

# LAFCO

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## **Santa Barbara Local Agency Formation Commission**

105 East Anapamu Street ♦ Santa Barbara CA 93101

805/568-3391 ♦ FAX 805/647-7647

www.sblafco.org ♦ lafco@sblafco.org

May 5, 2005 (Agenda)

Local Agency Formation Commission

105 East Anapamu Street

Santa Barbara CA 93101

### **Legislative Report**

Dear Members of the Commission:

#### RECOMMENDATION

It is recommended the Commission adopt the legislative positions set forth in this letter and direct they be communicated to the County's legislative delegates.

#### DISCUSSION

#### **Assembly Bill 1746 – Support**

This is the annual CALAFCO-sponsored “clean up” bill for the Cortese-Knox-Hertzberg Act. As presently drafted (Second Round) it would make the following changes:

- Amend G.C. §56425 to extend to January 1, 2009 the deadline to complete sphere of influence updates (and hence MSR's). While I think the Santa Barbara LAFCO will complete its MSR's and sphere updates by the end of the year, many LAFCO's will not and there is great interest in extending the deadline. One reason being cited by some LAFCO's is the fact the OPR Guidelines for MSR's were not issued until two years into the original five-year period.
- Allow a city clerk, if appointed by a majority of the City Selection Committee, to serve as the clerk to the committee. This would be in place of the County Clerk who is now statutorily obligated to serve as clerk to this committee. It would allow the county or city clerk to be compensated for the time spent clerking the selection committee meetings.
- Remove the obligation for counties to include public and alternate public members of LAFCO in its Local Appointments List, and require LAFCO's to post vacancies for these positions.

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**Commissioners:** Tim Campbell, Chair ♦ Joe Centeno ♦ Dick DeWees ♦ John Fox ♦ Bob Orach ♦ Susan Rose ♦ Bernice Stableford

♦ Jack Hawxhurst ♦ Brooks Firestone ♦ Penny Leich ♦ Cathy Schlottmann ♦ **Executive Officer:** Bob Braitman

- Eliminate the need for a “protest hearing “ to be held following LAFCO’s approval of the following types of boundary changes since these are subject to an automatic confirmation election: Dissolutions, disincorporations, incorporations, establishment of subsidiary districts, mergers and consolidations. Why have the cost and delay of a protest hearing when the matter is going to go to an election anyway?

The staff recommends support for these proposed changes.

### **Senate Bill 135 – Support**

This bill, introduced by Christine Kehoe, Chair of the Senate Local Government Committee, revises and simplifies the Community Services District Law, the statute that provides policies, powers and procedures for this type of local governmental agency.

There are more than 300 CSDs in California. Six are in Santa Barbara County: Casmalia, Cuyama, Los Alamos, Mission Hills, Santa Ynez and Vandenberg Village CSDs.

SB 135 is an overall revision of the statute, the first since it was adopted in 1955. In the intervening 50 years, many bills made piecemeal changes resulting in a overly lengthy, out-of-date statute. It is important that statutes be current and easily understandable.

A Working Group was appointed to oversee the rewrite of the CSD Law with representatives of interested groups including the California Special Districts Association, California State Association of Counties, League of California Cities, CALAFCO, Association of California Water Agencies, California Taxpayers Association and Howard Jarvis Taxpayers Association. The group met five times in Sacramento to review and discuss every section of the law.

Without making major policy changes, SB 135 reduces the CSD Law from about 300 pages to 100 pages and includes a number of corrected references to other applicable statutes.

The staff recommends support for these proposed changes.

Sincerely,

BOB BRAITMAN  
Executive Officer