



# TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

210 N. Church Street, Suite B, Visalia 93291 Phone: (559) 623-0450 FAX: (559) 733-6720

**LAFCO MEETING AGENDA**  
*March 5, 2014 @ 2:00 P.M.*  
**BOARD OF SUPERVISORS CHAMBERS**  
**COUNTY ADMINISTRATIVE BUILDING**  
2800 West Burrel Avenue  
Visalia CA 93291

COMMISSIONERS:  
*Steve Worthley, Chair*  
*Juliet Allen, V-Chair*  
*Allen Ishida*  
*Rudy Mendoza*  
*Cameron Hamilton*

ALTERNATES:  
*Mike Ennis*  
*Janet Hinesly*  
*Dennis Mederos*

EXECUTIVE OFFICER:  
*Ben Giuliani*

- I. **Call to Order**
- II. **Approval of Minutes from February 5, 2013 (Pages 1-4)**
- III. **Public Comment Period**

At this time, members of the public may comment on any item not appearing on the agenda and that is within the scope of matters considered by the Commission. Under state law, matters presented under this item cannot be discussed or acted upon by the LAFCO Commission at this time. So that all interested parties have an opportunity to speak, any person addressing the Commission may be limited at the discretion of the chair. At all times, please use the microphone and state your name and address for the record.

IV. **New Action Items**

- 1. **Public Member Selection Committee (Page 5-8)**  
*[No Public Hearing] .....Recommended Action: Select Committee*

At least one month prior to the expiration of the term of office of the Public or Alternate Public Member, the Commission shall appoint a selection committee consisting of one County Member and one City Member. The term of office of the Public Member representing the general public on the Commission expires on May 5, 2014. It is recommended that the Commission initiate action to appoint the members of the selection committee.

V. **Executive Officer's Report**

- 1. **Draft Amendment to Policy C-2.9 (Waiver of Public Notice & Hearing) and Policy B-2 (Processing Fees) (Pages 9-12)**

Enclosed is a proposed amended policy that would reduce fees for changes of organization that qualify for a waiver of public notice and hearing.

**NOTE: Persons wishing to speak on any of the agenda items who have made a political contribution of more than \$250 to any commissioner in the last twelve months must indicate this when speaking.**

2. Legislative Update (Pages 13-17)

Enclosed is the CALAFCO Legislative Report. The legislative deadline for the introduction of bills was February 21st.

3. Upcoming Projects (No Page)

The Executive Officer will provide a summary and tentative schedule of upcoming LAFCO cases and projects.

**VI. Correspondence**

There are no items.

**VII. Other Business**

1. Commissioner Report (No Page)

2. Request from LAFCO for items to be set for future agendas (No Page)

**VIII. Setting Time and Place of Next Meeting**

1. April 2, 2014 @ 2:00 P.M. in the Board of Supervisors Chambers in the County Administration Building.

**IX. Adjournment**

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**Agenda Summary**

*Item No.*

- II. *Please see enclosed February 5, 2013 meeting minutes.*
- IV.1 *Please see enclosed memo regarding the Public Member Selection Committee*
- V.1 *Please see enclosed memo regarding the proposed policy amendment*
- V.2 *Please see enclosed CALAFCO Legislative Update*
- V.3 *No enclosure for this item*
- VI. *No enclosure for this item*
- VII.1 *No enclosure for this item*
- VII.2 *No enclosure for this item*

**NOTE: Persons wishing to speak on any of the agenda items who have made a political contribution of more than \$250 to any commissioner in the last twelve months must indicate this when speaking.**

**TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION**  
**Minutes of the Meeting**  
**February 5, 2014**

**Members Present:** Steve Worthley, Juliet Allen, Allen Ishida, Cameron Hamilton

**Members Absent:** Rudy Mendoza

**Alternates Present:** Dennis Mederos

**Alternates Absent:** Mike Ennis, Janet Hinesly

**Staff Present:** Ben Giuliani, Cynthia Echavarría, Doreen Alvez

**Counsel Present:** Lisa Tennebaum

**I. Call to Order**

Chair Worthley called the Tulare County Local Agency Formation Commission meeting to order at 2:00 p.m. on February 5, 2014.

**II. Approval of the December 4, 2013 Minutes:**

Upon motion by Commissioner Hamilton and seconded by Commissioner Allen, the Commission unanimously approved the December 4, 2013 meeting minutes.

**III. Public Comment Period**

Public comment period opened/closed at 2:01 p.m. There were no public comments.

**IV. New Action Items**

1. Proposed Amended LAFCO Policy A-5 (Commission Meetings and Hearings)

Executive Officer Giuliani stated the draft proposed amended LAFCO Policy A-5 was presented to the commission in December. The policy is an amendment to the commission meetings and hearings with two proposed changes. One would adopt Rosenberg's Rules of Order, which is the rules of conduct for public meetings, and the other is to amend the affirmative vote by the commission from the majority present to the majority of the full commission. Executive Officer Giuliani commented that the draft policy was distributed to the city and county staff and that no comments were received.

Board Members discussed the high standards needed for an affirmative vote, and the various aspects of Rosenberg's Rules of Order.

Upon motion by Commission Hamilton and seconded by Commissioner Allen, the Commission unanimously approved the Proposed Amended LAFCO Policy A-5 (Commission Meetings and Hearings).

## 2. Vandalia Water District Request for Fee Reduction

Staff Analyst Echavarria stated the Vandalia Water District has requested a fee reduction from the standard flat fee for changes of organization in the sphere of influence amendments. The annexation covers a small area owned by the District and would require far less staff time to process than a typical application. Staff Analyst Echavarria provided an estimation of the costs associated with the processing of the proposed annexation with staff time in addition to the associated cost from review by other departments and public noticing costs. Pursuant to the Tulare County LAFCo Policy and Procedures, cost reimbursement is tied to the Resource Management Agencies hourly rate, which is currently \$100.00 an hour.

After discussion between the Commission, staff and Vandalia Water District Secretary Sammie Duysen, the Commission determined that the full fee for this situation would be detrimental to the public interest.

Upon motion by Commission Allen and seconded by Commissioner Ishida, the Commission unanimously approved the Vandalia Water District Request for Fee Reduction and set the reduced fee to \$1,500.

## V. Executive Officer's Report

### 1. County Island Annexation Policy Update

Executive Officer Giuliani stated AB743 passed last year, which removed the sunset date for county island annexation, moved the creation date for qualifying islands from January 2000 to January 2014, and created a qualification of a number of additional islands in Tulare County that did not previously qualify for the streamlined Island Annexation Procedures.

Executive Officer Giuliani highlighted the list attached to the staff report of the developed county islands in the County starting from 50% surrounded and noted that current Commission policy defines substantially surrounded at 65%. Executive Officer Giuliani stated no feedback has been received indicating interest in changing the definition.

The Commission directed staff to get further input from city staff.

### 2. Election Process for Public Member

Staff Analyst Echavarria provided the requirements for the election process of a public member, and noted that while public member Julie Allen's term expires on May 5, 2014, incumbents can still reapply for another term. Staff Analyst Echavarria provided the four-year term is May 5, 2014 to May 7, 2018, and discussed the schedule for which the commission will take in selecting the public member. February: Public Member Position is advertised; March: The commission will appoint a selection committee; April: Applications will be reviewed, a candidate will be recommended, and action will be taken to appoint a public member.

The Commission discussed the selection process and it was noted that the alternate public member term is staggered two years from the public member.

3. Tulare County LAFCO 2013 Review

Staff Analyst Echavarria stated the commission requested staff to present an overview of the LAFCOs activity over the course of 2013 and highlighted the staff report that lists all the actions taken by the commission and special reports given to the commission.

Commissioner Allen thanked staff for putting the report together.

Executive Officer Giuliani commented the report would be included with the December map update report in the future.

Commissioner Chair Worthley commented on the American Farmland Trust response and the value of information received.

4. Legislative Update

Executive Officer Giuliani highlighted the draft bill AB1527 from Assemblyman Bill Perea and provided the legislative deadline for introduction of bills is February 21st. Executive Officer Giuliani stated a comprehensive view of all the bills that CALAFCO will be tracking would be presented at the next commission meeting.

Commissioner Allen discussed if a summary of the bills would be available instead of the legislative bill as written.

Executive Officer Giuliani stated the item presented is a copy of the draft bill, and a summary of each bill will be provided later as it is developed.

5. Upcoming Projects

Executive Officer Giuliani provided the upcoming projects to be provided at the next commission meeting: A complete legislative update from CALAFCO, TCAG Staff will be providing a Regional Transportation Plan, and Sustainable Communities Strategy update for the commission, and draft policy amendments which will include fee decrease for annexation that are subject to no public hearing will be presented.

**VI. Correspondence**

None

**VIII. Other Business**

1. Commissioner Report

Commissioner Allen asked to defer the commissioner's report to the next commission meeting, and highlighted the RTP Roundtable's formal recommendation of the Blueprint Scenario. Commissioner Allen discussed how the Blueprint scenario came forward in a feasible manner, and highlighted how the cities will have adopted their general plans by next year, which would be consistent with the blueprint scenario.

2. CALAFCO Update

None

3. Request from LAFCO for items to be set for future agendas

None

**VIII. Setting Time and Place of Next Meeting**

The next meeting is on Wednesday March 5, 2014 at 2:00 PM. The meeting will be in the Board of Supervisors Chambers in the County Administration Building.

**XI. Adjournment**

The meeting adjourned at 2:34 P.M.



# **TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION**

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COMMISSIONERS:  
*Steve Worthley, Chair  
Juliet Allen, V. Chair  
Rudy Mendoza  
Allen Ishida  
Cameron Hamilton*

March 5, 2014

ALTERNATES:  
*Mike Ennis  
Dennis Mederos  
Janet Hinesly*

TO: LAFCO Commissioners, Alternates, Counsel

FROM: Cynthia Echavarria, Staff Analyst

EXECUTIVE OFFICER:  
*Ben Giuliani*

SUBJECT: Selection Committee consisting of one County Member and one City Member for Public Member Appointment.

## **BACKGROUND**

Members of the Commission are appointed to four-year terms of office and may be reappointed. Government Code §56325 states the Commission shall include:

(d) One representing the general public appointed by the other members of the commission. The other members of the commission may also designate one alternate member who shall be appointed and serve pursuant to Section 56331. Selection of the public member and alternate public member shall be subject to the affirmative vote of at least one of the members selected by each of the other appointing authorities.

The Tulare County LAFCO Policy A-4 outlines the process for Selection of Members.

### **4.4 Public Member Selection and Appointment Policy** (Resolution 96-06, 4-3-96)

The method for selecting the Public Member and Alternate Public Member should be equitable, efficient and clearly articulated for all concerned.

- A. In accordance with GC §56334, the term of office for the Public Member and Alternate Public Member shall be four years to expire on the first Monday in May or upon the qualification of the Commissioner's successor. The terms of office of the Public Member and Alternate Public Member shall be staggered by two years. The first full term for the Alternate Public Member shall begin on the first Monday in May, 1996.
- B. At least two months prior to the expiration of the term of office, the Executive Officer shall seek application to the position from the community at large. Reasonable effort shall be taken to advertise the opening of the broadest selection of candidates possible. Candidates should be encouraged to submit a resume and statement regarding their qualifications and interest in serving on the Commission.

This does not preclude the incumbent Public or Alternate Public Member from applying for appointment.

- C. At least one month prior to the expiration of the term of office, the Commission shall appoint a selection committee consisting of one County Member and one City Member. The committee will consider any materials submitted by the applicants and may conduct interviews of the candidates. It is anticipated that the candidates will be asked to present their qualifications in an initial statement to be followed by questions from the members of the selection committee. Following this process, the committee will select a candidate to recommend to the commission. The Executive Officer will place the matter of the selection of the Public member or Alternate Public Member on the agenda of a regular meeting of the Commission. The recommendation of the selection committee will be presented to the Commission at the meeting. The Commission will select the successful candidate by a majority vote on a motion to appoint the candidate to the Commission.
  
- D. The application and selection process as outlined above shall begin immediately following a Commission determination that a Public Member or Alternate Public Member position has become vacant before the expiration of the term.

### **DISCUSSION**

In February, staff circulated the announcement indicating the appointment for the public member in accordance with Tulare County LAFCO Policies & Procedure. The announcement was posted at all County of Tulare Public Libraries, the Tulare County LAFCO website, LAFCO office and sent to the County of Tulare and each of the eight cities within the County. According to LAFCO policy A-4(C) the Commission shall appoint a selection committee at least one month prior to the expiration date of the term of Office. The Committee consists of one County Member and one City Member. The recommendation of the selection committee will be presented to the Commission at a regular meeting of the Commission. The Commission will select the successful candidate by a majority vote on a motion to appoint the candidate to the Commission.

### **RECOMMENDATION**

It is recommended that the Commission initiate action to appoint the members of the selection committee consisting of one County Member and one City Member.



**BEFORE THE LOCAL AGENCY FORMATION COMMISSION**  
**OF THE**  
**COUNTY OF TULARE, STATE OF CALIFORNIA**

In the Matter of the Appointment of the     )  
Public Member Selection Committee     )

**RESOLUTION NO. 14-00X**

**WHEREAS**, the term of office of the Public Member representing the general public on the Tulare County Local Agency Formation Commission will become vacant due to the expiration of the term of JULIET ALLEN on May 1, 2014; and

**WHEREAS**, Government Code Section 56325 (d) provides that the Public Member of the Commission shall be appointed by the other members of the commission; and

**WHEREAS**, in accordance with Tulare County LAFCO Policy A-4 at least one month prior to the expiration of the term of office, the Commission shall appoint a selection committee consisting of one County Member and one City Member; and

**WHEREAS**, the committee members will consider any materials submitted by the applicants, may conduct interviews of the candidates; and select a candidate to recommend to the commission.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:**

For the Public Member vacancy due to the expiration of the term of JULIET ALLEN on May 5, 2014, Commissioner XXXXXX (County Member) and Commissioner

XXXXXX (City Member) are hereby appointed to the Selection Committee. The Committee will be charged with selecting a candidate to recommend to the Commission. The recommendation of the selection committee will be presented to the Commission at a regular meeting of the Commission. The Commission will select the successful candidate by a majority vote on a motion to appoint the candidate to the Commission.

The forgoing resolution was adopted upon motion of Commissioner XXXXX, seconded by Commissioner XXXX, at a regular meeting held on this 5<sup>th</sup> day of March, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

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Ben Giuliani, Executive Officer

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ALTERNATES:  
*Mike Ennis  
Dennis Mederos  
Janet Hinesly*

EXECUTIVE OFFICER:  
*Ben Giuliani*

March 5, 2014

TO: LAFCO Commissioners, Alternates, Counsel  
FROM: Ben Giuliani, Executive Officer  
SUBJECT: Proposed Draft Amendment to Policy C-2.9 (Waiver of Public Notice & Hearing) and Policy B-2 (Processing Fees)

## **Background**

Government Code section 56383 allows the Commission to establish a schedule of fees for services rendered. One of the requirements is that the fees shall not exceed the estimated reasonable cost of providing the service. Certain types of changes of organization require far less staff time to analyze and process than a typical change of organization. These types of changes of organization typically align with changes of organization that qualify for a waiver of public hearing and notice.

## **Discussion**

Staff is proposing to reduce fees by 50% for simple changes of organization that qualify for a waiver of public notice and hearing. In addition to the cost savings from waiving the public notice and hearing, these types of non-controversial changes of organization require much less staff time to analyze and process than a typical change of organization.

In addition, we are proposing changes to our policy that lists the type of projects that qualify for a waiver of public notice and hearing. These changes reflect updates to state law with the exception of the specific requirements for cities and urban districts which is a local policy.

Attached is the draft amended policy for waiver of public notice and hearing (marked up version and a clean version). We would add a statement in our processing fees policy as follows: The fee for a change of organization shall be reduced by 50% if it qualifies for a waiver of public notice and hearing pursuant to Policy C-2.9.

This draft policy amendment was distributed to local agency staff on February 20<sup>th</sup>. Pending review by the Commission, this policy would be brought back for action at the April 2<sup>nd</sup> meeting.

### **Attachments:**

Proposed Amended Policy C-2.9 (mark-up)  
Proposed Amended Policy C-2.9 (clean)

## 2.7. Waiver of Public Notice & Hearing

- A. Certain proposals may qualify for waiver of public notice and hearing and **may** will be placed on the Consent Calendar. The requirements are as follows:
- I. The proposal is for an annexation, a detachment or a reorganization consisting solely of annexations and/or detachments and,**
  - II. The territory is uninhabited and,**
  - III. There is 100% signed consent of landowners ~~within the annexation, detachment or reorganization area pursuant to GC §56663(a)~~ **or the petition accompanying the proposal is signed by all of the owners of land within the affected territory** and,
  - ~~IV. The subject city/district gives written consent waiving the requirement of mailed notice and, consents to the Commission to make determinations without notice and hearing pursuant to GC §56663(b) and,~~
  - ~~V. A mailed Notice of Filing has been sent by LAFCO staff to all affected agencies (as defined by GC §56014) and,~~
  - VI. **An** No affected agency has **not** submitted a written demand for **notice and** a public hearing within 10 days of the mailing of the Notice of Filing pursuant to GC **§56668(b)** ~~§56663(b)~~ and,
  - ~~VII. The project must have been found to be exempt from CEQA by the lead agency or a Negative Declaration has been adopted by the lead agency unless the Executive Officer finds that a shift in lead agency is required under Guidelines §15052 and,~~
  - VIII. For cities and urban districts\*, **all of the following must apply to the proposal:** project must not exceed 30 acres or more than 10% of the total acreage of land within the existing city or district, whichever is less, and,
    - a. must not create or further envelope a County island (as defined in Policy C-10)**
    - b. must not contain any land under Williamson Act contract**
    - c. must consist of land that is developed**

*\*For purposes of this policy, 'urban districts' are defined as districts which will provide urban services such as domestic water and/or wastewater collection **and 'developed' is defined by GC §56375.3(b)(4).***
  - ~~IX. For cities and urban districts, the project must not create or further envelope a County island (as defined by Policy C-10.1.C) and,~~
  - ~~X. For cities and urban districts, the project must not contain any land under Williamson Act contract.~~

## 2.7. Waiver of Public Notice & Hearing

- A. Certain proposals may qualify for waiver of public notice and hearing and may be placed on the Consent Calendar. The requirements are as follows:
  - I. The proposal is for an annexation, a detachment or a reorganization consisting solely of annexations and/or detachments and,
  - II. The territory is uninhabited and,
  - III. There is 100% signed consent of landowners or the petition accompanying the proposal is signed by all of the owners of land within the affected territory and,
  - IV. An affected agency has not submitted a written demand for notice and hearing within 10 days of the mailing of the Notice of Filing pursuant to GC §56668(b) and,
  - V. For cities and urban districts\*, all of the following must apply to the proposal:
    - a. must not create or further envelope a County island (as defined in Policy C-10)
    - b. must not contain any land under Williamson Act contract
    - c. must consist of land that is developed\*

*\*For purposes of this policy, 'urban districts' are defined as districts which will provide urban services such as domestic water and/or wastewater collection and 'developed' is defined by GC §56375.3(b)(4).*

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## CALAFCO Daily Legislative Report as of Monday, February 24, 2014

### **AB 678 (Gordon D) Health care districts: community health needs assessment.**

**Introduced:** 2/21/2013

**Last Amended:** 4/15/2013

**Status:** 8/30/2013-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/13/2013)

**Summary:** Would require that the health care district conduct an assessment, every 5 years, of the community's health needs and provide opportunities for public input. Commencing January 1, 2019, the bill would require the annual reports to address the progress made in meeting the community's health needs in the context of the assessment. This bill contains other related provisions and other existing laws.

**Position:** Support

**Subject:** LAFCo Administration, Service Reviews/Spheres

**CALAFCO Comments:** This bill requires Health Care Districts that do not operate their own hospital facilities to create every 5 years, an assessment of the community health needs with public input. The bill requires LAFCOs to include in a Municipal Service Review (MSR) the Health Care District's 5-year assessment.

### **AB 1521 (Fox D) Local government finance: property tax revenue allocations: vehicle license fee adjustments.**

**Introduced:** 1/16/2014

**Status:** 2/6/2014-Referred to Com. on L. GOV.

**Summary:** Beginning with the 2004-05 fiscal year, current law requires that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a vehicle license fee property tax compensation fund that exists in each county treasury. Current law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. This bill would modify these reduction and transfer provisions, for the 2014-15 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation.

**Position:** Support

**Subject:** Financial Viability of Agencies, Tax Allocation

### **AB 1527 (Perea D) Public water systems: drinking water.**

**Current Text:** Introduced: 1/17/2014 [pdf](#) [html](#)

**Introduced:** 1/17/2014

**Status:** 2/6/2014-Referred to Com. on E.S. & T.M.

**Summary:** Would require the State Department of Public Health, in administering programs to fund improvements and expansions of small community water systems, and other water systems, as specified, to promote service delivery alternatives that improve efficiency and affordability of infrastructure and service delivery, as specified. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** Disadvantaged Communities, Municipal Services, Service Reviews/Spheres, Sustainable Community Plans

**CALAFCO Comments:** This bill requires funding for construction project feasibility studies to include studies of service delivery alternatives if at least 1 service agency services a disadvantaged community; also requires the DPH to make a determination to include the viability of these service delivery alternatives and to consider LAFCo studies and determinations from the previous 5 years, to consult with LAFCo Executive Officer and consider other applicable local/regional studies related to the delivery of drinking water.

**AB 1729 (Logue R) Local government: agricultural land.**

**Introduced:** 2/14/2014

**Status:** 2/18/2014-From printer. May be heard in committee March 20.

**Summary:** Current law establishes the California Land Conservation Act of 1965, otherwise known as the Williamson Act, for purposes of preserving agricultural land within the state. Current law authorizes a city or a county, for this purpose, to contract with a landowner to limit the use of agricultural land located in an agricultural preserve designated by the city or county. This bill would make technical, nonsubstantive changes to the authorization provisions.

**Position:** Watch

**Subject:** Ag Preservation - Williamson

**AB 1961 (Eggman D) Land use: planning: Sustainable Farmland Strategy.**

**Introduced:** 2/19/2014

**Status:** 2/20/2014-From printer. May be heard in committee March 22.

**Summary:** Would require each county with significant agricultural land resources, as defined, to develop, on or before January 2, 2018, a sustainable farmland strategy. The bill would require the Sustainable Farmland Strategy to include, among other things, a map and inventory of all agriculturally zoned land within the county, a description of the goals, strategies, and related policies and ordinances, to retain agriculturally zoned land where practical and mitigate the loss of agriculturally zoned land to nonagricultural uses or zones, and a page on the county's Internet Web site with the relevant documentation for the goals, strategies, and related policies and ordinances, as specified.

**Position:** Watch

**Subject:** Ag/Open Space Protection, LAFCo Administration

**AB 2156 (Achadjian R) Local agency formation commissions: studies.**

**Introduced:** 2/20/2014

**Status:** 2/21/2014-From printer. May be heard in committee March 23.

**Summary:** Would include joint powers agencies and joint powers authorities among the entities from which the commission is authorized to request land use information, studies, and plans, for purposes of conducting the studies described above. The bill would specifically define "joint powers agency" and "joint powers authority" for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

**Position:** Watch

**Subject:** CKH General Procedures, LAFCo Administration, Municipal Services, Service Reviews/Spheres

**SB 56 (Roth D) Local government finance: property tax revenue allocation: vehicle license fee adjustments.**

**Introduced:** 1/7/2013

**Last Amended:** 6/11/2013

**Status:** 2/3/2014-Returned to Secretary of Senate pursuant to Joint Rule 56.

**Summary:** Beginning with the 2004-05 fiscal year and for each fiscal year thereafter, existing law requires that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a Vehicle License Fee Property Tax Compensation Fund that exists in each county treasury. Current law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. This bill would modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. This bill contains other related provisions and other existing laws.

**Position:** Support

**Subject:** Financial Viability of Agencies, Tax Allocation

**CALAFCO Comments:** This bill reinstates revenues through ERAF (backfilled by the state general Fund) for cities incorporating after 2005 and annexations of inhabited territories.



**SB 69 (Roth D) Local government finance: property tax revenue allocation: vehicle license fee adjustments.**

**Introduced:** 1/10/2013

**Last Amended:** 9/12/2013

**Status:** 9/13/2013-Failed Deadline pursuant to Rule 61(a)(14). (Last location was RLS. on 9/12/2013)

**Summary:** Would modify specified reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. This bill would also modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount for certain cities incorporating after a specified date, as provided. This bill contains other related provisions and other existing laws.

**Position:** Support

**Subject:** Tax Allocation

**SB 1001 (Knight R) Local government.**

**Introduced:** 2/13/2014

**Status:** 2/14/2014-From printer. May be acted upon on or after March 16.

**Summary:** Current law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, makes certain findings and declarations relating to local government organizations, including, among other things, the encouragement of orderly growth and development, and logical formation and modification of the boundaries of local agencies, as specified. This bill would make nonsubstantive changes to these findings and declarations.

**Position:** Watch

**Subject:** CKH General Procedures

**AB 543 (Campos D) California Environmental Quality Act: translation.**

**Introduced:** 2/20/2013

**Last Amended:** 5/24/2013

**Status:** 7/12/2013-Failed Deadline pursuant to Rule 61(a)(10)(SEN). (Last location was E.Q. on 6/13/2013)

**Summary:** Would require a lead agency to translate, as specified, certain notices required by the California Environmental Quality Act and a summary of any negative declaration, mitigated negative declaration, or environmental impact report when a group of non-English-speaking people, as defined, comprises at least 25% of the population within the lead agency's jurisdiction and the project is proposed to be located at or near an area where the group of non-English-speaking people comprises at least 25% of the residents of that area. By requiring a lead agency to translate these notices and documents, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** CEQA

**CALAFCO Comments:** As amended, requires a lead agency to translate certain notices, summary of a negative declaration, mitigated negative declaration, or environmental impact report when the impacted community has 25% or more non-English speaking people affected by the project. The requirement is to translate these notices and summaries in the native language of those impacted. This is an unfunded mandate. While LAFCo is not typically the lead agency, there may be an occasion when they are, and this could have significant resource implications.

**AB 642 (Rendon D) Publication: newspaper of general circulation: Internet Web site.**

**Introduced:** 2/20/2013

**Status:** 1/24/2014-Failed Deadline pursuant to Rule 61(b)(2). (Last location was JUD. on 3/11/2013)

**Summary:** Current law requires that various types of notices are provided in a newspaper of general circulation. Current law requires a newspaper of general circulation to meet certain criteria, including, among others, that it be published and have a substantial distribution to paid subscribers in the city, district, or judicial district in which it is seeking adjudication. This bill would provide that a newspaper that is available on an Internet Web site may also qualify as a newspaper of general circulation, provided that newspaper meets certain criteria.

**Position:** Watch

**Subject:** LAFCo Administration

**CALAFCO Comments:** Allows for posting of agendas and meeting material on newspaper websites.

**AB 677 (Fox D) Local government finance: property tax revenue allocation: vehicle license fee adjustments.**

**Introduced:** 2/21/2013

**Last Amended:** 1/6/2014

**Status:** 1/17/2014-Failed Deadline pursuant to Rule 61(b)(1). (Last location was L. GOV. on 1/7/2014)

**Summary:** Would modify specified reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. This bill would also modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount for certain cities incorporating after a specified date, as provided. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** Financial Viability of Agencies, Tax Allocation

**AB 2455 (Williams D) The Santa Rita Hills Community Services District.**

**Introduced:** 2/21/2014

**Status:** 2/21/2014-Introduced. To print.

**Summary:** Would provide that, until January 1, 2035, in addition to persons who are voters in the district, a person who is otherwise qualified to vote and who also owns property in the district may be a candidate for the board of directors of the Santa Rita Hills Community Services District. This bill contains other related provisions.

**Position:** Watch

**Subject:** Special District Principle Acts

**SB 633 (Pavley D) CEQA.**

**Introduced:** 2/22/2013

**Last Amended:** 8/6/2013

**Status:** 8/30/2013-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 8/6/2013)

**Summary:** Would, for purposes of the new information exception to the prohibition on requiring a subsequent or supplemental EIR, specify that the exception applies if new information that becomes available was not known and could not have been known by the lead agency or any responsible agency at the time the EIR was certified as complete. The bill would authorize the office, by July 1, 2015, to draft and transmit to the secretary revisions to the guidelines to include as a categorical exemption projects involving minor temporary uses of land and public gatherings that have been determined not to have a significant effect on the environment. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** CEQA

**SB 731 (Steinberg D) Environment: California Environmental Quality Act.**

**Current Text:** Amended: 9/9/2013 [pdf](#) [html](#)

**Introduced:** 2/22/2013

**Last Amended:** 9/9/2013

**Status:** 9/13/2013-Failed Deadline pursuant to Rule 61(a)(14). (Last location was L. GOV. on 9/11/2013)

**Summary:** Would provide that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project, as defined, on an infill site, as defined, within a transit priority area, as defined, shall not be considered significant impacts on the environment. The bill would require the Office of Planning and Research to prepare and submit to the Secretary of the Natural Resources Agency, and the secretary to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise and transportation impacts of projects within transit priority areas. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** CEQA

**SB 772 (Roth D) Drinking water: County Water Company of Riverside water system: liability.**

**Introduced:** 2/22/2013

**Last Amended:** 1/6/2014

**Status:** 2/3/2014-Returned to Secretary of Senate pursuant to Joint Rule 56.

**Summary:** Would exempt the Elsinore Valley Municipal Water District and the Eastern Municipal Water District from liability for claims by past or existing County Water Company of Riverside customers or those consuming water provided through the County Water Company of Riverside water system concerning the operation and supply of water from the County Water Company of Riverside water system during the interim operation period, as specified, for any good faith, reasonable effort using ordinary care to assume possession of, and to operate and supply water to , the County Water Company of Riverside water system. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** Water

**CALAFCO Comments:** As amended, this bill would exempt the Elsinore Valley Municipal Water District and the Eastern Municipal Water District from liability for injuries or damages arising out of the delivery of water to County Water Company of Riverside customers, as specified. As amended this bill no longer references Local Agency Formation Commissions (LAFCo) to take on the responsibility of monitoring private water companies. As a result of removing any and all references to LAFCo, CALAFCO has removed its opposition to the bill and now has a Watch position.

**Total Measures:** 17

**Total Tracking Forms:** 17