth, sprawl, and local services.

Housing

Provision of territory and services to support housing plans consistent with regional land use plans and local LAFCo policies.

Transportation

Effects of Regional Transportation Plans and expansion of transportation systems on future urban growth and service delivery needs, and the ability of local agencies to provide those services.

Flood Control

The ability and effectiveness of local agencies to maintain and improve levees and protect current infrastructure. Carefully consider the value of uninhabited territory, and the impact to public safety of proposed annexation to urban areas of uninhabited territory which is at risk for flooding. Support legislation that includes assessment of agency viability in decisions involving new funds for levee repair and maintenance. Support efforts that encourage the creation of habitat conservation plans.

Adequate Municipal Services in Inhabited Territory

Expedited processes for inhabited annexations should be consistent with LAFCo law and be fiscally viable. To promote environmental justice for underserved inhabited communities, funding sources should be identified for extension of municipal services, including options for annexation of contiguous disadvantaged unincorporated communities. Support policies, programs, and legislation which would provide municipal services to disadvantaged communities. Promote the delivery of adequate, sustainable, efficient, and effective levels of service through periodic updates of Municipal Service reviews, Spheres of Influence, and other studies.

2021 - 2022 Association Strategies and Objectives

STRATEGIC AREA ONE

Serve as an educational resource to member LAFCo Commissioners, LAFCo staff, Associate Members, and stakeholders.

We will do this by offering a variety of educational forums, professional development and networking opportunities.

OBJECTIVES

Annual Conference

1. Provide an annual conference which includes superior professional development sessions and networking opportunities for all attendees.

Staff Workshop

1. Provide an annual staff workshop which includes superior professional development sessions and networking opportunities for all LAFCo staff and Associate Members.

CALAFCO University

1. Hold University courses as needed throughout the year for staff, commissioners and stakeholders, which are focused on skill and professional development, important and timely topics, and technical issues.

Other Educational Opportunities

1. Maintain coaching partnership with Cal-ICMA and offer no cost training and development resources to all member LAFCOs through this program.
2. Develop other educational opportunities as needed and resources allow.

STRATEGIC AREA TWO

Focus efforts on Association member relations, development, recognition and communication. Continue development of a strong and sustainable Association.

We will do this by implementing strategies that build stronger member LAFcos and a resilient and sustainable Association. CALAFCO will provide support, resources and timely, value-added communication tools for our LAFco members and Associate Members.

OBJECTIVES

Member Development and Recognition

1. Assist and support all member LAFcos in fulfilling their statutory mission by identifying information, tools and resources they need. Create and distribute tools that do not exist. Update and re-publish or re-distribute those that currently exist.
2. Conduct study on shared services opportunities among member LAFcos.
3. Conduct member LAFco survey in 2021 and distribute results to all member LAFcos.
4. Keep retired LAFco personnel and commissioners connected and engaged as valuable resources through the exploration of an Emeritus program.
5. Focus efforts to strengthen relations with existing Associate Members by continuing to highlight these efforts in Quarterly Reports, through personal outreach and inclusion in the planning and execution of CALAFCO events.
6. Survey Associate Members to better understand how CALAFCO can create greater value for them.
7. Revise the Association's Achievement Awards Program and implement in 2021.

Association Communication

1. Provide a quarterly update to the members in the form of the Quarterly Report.
2. Provide written annual report to the membership.
3. Maintain Association's list-serves.
4. Provide value-added and timely resources for members through the organization's website, maintaining the site's integrity and increasing its value.
5. CALAFCO Executive Director to meet with LAFcos as requested/needed.

Association Administration

1. Update the Association's Policies and Procedures Manual.
2. Develop Procedures Manuals for administrative processes, procedures and tasks performed.
3. Work towards a balanced two-year budget to close the structural deficit without reliance on event net profits.

STRATEGIC AREA THREE

Serve as an information resource to all Association members, work as a legislative and policy advocate for LAFCo issues and provide information to the Legislature and other stakeholders.

We will do this by supporting and sponsoring research which collaboratively shares the work and data from member LAFCos and serves as a resource to all Association members. The Association will also advocate for legislative needs and positions on behalf of our members, by serving as an objective resource to the Legislature, organizations seeking to improve local government and to state agencies on local government services.

OBJECTIVES

Information Resource

1. Enhance the CALAFCO Library resources for member LAFCos. Develop a more robust database of documents, forms, videos, webinars, training resources and other resources of value on the Association's website for member access.
2. Complete White Papers and Briefs on topics of importance and value to member LAFCos.
3. Inform and educate external stakeholders by sharing and presenting on the role of LAFCo.

Legislative Advocate and Resource

1. Sponsor legislation that helps LAFCos achieve their legislative goals pursuant to the Association's adopted Legislative Priorities and Policies and within resource capabilities.
2. Facilitate the ongoing work of the Protest Provisions Rewrite Working Group throughout the 2021 - 2022 legislative years.
3. Take positions and advocate for those positions on legislation pursuant to the Association's adopted Legislative Priorities and Policies. Encourage member LAFCos to do the same when appropriate.
4. Participate in statewide, regional, and local meetings, symposiums, and other events as appropriate.
5. Work with peer Associations as appropriate on legislative matters.

Attachment C

Daily Legislative Report-CALAFCO

CALAFCO Daily Legislative Report as of Friday, May 07, 2021

1

[AB 339](#) (Lee D) Local government: open and public meetings.

Current Text: Amended: 5/4/2021 [html](#) [pdf](#)

Introduced: 1/28/2021

Last Amended: 5/4/2021

Status: 5/5/2021-Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would, until December 31, 2023, require all open and public meetings of a city council or a county board of supervisors that governs a jurisdiction containing least 250,000 people to include an opportunity for members of the public to attend via a telephonic option or an internet-based service option. The bill would require all open and public meetings to include an in-person public comment opportunity, except in specified circumstances during a declared state or local emergency. The bill would require all meetings to provide the public with an opportunity to comment on proposed legislation in person and remotely via a telephonic or an internet-based service option, as provided.

Attachments:

[AB 339 Fact Sheet](#)

Position: Watch

Subject: Other

CALAFCO Comments: This bill allows for continued remote participant in local (and state) hearings/meetings while adding requirements for both call-in and internet service based options for all public meetings; requires providing closed caption services; and requires agencies to provide language access services. The bill requires teleconferenced meetings to include an in-person public comment opportunity that creates a place where members of the public can gather at a designated site to give public comment (barring any in-person restrictions). Further, the bill requires the agenda and instructions for accessing the meeting to be translated into all languages for which 5% of the population in the area governed by the local agency is a speaker.

The bill adds requirements for local agencies to employ a sufficient amount of qualified bilingual people to provide translation services during the meeting in the language of the non-English speaking person (consistent with all languages for which 5% of the population in the area governed by the local agency speak). The bill adds similar requirements for any state legislative body. All of these new requirements are unfunded mandates.

This bill is sponsored by the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

UPDATE AS OF 4/20/21 - The bill was significantly amended on 4-15-21. These amendments removed all state requirements as noted above. Further, they require public participation by phone or internet (with video/audio), and allow agencies to create a registration process for public comments so long as people can register to speak via phone and in person.

The amendments remove the blanket requirement to translate the agenda and meeting access information and makes those an on-request requirements. The amendments also remove the blanket requirement for agencies to have sufficient qualified bilingual translators during meetings and changes that requirement to on-request, and requires agencies to make public the process to make such a request.

All requirements remain unfunded mandates.

UPDATE: Amended on 5-4-21 as a result of the ALGC hearing, this version of the bill now:

- Limits the bill’s applicability to the meetings of city councils and county boards of supervisors only, the jurisdictions of which contain a population of at least 250,000 people;
- Requires public access via telephone OR internet (not both);

- Removes language requiring two-way operability for internet;
- Removes all language translation requirements;
- Removes language allowing local agencies to require members of the public to register in order to provide public comment;
- Removes language allowing teleconferencing to be used by members of the legislative body (to avoid inadvertently precluding the use of teleconferencing by the public);
- Refines language referring to "all meetings" to state "all open and public meetings" (to ensure closed sessions are not subject to the provisions of the bill);
- Restores current law allowing public comment before an agenda item is taken up; and,
- Adds a sunset date of December 31, 2023.

AB 361 (Rivas, Robert D) Open meetings: local agencies: teleconferences.

Current Text: Amended: 4/6/2021 [html](#) [pdf](#)

Introduced: 2/1/2021

Last Amended: 4/6/2021

Status: 5/6/2021-From committee: Amend, and do pass as amended. (Ayes 7. Noes 0.) (May 5).

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/10/2021 #11 ASSEMBLY SECOND READING FILE -- ASSEMBLY BILLS

Summary:

Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state of emergency or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote. The bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment.

Attachments:

[AB 361 Fact Sheet](#)

Position: Watch

Subject: Brown Act

CALAFCO Comments: Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that certain requirements are met (noticing, public access, etc.). This bill allows a local agency to conduct meetings using teleconference methods without complying with certain teleconferencing requirements if they are meeting for the purposes of declaring or ratifying a local emergency, during a declared state or local emergency (as defined in statute), when state or local health officials have imposed or recommended certain measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.

The legislative body must give notice of the meeting and post agendas to allow members of the public to access the meeting and address the legislative body, offer public comment, and protect rights of the parties and public appearing before the legislative body. The bill also rescinds the requirement that at least a quorum of the body must meet within the jurisdictional boundaries of the agency under these circumstances when meeting via telecon.

UPDATE: As amended on 4/6/21, the bill now specifies that the new statute can be applied if meeting in person presents imminent risk to the health & safety of attendees; Requires the agenda to provide opportunity for anyone to attend via call-in or internet option; should there be a service disruption that prevents remote public participation, the agency must take no further action on any agenda item until service is restored; the agency cannot require submittal of public comments in advance of the meeting; and requires the legislative body, every 30 days after the initial declaration of emergency, should the emergency remain active, to make certain findings that the emergency still exists and prevents in-person meetings.

This bill is sponsored by the CA Special Districts Association (CSDA). The bill is not marked fiscal. A fact sheet is posted in the tracking section of the bill.

AB 703 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Amended: 4/29/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Last Amended: 4/29/2021

Status: 5/3/2021-Re-referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act’s requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the notice requirements particular to teleconferencing and would revise the requirements of the act to allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda, provided that the public is allowed to observe the meeting and address the legislative body directly both in person and remotely via a call-in option or internet-based service option, and that a quorum of members participate in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the jurisdiction.

Position: Watch

Subject: Brown Act

CALAFCO Comments: As amended on 4/29/21, the bill requires local agencies to allow for public participation during meetings of the legislative body both at in-person and via a call-in or internet-based option. It further requires that if the agency holds a teleconference meeting, at least a quorum of the governing body shall participate in person from a single location which shall be open to the public (and located within the boundaries of the jurisdiction).

Despite these requirements, the bill is not marked fiscal. Further, it applies only to local agencies, not state agencies.

The bill is sponsored by Three Valleys Municipal Water Agency.

AB 1581 (Committee on Local Government) Local government: omnibus.

Current Text: Amended: 4/19/2021 [html](#) [pdf](#)

Introduced: 3/9/2021

Last Amended: 4/19/2021

Status: 5/6/2021-From committee: Do pass. To Consent Calendar. (Ayes 8. Noes 0.) (May 5).

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/10/2021 #10 ASSEMBLY SECOND READING FILE -- ASSEMBLY BILLS

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Current law requires a local agency formation commission to develop and determine the sphere of influence of each city and each special district within the county and enact policies designed to promote the logical and orderly development of areas within each sphere. Current law requires, when a proposed change of organization or reorganization applies to 2 or more affected counties, that exclusive jurisdiction vest in the commission of the principal county, unless certain things occur. This bill would add the determination of a sphere of influence to the types of proposed changes for which exclusive jurisdiction may or may not vest in a principal county.

Attachments:

[LAFCo Support letter template](#)

[CALAFCO Support letter](#)

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: This is the annual ALGC Omnibus bill which CALAFCO sponsors. Sections amended are: 56133(a) and (f); 56325.1 (renumbered to 56331.4); 56427; and 56879(a).

As amended on 4/19, additional sections amended include 56066, 56123, 56124, 56375. Further

the bill repeals sections 56375.2, 56387, 56388, 56747, 56760, 57001.1, 57075.5, 57202.1 and 57383.

SB 810 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/23/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 3/22/2021-Read third time. Urgency clause adopted. Passed. (Ayes 37. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the First Validating Act of 2021, 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 March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

SB 811 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/23/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 3/22/2021-Read third time. Urgency clause adopted. Passed. (Ayes 37. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the Second Validating Act of 2021, 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 March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

SB 812 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/23/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 3/22/2021-Read third time. Passed. (Ayes 37. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the Third Validating Act of 2021, 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 March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

AB 1195 (Garcia, Cristina D) Drinking water.

Current Text: Amended: 4/6/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 4/6/2021

Status: 4/29/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 1.) (April 28). Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Current law authorizes the state board to provide for the deposit into the fund of certain moneys and continuously appropriates the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients. This bill would prohibit, once an operator of a public water system exercises water rights for the benefit of the public water system, those surface water rights or groundwater rights from being severed or otherwise separated from the public water system.

Attachments:

[AB 1195 Fact Sheet](#)

Position: Watch With Concerns

Subject: Water

CALAFCO Comments: As amended on 4-6-21, the bill was gut and amended and now creates the So LA County Human Rights to Water Collaboration Act. It requires the Water Board to appoint a commissioner to implement the Safe & Affordable Funding for Equity & Resilience Program and gives the commissioner certain authorities (although they are not clearly spelled out). It requires the commissioner by 12-31-24 to submit to the Water Board a plan for the long-term sustainability of public water systems in southern LA County and prescribes what shall be included in the plan. The bill also creates a technical advisory board and requires the commissioner to oversee the Central Basin Municipal Water District.

In its current form the bill creates numerous concerns. CALAFCO's letter of concern is posted in the tracking section of the bill, and includes: (1) Focus of the bill is very broad as is the focus of the commissioner; (2) In an attempt to prevent privatization of water systems there is language regarding severing water rights. That language could be problematic should a consolidation be ordered; (3) Diminishing local control that is being invested in the state (an ongoing concern since SB 88); (4) A clear distinction needs to be made between an Administrator and Commissioner; (5) The poorly written section on the technical advisory board; and (6) The lack of LAFCo involvement in any consolidation process.

CALAFCO will continue to work with LA LAFCo, the author's office and other stakeholders on the bill.

The bill is author-sponsored and we understand there is currently no funding source. A fact sheet is posted in the tracking section of the bill. CALAFCO's letter of concern is also posted there.

[AB 1250](#) (Calderon D) Water and sewer system corporations: consolidation of service.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 5/5/2021-In committee: Set, first hearing. Referred to APPR. suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The California Safe Drinking Water Act, provides for the operation of public water systems and imposes on the State Water Resources Control Board related regulatory responsibilities and duties. Current law authorizes the state board to order consolidation of public water systems where a public water system or state small water system serving a disadvantaged community consistently fails to provide an adequate supply of safe drinking water, as provided. This bill, the Consolidation for Safe Drinking Water Act of 2021, would authorize a water or sewer system corporation to file an application and obtain approval from the commission through an order authorizing the water or sewer system corporation to consolidate with a public water system or state small water system. The bill would require the commission to approve or deny the application within 8 months, except as provided.

Attachments:

[AB 1250 Fact Sheet 2021](#)

Position: Watch

Subject: Municipal Services, Water

CALAFCO Comments: The intent of the bill is to prescribe response timelines for the PUC in terms of processing consolidations. This bill creates the Consolidation for Safe Drinking Water Act of 2021. The bill allows a water or sewer corp to file an application with the Public Utilities Commission (PUC) to approval to consolidate with a public or state small system. The bill requires the PUC to act on the application within 8 months of receipt. If a consolidation is valued at \$5 million or less, the water or sewer corp can file an advise letter and get the PUC approval via resolution. In this instance, the PUC has 120 days to act on the request. The bill also give the PUC authority to designate a different procedure to request consolidation for systems valued less than \$5M.

The bill requires the PUC to prioritize consolidation requests based on compliance records and requires the entity requesting consolidation to conduct a thorough public process.

The bill is sponsored by the California Water Association and does not have an impact on LAFCos. Nevertheless, CALAFCO will keep a watch on the bill. A fact sheet is posted in the tracking section of the bill.

AB 1295 (Muratsuchi D) Residential development agreements: very high fire risk areas.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/4/2021-Referred to Coms. on L. GOV. and H. & C.D.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapted
1st House				2nd House							

Summary:

Current law requires the Director of Forestry and Fire Protection to identify areas in the state as very high fire hazard severity zones based on the severity of fire hazard that is expected to prevail in those areas, as specified, and requires each local agency to designate, by ordinance, the very high fire hazard severity zones in its jurisdiction. Current law additionally requires the director to classify lands within state responsibility areas into fire hazard severity zones. This bill, beginning on or after January 1, 2022, would prohibit the legislative body of a city or county from entering into a residential development agreement for property located in a very high fire risk area. The bill would define "very high fire risk area" for these purposes to mean a very high fire hazard severity zone designated by a local agency or a fire hazard severity zone classified by the director.

Attachments:

[AB 1295 Fact Sheet](#)

Position: Watch

Subject: Growth Management, Planning

CALAFCO Comments: This bill prohibits a city or county from entering into a residential development agreement for property located within a very high fire risk area as of 1-1-2022.

This bill appears similar to SB 55 (Stern) except: (1) This bill explicitly calls out residential development, whereas SB 55 addresses new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone; and (2) SB 55 adds a state responsibility area.

The bill is not marked fiscal. This is an author-sponsored bill and a fact sheet is posted in the tracking section of the bill.

SB 55 (Stern D) Very high fire hazard severity zone: state responsibility area: development prohibition: supplemental height and density bonuses.

Current Text: Amended: 4/5/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 4/5/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 3/3/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapted
1st House				2nd House							

Summary:

Would, in furtherance of specified state housing production, sustainability communities strategies, greenhouse gas reduction, and wildfire mitigation goals, prohibit the creation or approval of a new development, as defined, in a very high fire hazard severity zone or a state responsibility area unless there is substantial evidence that the local agency has adopted a comprehensive, necessary, and appropriate wildfire prevention and community hardening strategy to mitigate significant risks

of loss, injury, or death, as specified. By imposing new duties on local governments with respect to the approval of new developments in very high fire hazard severity zones and state responsibility areas, this bill would impose a state-mandated local program.

Attachments:

[SB 55 Fact Sheet](#)

Position: Watch

Subject: Growth Management, Planning

CALAFCO Comments: This bill prohibits the creation or approval of a new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone or a state responsibility area. The bill is author-sponsored and imposes unfunded mandates. A fact sheet is posted in the tracking section of the bill.

As amended on 4/5/21, the bill removes the "blanket approach" to prohibiting development as noted above by adding specificity. The bill prohibits development in either of the areas noted above unless there is substantial evidence that the local agency has adopted a comprehensive, necessary and appropriate wildfire preventions and community hardening strategy to mitigate significant risks of loss, injury or death as specified in the bill. Additionally, the bill provides a qualifying developer a supplemental height bonus and a supplemental density bonus, as specified, if the development is located on a site that meets certain criteria, including, among others, not being located in a moderate, high, or very high fire hazard severity zone, as specified. These requirements are unfunded mandates.

This bill appears similar to AB 1295 (Muratsuchi) except this bill appears to be broader in scope in terms of the type of development prohibited and includes a state responsibility area, whereas AB 1295 only addresses residential development in a very high fire risk area.

[SB 403](#) ([Gonzalez D](#)) Drinking water: consolidation.

Current Text: Amended: 4/27/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Last Amended: 4/27/2021

Status: 4/30/2021-Set for hearing May 10.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

Summary:

The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order consolidation with a receiving water system where a public water system or a state small water system, serving a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water or where a disadvantaged community is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would authorize the state board to also order consolidation where a water system serving a disadvantaged community is an at-risk water system, as defined, or where a disadvantaged community is substantially reliant on at-risk domestic wells, as defined.

Attachments:

[CALAFCO Oppose Unless Amended Letter April 2021](#)

[SB 403 Fact Sheet 2021](#)

Position: Oppose unless amended

Subject: Disadvantaged Communities, Water

CALAFCO Comments: Current law (Health & Safety Code Section 116682) authorizes the State Water Resources Control Board (Board) to order consolidation (physical or operational) of a public water system or state small water system serving a disadvantaged community that consistently fails to provide an adequate supply of safe drinking water, or a disadvantaged community (in whole or part) that is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would add to that a water system or domestic well(s) that are at risk of failing to provide an adequate supply of safe drinking water, as determined by the Board. The bill also requires the Board, before ordering consolidation, to conduct outreach to ratepayers and residents served by the at-risk system and to consider any petition submitted by members of a disadvantaged community being served by the at-risk system.

There appears to be several problems with this bill: (1) The bill does not define "at risk" and there is no definition of "at risk" currently in H&S Code Sec. 116681; (2) There is a lack of consultation with GSAs by the State Board when considering ordering consolidation or extension of service; (3)

There is no requirement or even consideration for annexation upon extension of service; and (4) there does not appear to be a limitation of the number of connections or the extent to which the system can be extended.

The bill is co-sponsored by the Leadership Counsel for Justice and Accountability, Clean Water Action and Community Water Center. A fact sheet is posted in the tracking section of the bill. CALAFCO's position letter is also posted there.

Specific to SB 403, we requested 3 amendments: (1) Define "at risk"; (2) Add a requirement for the SWRCB to consult with GSAs when considering a domestic well consolidation; and (3) Put a cap on the number of users to be added by the subsuming system or the extent to which the service is being extended. Additionally, CALAFCO recommended a comprehensive review of the current mandatory consolidation process citing a host of issues the current process creates.

UPDATE: As amended on 4/27/21, the bill now defines "at risk system" and "at risk domestic well"; creates an appeal process for potentially subsumed water systems; requires inspection or testing of wells to determine "at risk" status; and allows the Board to prioritize systems historically overburdened by pollution and industrial development or other environmental justice concerns. These amendments address 1 of our 3 amendments as requested. We will continue to work with the author on amendments.

AB 11 (Ward D) Climate change: regional climate change authorities.

Current Text: Amended: 1/21/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 1/21/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 1/11/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the Strategic Growth Council, by January 1, 2023, to establish up to 12 regional climate change authorities to coordinate climate adaptation and mitigation activities in their regions, and coordinate with other regional climate adaptation authorities, state agencies, and other relevant stakeholders.

Attachments:

[AB 11 Fact Sheet](#)

Position: Watch

Subject: Other

CALAFCO Comments: As amended on 1/21/21, this bill authorizes/requires the Strategic Growth Council (SGC) to establish up to 12 regional climate change authorities by January 1, 2023, to include local agencies and regional stakeholders. The SGC is required to adopt guidelines that: (1) Define the authority; (2) Include guidelines for establishing an authority via a stakeholder-driven process; (3) Consult with OPR (and other state authorities) in development of the guidelines and award annual grants to authorities.

The bill outlines the regional climate change authorities in summary as: coordination, capacity-building, and technical assistance activities within their boundaries, promote regional alignment and assist local agencies in creating and implementing plans developed pursuant to Section 65302 of the Government Code, other federal or state mandates, and programs designed address climate change impacts and risks. The bill also requires the authority to submit annual reports to the SGC, with the scope of the report outlined in the bill.

This is an author-sponsored bill. There is no appropriation to fund the cost of the program. A fact sheet is posted in the tracking section of the bill.

UPDATE 3/17/21: CALAFCO learned from the author's office they do not intend to move the bill forward, but instead work with Assm. Mullin on AB 897 and merge the two bills.

AB 473 (Chau D) California Public Records Act.

Current Text: Introduced: 2/8/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Status: 4/21/2021-In committee: Set, first hearing. Referred to APPR. suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would recodify and reorganize the provisions of the act. The bill would include provisions to govern the effect of recodification and state that the bill is intended to be entirely nonsubstantive in effect. The bill would contain related legislative findings and declarations. The bill would become operative on January 1, 2023.

Position: Watch

Subject: Public Records Act

CALAFCO Comments: This bill is a redo of AB 2138 from 2020 that did not move forward. According to the author's office, this bill and AB 474 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

[AB 474](#) (Chau D) California Public Records Act: conforming revisions.

Current Text: Introduced: 2/8/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Status: 4/21/2021-In committee: Set, first hearing. Referred to APPR. suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would enact various conforming and technical changes related to another bill that recodifies and reorganizes the California Public Records Act. The bill would only become operative if the related bill recodifying the act is enacted and becomes operative on January 1, 2023. The bill would also specify that any other bill enacted by the Legislature during the 2021 calendar year that takes effect on or before January 1, 2022, and that affects a provision of this bill shall prevail over this act, except as specified.

Position: Watch

Subject: Public Records Act

CALAFCO Comments: This bill is a redo of AB 2438 from 2020 that did not move forward. According to the author's office, this bill and AB 473 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

[AB 897](#) (Mullin D) Office of Planning and Research: regional climate networks: climate adaptation action plans.

Current Text: Amended: 4/19/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 4/19/2021

Status: 4/20/2021-Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/12/2021 9 a.m. - State Capitol, Assembly Chamber ASSEMBLY APPROPRIATIONS, GONZALEZ, LORENA, Chair

Summary:

Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state's climate adaptation strategy, known as the Safeguarding California Plan. Current law establishes the Office of Planning and Research in state government in the Governor's office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office to encourage the inclusion of agencies with land use planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

Attachments:
[AB 897 Fact Sheet](#)

Position: Watch
Subject: Climate Change

CALAFCO Comments: As introduced, the bill builds on existing programs through OPR by promoting regional collaboration in climate adaptation planning and providing guidance for regions to identify and prioritize projects necessary to respond to the climate vulnerabilities of their region.

As amended, the bill requires OPR to develop guidelines (the scope of which are outlined in the bill) for Regional Climate Adaptation Action Plans (RCAAPs) by 1-1-23 through their normal public process. Further the bill requires OPR to make recommendations to the Legislature on potential sources of financial assistance for the creation & implementation of RCAAPs, and ways the state can support the creation and ongoing work of regional climate networks. The bill outlines the authority of a regional climate network, and defines eligible entities. Prior versions of the bill kept the definition as rather generic and with each amended version gets more specific. As a result, CALAFCO has requested the author add LAFCOs explicitly to the list of entities eligible to participate in these regional climate networks.

As amended on 4/7, AB 11 (Ward) was joined with this bill - specifically found in 71136 in the Public Resources Code as noted in the amended bill. Other amendments include requiring OPR to, before 7-1-22, establish geographic boundaries for regional climate networks and prescribes requirements in doing so.

This is an author-sponsored bill. The bill necessitates additional resources from the state to carry out the additional work required of OPR (there is no current budget appropriation). A fact sheet is posted in the tracking section of the bill.

[AB 903](#) (Frazier D) Los Medanos Community Healthcare District.

Current Text: Amended: 4/19/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 4/19/2021

Status: 4/29/2021-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/10/2021 #44 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary:

Would require the dissolution of the Los Medanos Community Healthcare District, as specified. The bill would require the County of Contra Costa to be successor of all rights and responsibilities of the district, and require the county to develop and conduct the Los Medanos Area Health Plan Grant Program focused on comprehensive health-related services in the district's territory. The bill would require the county to complete a property tax transfer process to ensure the transfer of the district's health-related ad valorem property tax revenues to the county for the sole purpose of funding the Los Medanos Area Health Plan Grant Program. By requiring a higher level of service from the County of Contra Costa as specified, the bill would impose a state-mandated local program.

Position: Watch

CALAFCO Comments: This bill mandates the dissolution of the Los Medanos Community Healthcare District with the County as the successor agency, effective 2-1-22. The bill requires the County to perform certain acts prior to the dissolution. The LAFCo is not involved in the dissolution as the bill is written. Currently, the district is suing both the Contra Costa LAFCo and the County of Contra Costa after the LAFCo approved the dissolution of the district upon application by the County and the district failed to get enough signatures in the protest process to go to an election.

The amendment on 4/5/21 was just to correct a typo in the bill.

As amended on 4/19/21, the bill specifies monies received by the county as part of the property tax transfer shall be used specifically to fund the Los Medanos Area Health Plan Grant Program within the district's territory. It further adds a clause that any new or existing profits shall be used solely for the purpose of the grant program within the district's territory.

[AB 959](#) (Mullin D) Park districts: regulations: nuisances: abatement.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 5/6/2021-From committee: Amend, and do pass as amended. (Ayes 8. Noes 0.) (May 5).

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/10/2021 #3 ASSEMBLY SECOND READING FILE -- ASSEMBLY BILLS

Summary:

Current law prescribes procedures, including the election of a board of directors, for the formation of regional park districts, regional park and open-space districts, or regional open-space districts. Current law authorizes 3 or more cities, together with any parcel or parcels of city or county territory, whether in the same or different counties, to organize and incorporate, but requires that all the territory in the proposed district be contiguous. Current law requires the board of directors to superintend, control, and make available to all the inhabitants of the district all public recreation lands and facilities, as provided. Existing law authorizes the board to adopt regulations. Current law provides that a violation of an ordinance, rule, or regulation adopted by the board is a misdemeanor punishable by a fine or imprisonment in the county jail, as provided. This bill would authorize the board of directors to adopt regulations relating to nuisances and establish a procedure for the abatement of the nuisances, including administrative abatement.

Attachments:

[AB 959 Fact Sheet](#)

Position: Watch

CALAFCO Comments: As introduced, this bill gives authority to independent regional park & open space districts governed by PRC 5500 to: (1) Declare by ordinance what constitutes a public nuisance; (2) Abate those public nuisances by either administrative or civil actions; and (3) Ability to recover costs incurred in abating the public nuisance, including attorneys' fees. There are 4 of these independent special districts: (1) Midpeninsula Regional Open Space District; (2) East Bay Regional Park District; (3) Monterey Peninsula Regional Park District; and (4) Napa County Regional Park and Open Space District. A fact sheet is posted in the tracking section of the bill.

[AB 975](#) ([Rivas, Luz D](#)) **Political Reform Act of 1974: statement of economic interests and gifts.**

Current Text: Amended: 4/21/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 4/21/2021

Status: 5/5/2021-VOTE: Do pass as amended. To Consent Calendar. (PASS)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Political Reform Act of 1974 regulates conflicts of interests of public officials and requires that public officials file, with specified filing officers, periodic statements of economic interests disclosing certain information regarding income, investments, and other financial data. The Fair Political Practices Commission is the filing officer for statewide elected officers and candidates and other specified public officials. If the Commission is the filing officer, the public official generally files with their agency or another person or entity, who then makes a copy and files the original with the Commission. This bill would revise and recast these filing requirements to make various changes, including requiring public officials and candidates for whom the Commission is the filing officer to file their original statements of economic interests electronically with the Commission.

Position: Watch

Subject: FPPC

CALAFCO Comments: As introduced, this bill makes two notable changes to the current requirements of gift notification and reporting: (1) It increases the period for public officials to reimburse, in full or part, the value of attending an invitation-only event, for purposes of the gift rules, from 30 days from receipt to 30 days following the calendar quarter in which the gift was received; and (2) It reduces the gift notification period for lobbyist employers from 30 days after the end of the calendar quarter in which the gift was provided to 15 days after the calendar quarter. Further it requires the FPPC to have an online filing system and to redact contact information of filers before posting.

The amendment on 4/21/21 just corrects wording (technical, non-substantive change).

[AB 1021](#) ([Mayes I](#)) **Imperial Irrigation District.**

Current Text: Amended: 4/19/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 4/19/2021

Status: 5/5/2021-In committee: Set, first hearing. Referred to APPR. suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the commissions for the County of Imperial and the County of Riverside to conduct and publish on their internet websites a joint study of voting rights in the Imperial Irrigation District, options for providing electricity in the Imperial Irrigation District, and options for alternative governance structures for the Imperial Irrigation District board of directors, as specified. The bill would make the joint study contingent upon funding by the Legislature and would require the study to be published no later than 18 months after receipt of funds from the Legislature.

Position: Watch

Subject: Special Districts Governance

CALAFCO Comments: As amended on 3/18/21, the bill focuses on the Imperial Irrigation District. The bill requires Imperial and Riverside LAFcos to conduct a special study of voting rights and options for providing electricity in the district area should the district decide it no longer desires to provide that serve, to be completed by December 31, 2022, as an unfunded mandate. The bill also requires membership of the district board to increase from 5 to 8 members, with the additional 3 members residing in Riverside County in the area being serviced by the district and appointed by the County Supervisor of that County district. The three new members will be non-voting members.

CALAFCO met with the author's staff on March 18 to discuss concerns on the bill, with input from Riverside and Imperial LAFcos (who will meet with the author's office as well). Concerns include: (1) The unfunded mandate and timing of the study; (2) As representation in the Riverside County service area is the issue, governance structure should also be a part of the study; (3) Section 21562.6 of the Water Code as added is far too vague. CALAFCO offered specific suggestions for clarification in this section.

This bill is similar to AB 854 (2019), which died in Appropriations. CALAFCO had a Watch position on that bill as the two member LAFcos had opposing positions, and this is a local matter. However, there is concern about requiring a study without funding (the last time the Legislature mandated a special study on a district it required the study be funded by the district).

The bill is author-sponsored and as of now there is no budget appropriation to cover cost.

UPDATE AS OF 4/21/21 - As amended on 4/19/21, the bill makes substantive changes including: (1) Requires state funding for the study and prescribes an 18-month timeline for completion upon receipt of funds; (2) Adds study content of options for governance structure of the district; (3) Changes the number from 3 to 1 of nonvoting board members appointed to the district Board; and (4) Specifies requirements for the appointment.

AB 1053 (Gabriel D) City selection committees: County of Los Angeles: quorum: teleconferencing.

Current Text: Amended: 4/20/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 4/20/2021

Status: 4/21/2021-Re-referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law creates a city selection committee in each county that consists of 2 or more incorporated cities for the purpose of appointing city representatives to boards, commissions, and agencies. Under current law, a quorum for a city selection committee requires a majority of the number of the incorporated cities within the county entitled to representation on the city selection committee. Current law requires a city selection committee meeting to be postponed or adjourned to a subsequent time and place whenever a quorum is not present at the meeting. This bill, for the city selection committee in the County of Los Angeles, would reduce the quorum requirement to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to items that appeared on the immediately preceding agenda where a quorum was not established.

Attachments:

[CALAFCO Removal of Opposition Letter April 2021](#)

[CALAFCO Oppose Unless Amended April 2021](#)

Position: Watch

Subject: Other

CALAFCO Comments: As amended on 3/18/21, the bill reduces the quorum requirement for a city selection committee to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to replicate the meeting for which a quorum was not established. The bill also authorizes a city selection committee to conduct their meetings be teleconference and electronic means.

The bill is sponsored by the Las Virgenes-Malibu Council of Governments.

CALAFCO's letter of Oppose Unless Amended is posted in the bill detail area.

UPDATE AS OF 4/21/21 - As amended on 4/20/21, the scope of the bill is significantly narrowed to apply only to the County of Los Angeles' City Selection Committee. This amendment resolves CALAFCO's concerns and we have removed our opposition and will retain a Watch position. CALAFCO's letter of opposition removal is posted in the bill detail area.

[AB 1246](#) (Nguyen R) Community services districts.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 2/22/2021-Read first time.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, the Community Services District Law, authorizes the formation of community services districts for various specified purposes, including supplying water, treating sewage, disposing of solid waste, and providing fire protection. The law specifies its relation and effect on certain districts organized pursuant to former laws and to actions taken by them, among other things. This bill would make nonsubstantive changes to those provisions.

Position: Watch

CALAFCO Comments: This is a spot bill.

[SB 10](#) (Wiener D) Planning and zoning: housing development: density.

Current Text: Amended: 4/27/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 4/27/2021

Status: 4/30/2021-Set for hearing May 10.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/10/2021 10 a.m. - John L. Burton Hearing Room (4203)
SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary:

Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2023, based on specified criteria. The bill would specify that an ordinance adopted under these provisions, and any resolution to amend the jurisdiction's General Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is not a project for purposes of the California Environmental Quality Act.

Position: Watch

Subject: Housing

CALAFCO Comments: While not directly affecting LAFcos, the requirements in the bill are of interest. As amended on 4/13/21, the bill authorizes a local government to adopt an ordinance to

zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined in the bill. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2023, based on specified criteria. The bill would specify that an ordinance adopted under these provisions, and any resolution adopted to amend the jurisdiction's General Plan Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is exempt from CEQA. The bill imposes specified requirements on a zoning ordinance adopted under these provisions. The bill would prohibit a legislative body that adopts a zoning ordinance pursuant to these provisions from subsequently reducing the density of any parcel subject to the ordinance and makes void and unenforceable any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a planned development, and any provision of a governing document, that effectively prohibits or unreasonably restricts a use or density authorized by an ordinance adopted pursuant to the provisions in the bill.

UPDATE: The amendment of 4/27/21 amends 65913.5(a)(3) to remove exemption of parcels excluded from specified hazard zones by a local agency pursuant to 51179(b).

SB 13 (Dodd D) Local agency services: contracts: Counties of Napa and San Bernardino.

Current Text: Amended: 4/29/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 4/29/2021

Status: 5/6/2021-VOTE: Do pass as amended (PASS)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 establishes a pilot program under which the commissions in the Counties of Napa and San Bernardino, upon making specified determinations at a noticed public hearing, may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to support existing or planned uses involving public or private properties, as provided. Current law requires the Napa and San Bernardino commissions to submit a report to the Legislature on their participation in the pilot program, as specified, before January 1, 2020, and repeals the pilot program as of January 1, 2021. This bill would reestablish the pilot program, which would remain in effect until January 1, 2026. The bill would impose a January 1, 2025, deadline for the Napa and San Bernardino commissions to report to the Legislature on the pilot program, and would require the contents of that report to include how many requests for extension of services were received under these provisions.

Position: Watch

Subject: CKH General Procedures

CALAFCO Comments: This bill is the same as SB 799 from 2020 and seeks to re-establish and continue the pilot program for five more years. The program ended as of January 1, 2021 but due to the pandemic, SB 799 from 2020 to extend the sunset was not moved forward in the legislature.

UPDATE: As amended on 4/29/21, the bill now adds 56133.6 which seeks to address several projects in the City of St. Helena, and resolve a current law suit between the winery and the city. The amendments authorize Napa LAFCo to consider new or extended service by the city to specific parcels with certain conditions. The bill requires the Napa LAFCo make certain determinations if approving, include any decision in their required report to the Legislature and has a sunset of 1-1-26.

CALAFCO has made a request for several technical amendments to the version dated 4-29-21, and has concern this addition strays too far from the original intent of the pilot program. Requested amendments on the table now include: (1) Rewording of both sections 56133.5(a)(2) and 56133.6(a)(3) to explicitly state both (A) and (B) are required; (2) Reword the new addition to 56133.5(d) so that it does not presume Napa LAFCo will authorize the new or extension of service; and (3) Rewrite 56133.6(a)(1) to clarify that (A) must apply to both (B) and (C).

SB 96 (Dahle R) Fallen Leaf Lake Community Services District Fire Department Protection Act of 2021: elections.

Current Text: Introduced: 12/21/2020 [html](#) [pdf](#)

Introduced: 12/21/2020

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 1/28/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the El Dorado County elections official, with the assistance of the Fallen Leaf Lake Community Services District, to conduct district elections pursuant to the Uniform District Election Law, except as otherwise provided in the bill. The bill, notwithstanding existing law, would provide that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services District, as specified. The bill would require the designations of voters and authority of legal representatives to be filed with the El Dorado County elections official and the secretary of the Fallen Leaf Lake Community Services District and maintained with the list of qualified voters of the district. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Special Districts Governance

CALAFCO Comments: This bill is the same as SB 1180 from 2020 which did not move through the legislature. It is a local El Dorado County/district bill. This bill does several things. (1) Provides that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services. (2) The bill also would authorize a voter who is not a resident of the district but owns a real property interest in the district to designate only one voter to vote on their behalf, regardless of the number of parcels in the district owned by the nonresident voter. (3) This bill would prohibit the Fallen Leaf Lake Community Services District from providing any services or facilities except fire protection and medical services, including emergency response and services, as well as parks and recreation services and facilities.

SB 261 (Allen D) Regional transportation plans: sustainable communities strategies.

Current Text: Introduced: 1/27/2021 [html](#) [pdf](#)

Introduced: 1/27/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/15/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law requires that each regional transportation plan include a sustainable communities strategy developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 established by the State Air Resources Board. This bill would require that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the board. The bill would make various conforming changes to integrate those additional targets into regional transportation plans.

Position: Watch

Subject: Sustainable Community Plans

CALAFCO Comments: CALAFCO is currently reviewing the bill.

SB 273 (Hertzberg D) Water quality: municipal wastewater agencies.

Current Text: Introduced: 1/29/2021 [html](#) [pdf](#)

Introduced: 1/29/2021

Status: 4/22/2021-Read third time. Passed. (Ayes 38. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize a municipal wastewater agency, as defined, to enter into agreements with entities

responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. To the extent this requirement would impose new duties on local agency formation commissions, the bill would impose a state-mandated local program.

Attachments:

[SB 273 Fact Sheet](#)

Position: Support

Subject: Municipal Services

CALAFCO Comments: This bill is a redo of SB 1052 from 2020 that was not moved forward because of the pandemic. This bill adds authority to municipal wastewater agencies as outlined in 13911(a) and (b) relating to stormwater runoff and management. The bill authorizes this additional authority while keeping the LAFCo process to activate these latent powers intact.

CALAFCO is requesting an amendment to add a requirement that upon entering into the agreement, the agency has 30 days to file a copy of that agreement or amended agreement with the LAFCo.

The bills is sponsored by the CA Assn of Sanitation Agencies. A fact sheet is posted in the tracking section of the bill.

[SB 274](#) ([Wieckowski D](#)) Local government meetings: agenda and documents.

Current Text: Amended: 4/5/2021 [html](#) [pdf](#)

Introduced: 1/29/2021

Last Amended: 4/5/2021

Status: 4/22/2021-Read third time. Passed. (Ayes 38. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Ralph M. Brown Act requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by email or by other electronic means, the bill would require the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet, as specified.

Attachments:

[CALAFCO Support SB 274 \(3-15-21\)](#)

[SB 274 Fact Sheet](#)

Position: Support

Subject: Public Records Act

CALAFCO Comments: This bill is a modified redo of SB 931 from 2020 that did not move forward because of the pandemic. This bill updates the Government Code to require a public agency to email the agenda or agenda items to anyone who requests it or the link to the website where the documents can be accessed (current law requires the mailing of such documents upon request, this bill adds the option to email if requested). A fact sheet is posted in the tracking section of the bill.

The amendment on 4/5/21 was to correct a typo reflecting the authority to email information.

[SB 475](#) ([Cortese D](#)) Transportation planning: sustainable communities strategies.

Current Text: Amended: 3/10/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 3/10/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/26/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the State Air Resources Board, on or before June 30, 2023, and in coordination with the California Transportation Commission and the Department of Housing and Community Development, to issue new guidelines on sustainable communities strategies and require these guidelines to be updated thereafter at least every 4 years. The bill would delete the provisions related to the Regional Targets Advisory Committee and instead require the State Air Resources Board to appoint, on or before January 31, 2022, the State-Regional Collaborative for Climate, Equity, and Resilience, consisting of representatives of various entities. The bill would require the State-Regional Collaborative for Climate, Equity, and Resilience to develop a quantitative tool for metropolitan planning organizations to use to evaluate a transportation plan's consistency with long-range greenhouse gas emission reduction targets and recommend guidelines for metropolitan planning organizations to use when crafting long-range strategies that integrate state goals related to climate resilience and social equity.

Position: Watch

Subject: Sustainable Community Plans

SB 499 (Leyva D) General plan: land use element: uses adversely impacting health outcomes.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 2/25/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would prohibit the land use element from designating land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes in disadvantaged communities to be located, or to materially expand, within or adjacent to a disadvantaged community or a racially and ethnically concentrated area of poverty. By expanding the duties of cities and counties in the administration of their land use planning duties, the bill would impose a state-mandated local program.

Attachments:

[SB 499 Fact Sheet](#)

Position: Watch

Subject: Disadvantaged Communities

CALAFCO Comments: As introduced, this bill would prohibit the land use element of a general plan from designating or expanding land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes within or adjacent to disadvantaged communities (DACs) or a racially and ethnically concentrated area of poverty.

The sponsor of this bill is the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

SB 574 (Laird D) Agricultural preserves: Williamson Act.

Current Text: Amended: 3/4/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 3/4/2021

Status: 3/25/2021-Read third time. Passed. (Ayes 38. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Under the California Land Conservation Act of 1965, the board of supervisors or city council may grant tentative approval for a cancellation by petition of a landowner as to all or any part of land subject to a contract, as specified. Prior to any action by the board or council giving tentative approval to the cancellation of any contract, the county assessor is required to determine the current fair market value of the land as though it were free of the contractual restriction, and requires the assessor to send the fair market value to the Department of Conservation, hereafter department, at the same time the assessor sends the value to the landowner. Current law provides

for a certificate of tentative cancellation upon tentative approval of a petition by a landowner accompanied by a proposal for a specified alternative use of the land, as provided. Current law requires the board of supervisors or city council to provide notice to the department related to cancellation of the contract as well as in other specified instances. This bill would revise and recast these provisions to no longer require the assessor to provide notice to the department and to require the board of supervisors or city council to provide notice to the department if the certificate of tentative cancellation is withdrawn, as specified.

Position: Watch

CALAFCO Comments: This bill narrows the role of Department of Conservation (DOC) in administering the Williamson Act. It does not change other provisions in the Act except for lessening reporting requirements by local governments to the DOC. The bill repeals the ability of the DOC to agree on a cancellation value for contracted land with a landowner, along with the requirement that the department provide a preliminary valuation to the applicable assessor, and repeals the requirement that the DOC approve cancellation of a farmland security contract. The bill also repeals and narrows reporting requirements by requiring the DOC to post all local government reports on Williamson Act lands/contracts on its website rather than create a report and submit to the Legislature. The bill also repeals certain reporting requirements by local governments (cities and counties) to the DOC regarding Williamson Act contracts.

As amended on 3/4/21, the bill requires cities/counties to file annual maps on Act lands; and removes the requirement for state approval for the amount of security to be paid when paying cancellation fee.

CALAFCO will continue to watch this bill to ensure no detrimental changes are made to the Act through future amendments.

SB 813 (Committee on Governance and Finance) Local Government Omnibus Act of 2021.

Current Text: Amended: 4/12/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Last Amended: 4/12/2021

Status: 4/30/2021-Set for hearing May 10.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires the officer of each local agency, who has charge of the financial records of the local agency, to furnish to the Controller a report of all the financial transactions of the local agency during the preceding fiscal year within 7 months of the close of each fiscal year in a form required by the Controller. Current law requires the report to include, among other things, the annual compensation of a local agency's elected officials, officers, and employees, as specified. This bill would specify that the reports shall be furnished at the time prescribed by the Controller and would revise the amount of time in which the report is required to be furnished to either 7 months or within the time prescribed by the Controller, whichever is later

Position: Watch

CALAFCO Comments: This is the annual Senate Governance & Finance Committee Omnibus bill.

Total Measures: 32

Total Tracking Forms: 32

5/7/2021 12:57:14 PM