

June 4, 2015 (Agenda)

Local Agency Formation Commission

105 East Anapamu Street, Room 403

Santa Barbara CA 93101

**Establishment of a Standing Committee on Legislation and Role of Executive Officer
regarding Advocacy on Legislation**

Dear Members of the Commission:

RECOMMENDATION

It is recommended that the Commission provide direction to staff.

DISCUSSION

Background on Standing Committee on Legislation:

At the May 7, 2015 meeting the Commission requested an update on the formation of a Committee on Legislation. By way of background, at the February 7, 2013 meeting the Commission considered the appointment of an Ad Hoc Legislative Platform Committee, with members to be appointed by the Chair. The Ad Hoc Committee would be tasked with preparing a “legislative platform” or “legislative policies” for consideration by the entire Commission. The platform would be used to evaluate proposed legislation in the future.

After due consideration, the Commission created the Ad Hoc Legislative Platform Committee and appointed three Commission members. However, a supplemental motion was made to change the status of the committee from Ad Hoc to a Standing Committee with yearly review of its membership. The matter would be brought back at a future meeting.

At the April 4, 2013 meeting, the Commission considered the establishment of a Standing Committee on Legislation. A resolution was presented to create the committee that provided that Committee members would receive a \$150 stipend to attend committee meetings. This amount would be included in the proposed budget. After due consideration, establishment of the Standing Committee on Legislation was continued to an undetermined date.

Need for Standing Committee on Legislation:

Your Executive Officer has served on the CALAFCO Legislative Committee for the past two years. Service on the CALAFCO Legislative Committee was determined to be a priority for the Executive Officer.

At various times during the year, the CALAFCO Executive Director Pamela Miller calls for “legislative action” from LAFCO Executive Officers who serve on the CALAFCO Legislative Committee. On April 2, 2015, Ms. Miller requested letters from LAFCO’s either in support or in opposition to various bills that are pending in the State Legislature. Staff presented these bills, AB 1532, AB 851, and SB 239 to the Commission for legislative advocacy positions at the May 7, 2015 meeting. This was considerable after CALAFCO’s request for feedback on the bills. A Standing Committee and a Legislative Platform or Legislative Policies, could have been effective on responding to this type of request from CALAFCO, subject to ratification by the Commission.

Quick Action Procedure:

An additional item for the Commission’s consideration is the need for a “quick action procedure.” From time-to-time, as outlined above, the Commission or staff may be asked for a position on a “quick-response basis” with insufficient time for a Standing Committee or the Commission to review and consider the matter. Under those circumstances, the Commission Chair and the Executive Officer could have the authority to prepare and submit a statement of the Commission’s position, provided that it is consistent with the Legislative Platform and Policies and the position taken by CALAFCO. The position would be presented to the Standing Committee at the next meeting and the Commission at the next meeting. The Chair could also convene a special meeting of the Commission to consider this matter.

Role of Executive Officer regarding Advocacy on Legislation:

The current role of the Executive Officer regarding advocacy on pending legislation is unclear. An example of this is the Commission’s position on Assembly Bill 3 (Williams) that would establish a community services district in Isla Vista. The bill, as it is currently drafted, would bypass the LAFCO formation process. In addition, the bill would establish a hybrid board of directors, authorize new powers, and financing. None of these are allowed in the current Community Services District Law.

The Commission, at the April 2 (6-1) and May 7, 2015 (5-2) meetings approved an “Oppose, Unless Amended” position on the bill. CALAFCO also has an “Oppose, Unless Amended” position on the bill.

The question is: Based on the Commission’s “Oppose, Unless Amended” position on AB 3, should the Executive Officer advocate the Commission’s position?

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This question would also apply to the Commission's support positions on Assembly Bills 1532, 851, and oppose position on SB 239.

Please contact the LAFCO office should you have any questions.

Sincerely,



PAUL HOOD
Executive Officer