

LAFCO MEMORANDUM

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION

105 East Anapamu Street • Santa Barbara CA 93101 • (805) 568-3391 + Fax (805) 568-2249

December 8, 2022 (Agenda)

TO: Each Member of the Commission

FROM: Mike Prater
Executive Officer

SUBJECT: **Report on the 2022 CALAFCO Legislative Committee Meetings – October 17,
& November 4, 2022**

This is an Informational Report. No Action is Necessary

DISCUSSION

The CALAFCO Legislative Committee convened two meetings on October 17 and November 4, 2022. Your Executive Officer participated by ZOOM. A copy of the Meeting Agendas are attached as **Attachment A**.

Several listed bills are progressing through the early part of legislative process. Staff will verbally update the Commission on the status of these bills at the meeting.

Attachments

Attachment A – CALAFCO Legislative Committee Agenda- October 17, 2022, & November 4, 2022

Please contact the LAFCO office if you have any questions.

LEGISLATIVE COMMITTEE MEETING AGENDA

Friday, October 7, 2022 | 10:00 A.M. to 11:00 A.M.

Virtual Meeting

<https://us02web.zoom.us/j/88952987420?pwd=VzdGZWJSRW9ETDBWbG9jQzBORUY0dz09>

Meeting ID: **889 5298 7420**

Pass Code: **016001**

Phone: **669-900-6833**

	<u>Page</u>
1. Call to Order and Roll Call	<i>R. LaRoche</i>
2. Approval of the June 17, 2022 Meeting Minutes	<i>R. LaRoche</i> 3
3. Approval of the July 29, 2022 Meeting Minutes	<i>R. LaRoche</i> 5
4. Adopt the 2022-2023 Legislative Committee Meeting Calendar	<i>R. LaRoche</i> 7
5. Receive and File the Final Reports for the 2021-2022 Legislative Year	<i>R. LaRoche</i> 9
6. Review of Legislative Committee Guidelines	<i>R. LaRoche</i> 31
7. Review of Omnibus bill Process	
8. Items for next meeting	
a. Review of Legislative Policies for Potential Recommended Changes to the Board	
b. Review, Update, and Adopt Legislative Committee Guidelines	
c. Review of Legislative Proposals	
9. Good of the Order	
10. Adjournment to November 4, 2022 virtual meeting at 10:00 a.m.	

This Page Intentionally Left Blank

CALAFCO Legislative Committee
DRAFT ACTION MEETING MINUTES

Date: June 17, 2022
Location: Virtual
Participants: Clark Alsop, Scott Browne (arrived at 10:17 AM), **Bill Connelly**, Carolyn Emery, **Gay Jones**, **Chris Lopez**, René LaRoche, Steve Lucas, Kai Luoma, **Mike McGill**, **Jo MacKenzie**, **Margie Mohler**, **Anita Paque**, Jennifer Stephenson, and Gary Thompson
Alternates: Rob Fitzroy
Others present: Advisory Committee Members: Priscilla Mumpower, Tara Bravo (arrived at 10:44 AM), Crystal Craig, Brandon Fender, Sara Lytle-Pinhey, Erica Sanchez, Jim Simon (RSG), and Luis Tapia
Guests: Jonathan Brinkmann (Monterey), and Mike Prater (Santa Barbara)
Recorder: René LaRoche

1. **Welcome, Roll Call**

10:05 AM: The meeting was called to order by René LaRoche. Roll call was taken and a quorum was established.

2. **Approval of minutes of the April 29, 2022 meeting**

ACTION: *Approved as presented. Mike McGill (M); Jo MacKenzie (S). Approved unanimously.*

3. **Legislative Updates:**

- a. **AB 2957 Omnibus (ALGC)**
- b. **SB 938 (Hertzberg) Protest Provisions**

René LaRoche advised of the current status of both bills.

4. **Discussion and potential action on legislation affecting LAFcos**

Priority One Bills: None

Priority Two Bills:

- a. [AB 1944](#) (Lee) Public Meetings – Brown Act

The committee took no action on this bill, thus, maintaining the Watch position.

- b. [AB 2449](#) (Rubio) – Public Meetings – Brown Act

The committee took no action on this bill, thus, maintaining the Watch position.

- c. [AB 2647](#) (Levine) – Public Meetings – Brown Act

The committee took no action on this bill, thus, maintaining the Watch position.

- d. [SB 1100](#) (Cortese) – Public Meetings – Brown Act

ACTION: *Change CALAFCO's position from a Watch to Support. Bill Connelly (M); Clark Alsop (S). Approved unanimously.*

Priority Three Bills:

- e. [SB 1449](#) (Caballero) – OPR Grant/annexations incentive

ACTION: *Change CALAFCO's position from a Watch to Support. Gary Thompson (M); Margie Mohler (S). Approved unanimously.*

5. **Update of other CALAFCO tracked bills**

René LaRoche provided an update on the bills being tracked.

6. **Old Business:**

- a. Continued Discussion and Possible Direction Regarding §56133 Proposal from San Diego

René LaRoche and Priscilla Allen gave the staff report. The committee discussed the matter and concurred with a recommendation to the Board of proceed.

ACTION: *Recommend the Board commit the resources to pursue updates to Government Code Section 56133. Anita Paque (M); Jo MacKenzie (S). Approved unanimously.*

7. **Items for Next Meeting**

There were no additions to AB 1944, AB 2449, AB 2647, which will be held over from this meeting.

8. **Good of the Order**

None.

9. **Adjournment to July 29, 2022 meeting at 10:00 a.m.**

11:16 AM: René LaRoche adjourned the meeting, noting the next meeting date and time.

DRAFT

CALAFCO Legislative Committee
DRAFT ACTION MEETING MINUTES

Date: July 29, 2022
Location: Virtual
Present: Clark Alsop, Mark Bramfitt, Paula de Sousa, Carolyn Emery, Paula Graf, **Gay Jones**, René LaRoche, Kai Luoma, **Jo MacKenzie**, **Margie Mohler**, and Gary Thompson
Others present: Advisory Committee Members: Crystal Craig, Brandon Fender, Erica Sanchez, and Luis Tapia
Guests: Jonathan Brinkmann (Monterey), and Mike Prater (Santa Barbara)
Recorder: René LaRoche

1. **Welcome, Roll Call**

10:07 AM: The meeting was called to order by René LaRoche. Roll call was taken, however, a quorum could not be established. The group reviewed the agenda items, but no action was taken.

The Chair advised of the cancellation of the September 16, 2022 meeting.

10:37 AM: The group was disbanded.

This page intentionally left blank.

LEGISLATIVE COMMITTEE MEETING STAFF REPORT

October 7, 2022

Agenda Item No. 4 Legislative Committee 2022-23 Meeting Calendar

Prepared By: René LaRoche, Chair

Date: October 7, 2022

RECOMMENDATION

1. Approve the 2022-23 Legislative Committee meeting calendar.

DISCUSSION

The Legislative Committee annually adopts its meeting schedule at the first meeting of the legislative cycle. With the 2021-22 legislative cycle complete, it is now appropriate for the committee to establish its calendar for the next legislative cycle.

Staff is recommending the following calendar, which mimics the timing of past schedules. Dates noted with an asterisk occur within the two-week period following a Board of Directors meeting. Conference and Workshop dates are also noted for planning purposes.

2022

Friday, November 4, 2022* (Already scheduled but needs to be virtual to ensure a quorum.)

2023

Friday, January 13, 2023 - virtual

Friday, February 24, 2023 - Sacramento

Friday, March 31, 2023 - virtual

April 26-29th: Staff Workshop

Friday, May 5, 2023* - virtual

Friday, June 16, 2023 - San Diego

Friday, July 28, 2023*- virtual (as needed)

Friday, August 25, 2023 - virtual (as needed)

Oct. 18-20th: Annual Conference

Friday, November 3, 2023* - virtual

Friday, December 8, 2023 - Sacramento - virtual

Meetings are typically scheduled from 10:00 a.m. to 2:30 p.m. and a lunch break will be scheduled for all virtual meetings. Participants can join with video or by phoning in.

This page intentionally left blank.

LEGISLATIVE COMMITTEE MEETING STAFF REPORT

October 7, 2022

Agenda Item No. 5 Receive and File the Final Reports for the 2021-2022 Legislative Session

Prepared By: René LaRoche, Chair

Date: October 7, 2022

RECOMMENDATION

1. Receive and File the Final Reports for the 2021-2022 Legislative Session.

DISCUSSION

With the 2021-2022 Legislative Session officially at a close, certain reports and statistics are now available for review, which may prove helpful in informing future committee decisions.

Attached for the committee's information are the following:

- a) The List of CALAFCO tracked bills.
- b) Total Bill Count
- c) Failed Bills Comparison Graph

CALAFCO tracked a total of 29 bills (Attachment 5.a), Of the tracked bills, CALAFCO supported 8 bills in addition to our own Omnibus and SB 938 bills, opposed 2 bills, took a Watch position on 16, and ended with no position on 1 bill due to a gut and amend.

Of the CALAFCO supported bills, AB 897 (Mullin – Regional Climate Networks), AB 1640 (Ward – Regional Climate Networks), and AB 1773 (Patterson – Williamson Act Subvention Payments) died; while SB 1449 (Caballero – Annexation Grants) was vetoed by the Governor.

Of the 2 CALAFCO opposed bills, AB 2081 (Garcia – Extend sunset dates on water to tribal lands provisions) passed and was signed into law, while SB 739 (Cortese – Ministerial approvals of annexations of golf courses for high rise housing development) died.

Lastly, the only other bill of note was AB 1195, which was originally a Watch but was transitioned to no position when it was gutted and amended on May 18, 2022 to focus on State Human Resources.

Full particulars of all bills can be found in the attached tracking list.

The committee is being asked to receive and file the attached reports.

Attachments:

- 5.a List of CALAFCO Tracked Bills
- 5.b Total Bill Count
- 5.c Failed Bills Comparison Graph

**CALAFCO List of Current Bills
9/30/2022**

[AB 1195](#) (Garcia, Cristina D) Limited Eligibility and Appointment Program: lists.

Current Text: Chaptered: 9/30/2022 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amend: 8/17/2022

Status: 9/30/2022-Signed by the Governor

Location: 9/30/2022-A. CHAPTERED

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

Summary: Current law creates the Limited Examination and Appointment Program (LEAP), which the Department of Human Resources administers, to provide an alternative to the traditional civil service examination and appointment process to facilitate the hiring of persons with disabilities. Current law requires the Department of Human Resources, when an appointing power seeks to fill a vacant position by using an employment list, to provide the appointing power with a certified list of the names and addresses of all eligible candidates, as specified. Current law requires the department to provide a single certified list of eligible candidates if more than one employment list or LEAP referral list exists, and the department is required to combine the names and addresses of all eligible candidates. This bill, as an alternative to receiving a combined list of eligible candidates, would require the department, upon request of an appointing power, to provide a list of eligibles that includes only the names and addresses of candidates, if any, on a LEAP referral list and the names and addresses of candidates, if any, on any applicable reemployment or State Restriction of Appointment list. The bill would authorize the appointing power to notify individuals listed of the opportunity to apply for a vacant position, to screen applications for candidates' eligibility, and to hire from among those eligible applicants whose names appear on the list. The bill would authorize the board to adopt or amend regulations, if necessary, to ensure these procedures are implemented in a manner consistent with merit principles and the California Constitution.

Position

Subject

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.

As amended on 5-24-21, the bill changes the water rights provision now requiring approval by the water Board; uses the definitions of "at risk system" and "at risk domestic well" found in SB 403 (Gonzalez) as well as the 3,300 connect cap; requires the commissioner appointed by the board to be from the local area; requires the commissioner to do certain things prior to completing the regional plan; and requires the commissioner to apply to LA LAFCo for extension of service, consolidation or dissolution as appropriate. The bill also creates a pilot program for LA LAFCo giving them the authority to take action rather than the water board, providing it is within 120 days of receipt of a completed application. If the LAFCo fails to take action within that time, the matter goes to the water board for their action.

The pilot program also gives LA LAFCo the authority to approve, approve with conditions or deny the application; further giving LAFCo authority to consider consolidation or extension of service with a local publicly owned utility that provides retail water, a private water company or mutual; the bill also waives protest proceedings, gives the LAFCo authority to address governance structure and CEQA is waived, provides full LAFCo indemnification and funding.

There are still issues with the proposed technical advisory board section of the bill, and questions about timing of some of the processes. CALAFCO continues to work with the author and speakers' offices as well as other stakeholders on ongoing amendments.

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.

THIS IS NOW A 2-YEAR BILL.

UPDATE AS OF 2/10/22 - According to the author's office, the author is not intending to move the bill forward at this time. CALAFCO will continue to WATCH and monitor the bill. As a result, the bill was downgraded from a P-1 to a P-3.

GUTTED AND AMENDED on 5/18/2022 to remove previous verbiage regarding water. The bill now addresses the State Department of Human Resources and the Limited Eligibility and Appointment Program (LEAP), which the Department of Human Resources administers, to provide an alternative to the traditional civil service examination and appointment process to facilitate the hiring of persons with disabilities. Downgraded to Watch, from Watch with Concerns. Changed priority to "None."

1

AB 2957 (Committee on Local Government) Local government: reorganization.

Current Text: Chaptered: 6/21/2022 [html](#) [pdf](#)

Introduced: 3/2/2022

Last Amend: 4/18/2022

Status: 6/21/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 37, Statutes of 2022.

Location: 6/21/2022-A. CHAPTERED

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, 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 an applicant seeking a change of organization or reorganization to submit a plan for providing services within the affected territory. Current law requires a petitioner or legislative body desiring to initiate proceedings to submit an application to the executive officer of the local agency formation commission, and requires the local agency formation commission, with regard to an application that includes an incorporation, to immediately notify all affected local agencies and any applicable state agency, as specified. This bill would define the term "successor agency," for these purposes to mean the local agency a commission designates to wind up the affairs of a dissolved district.

Position
Sponsor

Subject
CKH General
Procedures

CALAFCO Comments: This is the annual Omnibus bill sponsored by CALAFCO. As introduced it makes 3 minor, technical non-substantive changes in CKH: (1) Replaces "to be completed and in existence" with "take effect" under GCS 56102; (2) Adds GCS 56078.5: "Successor Agency" means the local agency the Commission designates to wind up the affairs of a dissolved district; and (3) Replaces "proposals" with "applications" within GCS 56653(a), 56654(a), (b), and (c), and 56658(b)(1) and (b) (2).

CALAFCO support letter and LAFCo support letter template are in the attachments section.

April 18, 2022 bill amended with additional changes requested by CALAFCO. Amendments include grammatical changes, the correction of a PUC citation in GC Sec 56133(e)(5) from 9604 to 224.3, the extension of the sunset date within R&T Section 99(b)(8)(B) to January 1, 2028, and it renumbers remaining provisions as needed due to the above changes.

SB 739 (Cortese D) Private golf courses: conversion to housing.

Current Text: Amended: 6/13/2022 [html](#) [pdf](#)

Introduced: 2/19/2021

Last Amend: 6/13/2022

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was NAT. RES. on 6/20/2022)

Location: 8/31/2022-A. DEAD

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

Summary: Would authorize a development proponent to submit an application to convert land that was previously used as a golf course to market-rate and affordable housing and would provide that the application is subject to a streamlined, ministerial approval process, and not subject to a conditional use permit, if the development satisfies specified objective planning standards. In this regard, the bill would require a development subject to the provisions to be located on a site that was used as a golf course, but has been closed for at least 5 years before the effective date of these provisions and would require that the development include at least 600 housing units. The bill would require the development to dedicate at least 30% of the new housing units to lower income households and persons and families of moderate income, as specified. By requiring local governments to approve development applications submitted under these provisions, the bill would impose a state-mandated local program.

Position

Oppose unless amended

Subject

Ag/Open Space Protection, Annexation Proceedings, Growth Management, Housing, LAFCo Administration, Municipal Services, Planning, Sustainable Community Plans

CALAFCO Comments: SB 739 was gutted and amended on June 13th and now seeks to add provisions to the Government Code to allow for a rapid, and ministerial, conversion of golf courses that have been closed for at least 5 years to housing developments of at least 600 units. As proposed, the bill is to be in effect until January 1, 2030, authorizes a development proponent to submit an application and receive streamlined, ministerial approvals of both county CUPs and the LAFCo process to speed development. Additionally, while not expressly called out in the bill, it contains provisions that address contracting requirements which discuss high rise developments; the implication being that high rise developments of at least 600 housing units would have to be ministerially approved on all levels. CALAFCO is currently in discussions with the author's office.

The Fact Sheet can be found in the attachments section.

SB 938

(Hertzberg D) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: protest proceedings: procedural consolidation.

Current Text: Chaptered: 7/1/2022 [html](#) [pdf](#)

Introduced: 2/8/2022

Last Amend: 6/9/2022

Status: 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 89, Statutes of 2022.

Location: 7/1/2022-S. CHAPTERED

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, provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. Under existing law, in each county there is a local agency formation commission (commission) that oversees these changes of organization and reorganization. Current law authorizes a commission to dissolve an inactive district if specified conditions are satisfied. This bill would also authorize a commission to initiate a proposal for the dissolution of a district, as described, if the commission approves, adopts, or accepts a specified study that includes a finding, based on a preponderance of the evidence, that, among other things, the district has one or more documented chronic service provision deficiencies, the district spent public funds in an unlawful or reckless manner, or the district has shown willful neglect by failing to consistently adhere to the California Public Records Act. The bill would require the commission to adopt a resolution of intent to initiate a dissolution based on these provisions and to provide a remediation period of at least 12 months, during which the district may take steps to remedy the stated deficiencies.

Position

Sponsor

Subject

CKH General Procedures,

CALAFCO Comments: CALAFCO is the sponsor of this bill. SB 839 represents a collaborative three-year effort (by an 18-member working group) to clean up, consolidate, and clarify existing statutory provisions associated with consolidations and dissolutions, as well as codify the conditions under which a LAFCo may initiate dissolution of a district at the 25 percent protest threshold. In response to a recommendation made in the 2017 Little Hoover Commission report (Special Districts: Improving Oversight and Transparency), CALAFCO initiated a working group of stakeholders in early 2019 to discuss the protest process for dissolutions of special districts.

The bill's current format (dated 2/8/22) represents the restructuring of existing protest provisions scattered throughout CKH. There have been some minor technical language added for clarifications. These changes are all minor in nature (by legislative standards).

The bill will be amended to reflect the newly designed process that codifies the ability for LAFCo to initiate a district dissolution at 25% protest threshold. The conditions under which this can occur include one or more of the following, any/all of which must be documented via determinations in a Municipal Service Review (MSR):

1. The agency has one or more documented chronic service provision deficiencies that substantially deviate from industry or trade association standards or other government regulations and its board or management is not actively engaged in efforts to remediate the documented service deficiencies;
2. The agency spent public funds in an unlawful or reckless manner inconsistent with the principal act or other statute governing the agency and has not taken any action to prevent similar future spending;
3. The agency has consistently shown willful neglect by failing to consistently adhere to the California Public Records Act and other public disclosure laws the agency is subject to;
4. The agency has failed to meet the minimum number of times required in its governing act in the prior calendar year and has taken no action to remediate the failures to meet to ensure future meetings are conducted on a timely basis;
5. The agency has consistently failed to perform timely audits in the prior three years, or failed to meet minimum financial requirements under Government Code section 26909 over the prior five years as an alternative to performing an audit, or the agency's recent annual audits show chronic issues with the agency's fiscal controls and the agency has taken no action to remediate the issues.

The proposed process is:

1. LAFCo to present the MSR in a 21-day noticed public hearing. At that time the LAFCo may choose to adopt a resolution of intent to dissolve the district. The resolution shall contain a minimum 12-month remediation period.
2. The district will have a minimum of 12 months to remediate the deficiencies.
3. Half-way through the remediation period, the district shall provide LAFCo a written report on the progress of their remediation efforts. The report is to be placed on a LAFCo meeting agenda and presented at that LAFCo meeting.
4. At the conclusion of the remediation period, LAFCo conducts another 21-day noticed public hearing to determine if district has remedied deficiencies. If the district has resolved issues, commission rescinds the resolution of intent to dissolve the district and the matter is dropped. If not, commission adopts a resolution making determinations to dissolve the district.
5. Standard 30-day reconsideration period.
6. Protest proceedings at 25% threshold can be noticed with a required 60-day protest period.
7. Protest hearing is held and amount of qualified protests determined based on 25% threshold. LAFCo either orders dissolution, election, or termination.

As this bill - when amended - adds requirements for LAFCos and districts, it will likely be keyed fiscal (for now it is not). An author fact sheet and CALAFCO fact sheet are posted in our attachments section as well as the CALAFCO Support letter and LAFCo support letter template.

SB 1490 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 7/1/2022 [html](#) [pdf](#)

Introduced: 2/28/2022

Status: 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 94, Statutes of 2022.

Location: 7/1/2022-S. CHAPTERED

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

Summary: Would enact the First Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Position
Support

Subject
LAFCo
Administration

CALAFCO Comments: This is the first of three annual validating acts. The CALAFCO Support letter is posted in our attachments.

[SB 1491](#)

(Committee on Governance and Finance) Validations.

Current Text: Chaptered: 7/1/2022 [html](#) [pdf](#)

Introduced: 2/28/2022

Status: 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 95, Statutes of 2022.

Location: 7/1/2022-S. CHAPTERED

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

Summary: Would enact the Second Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Position
Support

Subject
LAFCo
Administration

CALAFCO Comments: This is the second of three annual validating acts. The CALAFCO Support letter is posted in our attachments.

[SB 1492](#)

(Committee on Governance and Finance) Validations.

Current Text: Chaptered: 7/1/2022 [html](#) [pdf](#)

Introduced: 2/28/2022

Status: 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 96, Statutes of 2022.

Location: 7/1/2022-S. CHAPTERED

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

Summary: Would enact the Third Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Position
Support

Subject
LAFCo
Administration

CALAFCO Comments: This is the third of three annual validating acts. The CALAFCO Support letter is posted in our attachments.

[AB 1640](#)

(Ward D) Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans.

Current Text: Amended: 5/19/2022 [html](#) [pdf](#)

Introduced: 1/12/2022

Last Amend: 5/19/2022

Status: 8/12/2022-Failed Deadline pursuant to Rule 61(b)(15). (Last location was APPR. SUSPENSE FILE on 8/2/2022)

Location: 8/12/2022-S. DEAD

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

Summary: Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the Office of Planning and Research 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, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

Position
Support

Subject
Climate Change

CALAFCO Comments: This bill is a follow up and very similar to AB 897 (2021). The bill would authorize eligible entities, as defined (including LAFCo), to establish and participate in a regional climate network, as defined. The bill would authorize a regional climate network to engage in activities

to address climate change, as specified. Further, it requires a regional climate network to develop a regional climate adaptation and resilience action plan and to submit the plan to OPR for review, comments, and certification. The bill would require OPR to: (1) encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks; (2) develop and publish guidelines on how eligible entities may establish regional climate networks and how governing boards may be established within regional climate networks by 7-1-23; and (3) provide technical assistance to regions seeking to establish a regional climate network, facilitate coordination between regions, and encourage regions to incorporate as many eligible entities into one network as feasible.

The difference between this bill and AB 897 is this bill removes requirements for OPR to develop guidelines and establish standards and required content for a regional climate adaptation and resilience action plan (to be produced by the network), and removes some specified technical support requirements by OPR. Those requirements were covered in SB 170, a budget trailer bill from 2021.

The bill is author-sponsored and keyed fiscal. An author fact sheet is included in our attachments area, as well as the CALAFCO Support letter.

Amended 3/23/2022 to provide that regional climate networks MAY be developed rather than the former requirement. Minor clean ups of other superfluous language.

Amended 5/19/2022 to remove the deadline for OPR to develop and publish guidelines for eligible entities to establish regional climate networks, removed an exemption to cover multiple counties when population was greater than 2 million people, removed requirements for membership and biennial reports to OPR.

[AB 1773](#) (Patterson R) Williamson Act: subvention payments: appropriation.

Current Text: Introduced: 2/3/2022 [html](#) [pdf](#)

Introduced: 2/3/2022

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was APPR. SUSPENSE FILE on 5/4/2022)

Location: 8/31/2022-A. DEAD

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

Summary: The Williamson Act, also known as the California Land Conservation Act of 1965, authorizes a city or county to enter into contracts with owners of land devoted to agricultural use, whereby the owners agree to continue using the property for that purpose, and the city or county agrees to value the land accordingly for purposes of property taxation. Current law sets forth procedures for reimbursing cities and counties for property tax revenues not received as a result of these contracts and continuously appropriates General Fund moneys for that purpose. This bill, for the 2022–23 fiscal year, would appropriate an additional \$40,000,000 from the General Fund to the Controller to make subvention payments to counties, as provided, in proportion to the losses incurred by those counties by reason of the reduction of assessed property taxes.

Position
Support

Subject
Ag Preservation
- Williamson

CALAFCO Comments: AB 1773 resurrects funding the Williamson Act for the 2022-2023 budget year. The Williamson Act was created to preserve open space and conserve agricultural land. For many years, the state funded the Act at around \$35-\$40 million per year. This funding ceased during the recession, and has not been reinstated since. AB 1773 would allocate \$40 million from the General Fund to the Williamson Act for the purpose of subvention payments.

The bill is author-sponsored, has a general-fund appropriation, and is keyed fiscal. An author fact sheet is posted in our attachments section, along with the CALAFCO Support letter.

[AB 1944](#) (Lee D) Local government: open and public meetings.

Current Text: Amended: 5/25/2022 [html](#) [pdf](#)

Introduced: 2/10/2022

Last Amend: 5/25/2022

Status: 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. GOV. & F. on 6/8/2022)

Location: 7/5/2022-S. DEAD

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

Summary: The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for

posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely.

Position
Watch

Subject
Brown Act

CALAFCO Comments: This bill would delete the requirement that an individual participating in a Brown Act meeting remotely from a non-public location must disclose the address of the location. If the governing body chooses to allow for remote participation, it must also provide video streaming and offer public comment via video or phone.

The bill is author sponsored and keyed fiscal. The author's fact sheet is posted in our attachments area.

Amended 5/25/2022 to add that for this provision to apply, no less than a quorum of members of the legislative body must participate from a single physical location that is identified on the agenda, open to the public, and situated within the boundaries of the legislative body.

7/5/2022: Bill failed deadline and is now DEAD.

AB 2081 (Garcia, Eduardo D) Municipal water districts: water service: Indian lands.

Current Text: Chaptered: 9/23/2022 [html](#) [pdf](#)

Introduced: 2/14/2022

Last Amend: 5/12/2022

Status: 9/23/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 480, Statutes of 2022.

Location: 9/23/2022-A. CHAPTERED

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

Summary: The Municipal Water District Law of 1911 provides for the formation of municipal water districts and grants to those districts specified powers. Current law permits a district to acquire, control, distribute, store, spread, sink, treat, purify, recycle, recapture, and salvage any water for the beneficial use of the district, its inhabitants, or the owners of rights to water in the district. Current law, upon the request of certain Indian tribes and the satisfaction of certain conditions, requires a district to provide service of water at substantially the same terms applicable to the customers of the district to the Indian tribe's lands that are not within a district, as prescribed. Current law also authorizes a district, until January 1, 2023, under specified circumstances, to apply to the applicable local agency formation commission to provide this service of water to Indian lands, as defined, that are not within the district and requires the local agency formation commission to approve such an application. This bill, among other things, would extend the above provisions regarding the application to the applicable local agency formation commission to January 1, 2027.

Position
Oppose

Subject
Water

CALAFCO Comments: This bill extends the sunset date created in AB 1361 (2017). Current law, upon the request of certain Indian tribes and the satisfaction of certain conditions, requires a district to provide service of water at substantially the same terms applicable to the customers of the district to the Indian tribe's lands that are not within a district, as prescribed. Current law also authorizes a district, under specified circumstances, to apply to the applicable LAFCo to provide this service of water to Indian lands, as defined, that are not within the district and requires the LAFCo to approve such an application. This bill extends the sunset date from January 1, 2023 to January 1, 2025.

CALAFCO opposed AB 1361 in 2017 as the process requires LAFCo to approve the extension of service, requires the district to extend the service, and does not require annexation upon extension of service. CALAFCO reached out to the author's office requesting information as to the reason for the extension and we have not been given a reason.

The bill is keyed fiscal. An author fact sheet is included in the attachments area, as well as the CALAFCO letter in opposition.

AB 2449 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Chaptered: 9/13/2022 [html](#) [pdf](#)

Introduced: 2/17/2022

Last Amend: 8/8/2022

Status: 9/13/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 285, Statutes of 2022.

Location: 9/13/2022-A. CHAPTERED

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

Summary: Current law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction.

Position

Watch

Subject

Brown Act

CALAFCO Comments: This bill authorizes the use of teleconferencing without noticing and making available to the public teleconferencing locations if a quorum of the members of the legislative body participate in person from a singular location that is noticed and open to the public and require the legislative body to offer public comment via video or phone.

CALAFCO reached out to the author's office for information and we've not yet heard back. The bill is not keyed fiscal.

AB 2647

(Levine D) Local government: open meetings.

Current Text: Enrollment: 8/29/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Last Amend: 8/4/2022

Status: 8/29/2022-Enrolled and presented to the Governor at 3:30 p.m.

Location: 8/29/2022-A. ENROLLED

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

Summary: Current law, the California Public Records Act, requires state agencies and local agencies to make public records available for inspection, subject to specified criteria, and with specified exceptions. Current law, the Ralph M. Brown Act, requires the meetings of the legislative body of a local agency to be conducted openly and publicly, with specified exceptions. Current law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. This bill would instead require a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates and list the address of the office or location on the agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements, including the local agency immediately posts the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

Position

Watch

Subject

Brown Act

CALAFCO Comments: This bill seeks to amend the law to make clear that writings that have been distributed to a majority of a local legislative body less than 72 hours before a meeting can be posted online in order to satisfy the law.

Amended on April 19, 2022, to add a provision that agendas will note the physical location from which hard copies of such post-agenda documents can be retrieved.

The bill is sponsored by the League of Cities and is not keyed fiscal.

SB 852

(Dodd D) Climate resilience districts: formation: funding mechanisms.

Current Text: Chaptered: 9/9/2022 [html](#) [pdf](#)

Introduced: 1/18/2022

Last Amend: 8/8/2022

Status: 9/9/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 266, Statutes of 2022.

Location: 9/9/2022-S. CHAPTERED

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

Summary: Current law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance, including projects that enable communities to adapt to the impacts of climate change. Current law also requires the legislative body to establish a public financing authority, defined as the governing board of the enhanced infrastructure financing district, prior to the adoption of a resolution to form an enhanced infrastructure district and adopt an infrastructure financing plan. This bill would authorize a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district, as defined, for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill would deem each district to be an enhanced infrastructure financing district and would require each district to comply with existing law concerning enhanced infrastructure financing districts, except as specified. The bill would require a district to finance only specified projects that meet the definition of an eligible project. The bill would define "eligible project" to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified.

Position
Watch

Subject
Special District
Principle Acts

CALAFCO Comments: This bill creates the Climate Resilience Districts Act. The bill completely bypasses LAFCo in the formation and oversight of these new districts because the districts are primarily being created as a funding mechanism for local climate resilience projects (as a TIF or tax increment finance district - for which LAFCos also have no involvement).

The bill authorizes a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill defines "eligible project" to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified. The bill authorizes a district created pursuant to these provisions to have boundaries that are identical to the boundaries of the participating entities or within the boundaries of the participating entities. The bill also authorizes specified local entities to adopt a resolution to provide property tax increment revenues to the district. The bill would also authorize specified local entities to adopt a resolution allocating other tax revenues to the district, subject to certain requirements. The bill would provide for the financing of the activities of the district by, among other things, levying a benefit assessment, special tax, property-related fee, or other service charge or fee consistent with the requirements of the California Constitution. It requires 95% of monies collected to fund eligible projects, and 5% for district administration. The bill would require each district to prepare an annual expenditure plan and an operating budget and capital improvement budget, which must be adopted by the governing body of the district and subject to review and revision at least annually.

Section 62304 details the formation process, Section 62305 addresses the district's governance structure, and 62307 outlines the powers of the district.

This bill is sponsored by the Local Government Commission and is keyed fiscal. A fact sheet is included in our attachments section.

Amended 5/18/2022 to impose requirements on projects undertaken or financed by a district, including requiring a district to obtain an enforceable commitment from the developer that contractors and subcontractors performing the work use a skilled and trained workforce, and would expand the crime of perjury to these certifications.

SB 1100

(Cortese D) Open meetings: orderly conduct.

Current Text: Chaptered: 8/22/2022 [html](#) [pdf](#)

Introduced: 2/16/2022

Last Amend: 6/6/2022

Status: 8/22/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 171, Statutes of 2022.

Location: 8/22/2022-S. CHAPTERED

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

Summary: Current law authorizes the members of the legislative body conducting the meeting to order the meeting room cleared and continue in session, as prescribed, if a group or groups have willfully interrupted the orderly conduct of a meeting and order cannot be restored by the removal of individuals who are willfully interrupting the meeting. This bill would authorize the presiding member of the legislative body conducting a meeting or their designee to remove, or cause the removal of, an individual for disrupting the meeting. The bill, except as provided, would require removal to be

preceded by a warning to the individual by the presiding member of the legislative body or their designee that the individual's behavior is disrupting the meeting and that the individual's failure to cease their behavior may result in their removal. The bill would authorize the presiding member or their designee to then remove the individual if the individual does not promptly cease their disruptive behavior. The bill would define "disrupting" for this purpose.

Position
Support

Subject
Brown Act

CALAFCO Comments: This bill would authorize the removal of an individual from a public meeting who is "willfully interrupting" the meeting after a warning and a request to stop their behavior. "Willfully interrupting" is defined as intentionally engaging in behavior during a meeting of a legislative body that substantially impairs or renders infeasible the orderly conduct of the meeting in accordance with law.

The bill is author-sponsored and keyed fiscal. An author fact sheet is posted in our attachments section.

The CALAFCO support letter is in the attachments section.

SB 1449 (Caballero D) Office of Planning and Research: grant program: annexation of unincorporated areas.

Current Text: Vetoed: 9/28/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Last Amend: 4/19/2022

Status: 9/28/2022-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Location: 9/28/2022-S. VETOED

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

Summary: Current law requires the Office of Planning and Research to, among other things, accept and allocate or expend grants and gifts from any source, public or private, for the purpose of state planning and undertake other planning and coordinating activities, as specified, and encourage the formation and proper functioning of, and provide planning assistance to, city, county, district, and regional planning agencies. This bill would require the office to, upon appropriation by the Legislature, establish the Unincorporated Area Annexation Incentive Program, authorizing the office to issue a grant to a city for the purpose of funding infrastructure projects related to the proposed or completed annexation of a substantially surrounded unincorporated area, as defined, subject to approval by the director after the city submits an application containing specified information. The bill would require the office to match, on a dollar-for-dollar basis, any dollar contribution a city makes toward a project funded by the program, subject to a maximum funding threshold as determined by the director.

Position
Support

Subject
Annexation
Proceedings

CALAFCO Comments: This is currently a spot bill. According to the author's office, they are working on state funding to incentivize annexation of inhabited territory (when the VLF was taken away, so too was any financial incentive to annex inhabited territory). For many years bills have been run to reinstate funding, none of which have ever successfully passed. There is no other information available on this bill at this time. CALAFCO will continue conversations with the author's office as this is an important topic for LAFCos. (The bill will remain a P-3 until amended.)

Amended 3/16/2022 to remove spot holder language, add definitions and other language tying to CKH, and add language more specific to a grant program.

LAFCos added in to assist OPR develop the program guidelines.

The CALAFCO letter of support can be found in the attachments section.

3

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

Current Text: Amended: 7/14/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amend: 7/14/2021

Status: 8/12/2022-Failed Deadline pursuant to Rule 61(b)(15). (Last location was APPR. SUSPENSE FILE on 8/16/2021)

Location: 8/12/2022-S. DEAD

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

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, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

Position

Support

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.

As amended 4/19/21: There is no longer a requirement for OPR to include in their guidelines how a regional climate network may develop their plan: it does require ("may" to "shall") a regional climate network to develop a regional climate adaptation plan and submit it to OPR for approval; adds requirements of what OPR shall publish on their website; and makes several other minor technical changes.

As amended 7/1/21, the bill now explicitly names LAFCo as an eligible entity. It also adjusts several timelines for OPR's requirements including establishing boundaries for the regional climate networks, develop guidelines and establish standards for the networks, and to make recommendations to the Legislature related to regional adaptation. Give the addition of LAFCo as an eligible entity, CALAFCO is now in support of the bill.

Amendments of 7/14/21, as requested by the Senate Natural Resources & Water Committee, mostly do the following: (1) Include "resilience" to climate adaptation; (2) Prioritize the most vulnerable communities; (3) Add definitions for "under-resourced" and "vulnerable" communities; (4) Remove the requirement for OPR to establish geographic boundaries for the regional climate networks; (5) Include agencies with hazard mitigation authority and in doing so also include the Office of Emergency Services to work with OPR to establish guidelines and standards required for the climate adaptation and resilience plan; and (6) Add several regional and local planning documents to be used in the creation of guidelines.

2/24/22 UPDATE: It appears this bill is being replaced with AB 1640 (Ward, Mullin, etc.). CALAFCO will keep this bill on Watch and follow the new bill.

8/12/2022. Bill failed deadline and is now DEAD.

AB 903

(Frazier D) Los Medanos Community Healthcare District.

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

Introduced: 2/17/2021

Last Amend: 4/19/2021

Status: 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. 2 YEAR on

7/14/2021)

Location: 7/5/2022-S. DEAD

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

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

Subject

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.

The bill did not pass out of Senate Governance & Finance Committee and will not move forward this year. It may be acted on in 2022.

2022 UPDATE: Given Member Frazier is no longer in the Assembly and the appellate court overturned the lower court's decision, it is likely the bill will not move forward. CALAFCO will retain WACTH on the bill.

Failed deadline. DEAD as of 7/5/2022.

AB 975

(Rivas, Luz D) Political Reform Act of 1974: filing requirements and gifts.

Current Text: Amended: 6/16/2022 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amend: 6/16/2022

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was INACTIVE FILE on 8/22/2022)

Location: 8/31/2022-S. DEAD

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

Summary: The Political Reform Act of 1974 generally requires elected officials, candidates for elective offices, and committees formed primarily to support or oppose a candidate for public office or a ballot measure, along with other persons and entities, to file periodic campaign statements and certain reports concerning campaign finances and related matters. Current law permits a report or statement that has been on file for at least two years to be retained by a filing officer as a copy on microfilm or other space-saving materials and, after the Secretary of State certifies an online filing and disclosure system, as an electronic copy. This bill would permit a filing officer to retain a report or statement filed in a paper format as a copy on microfilm or other space-saving materials or as an electronic copy, as specified, without a two-year waiting period. The bill would also permit a filing officer to retain a report or statement as an electronic copy before the Secretary of State certifies an online filing and disclosure system.

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).

The amendments on 5/18/21 clarify who is to file a statement of economic interest to include candidates (prior text was office holders).

UPDATE AS OF 2/24/22 - The author's office indicates they are moving forward with the bill this year and are planning amendments. They are not clear what those amendments will be so CALAFCO will retain a WATCH position on the bill.

AB 1757 (Garcia, Cristina D) California Global Warming Solutions Act of 2006: climate goal: natural and working lands.

Current Text: Chaptered: 9/16/2022 [html](#) [pdf](#)

Introduced: 2/2/2022

Last Amend: 8/28/2022

Status: 9/16/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 341, Statutes of 2022.

Location: 9/16/2022-A. CHAPTERED

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

Summary: The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level no later than December 31, 2030. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. Current law requires, no later than July 1, 2023, the Natural Resources Agency, in coordination with the state board, the California Environmental Protection Agency, the Department of Food and Agriculture, and other relevant state agencies, to establish the Natural and Working Lands Climate Smart Strategy and, in developing the strategy, to create a framework to advance the state's climate goals. Current law requires the state board, as part of its scoping plan, to establish specified carbon dioxide removal targets for 2030 and beyond. This bill would require the Natural Resources Agency, in collaboration with specified entities including the state board and the expert advisory committee as specified, to determine on or before January 1, 2024, an ambitious range of targets for natural carbon sequestration, and for nature-based climate solutions, that reduce greenhouse gas emissions for 2030, 2038, and 2045 to support state goals to achieve carbon neutrality and foster climate adaptation and resilience. The bill would require these targets to be integrated into the above-described scoping plan and other state policies.

Position

Watch

Subject

Water

AB 2041 (Garcia, Eduardo D) California Safe Drinking Water Act: primary drinking water standards: compliance.

Current Text: Amended: 4/18/2022 [html](#) [pdf](#)

Introduced: 2/14/2022

Last Amend: 4/18/2022

Status: 5/20/2022-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 5/11/2022)

Location: 5/20/2022-A. DEAD

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

Summary: Would require the State Water Resources Control Board to take specified actions if the state board adopts a primary drinking water standard with a compliance period for which public water systems are given a designated period of time to comply with the primary drinking water standard without being held in violation of the primary drinking water standard. Specifically, the bill would require the state board to determine which public water system may not be able to comply with the primary drinking water standard without receiving financial assistance and develop a compliance plan, including a financial plan to assist that public water system in complying with the primary drinking water standard. The bill would also require the state board, if a public water system is in violation of the primary drinking water standard after the compliance period, to take into consideration whether or not the public water system implemented the compliance plan.

Position

Watch

Subject

Water

CALAFCO Comments: This bill would require the SWRCB to take specified actions if the SWRCB adopts a primary drinking water standard with a compliance period for which public water systems are given a designated period of time to install necessary measures, including, but not limited to, installation of water treatment systems, to comply with the primary drinking water standard without

being held in violation of the primary drinking water standard. Those actions would include, among other actions, developing a financial plan to assist public water systems that will require financial assistance in procuring and installing the necessary measures.

CALAFCO reached out to the author's office for information on the bill and has not heard back. The bill is keyed fiscal. An author fact sheet is attached.

Failed deadline. DEAD as of 5/20/2022.

AB 2201 (Bennett D) Groundwater sustainability agency: groundwater extraction permit: verification.

Current Text: Amended: 8/11/2022 [html](#) [pdf](#)

Introduced: 2/15/2022

Last Amend: 8/11/2022

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was CONCURRENCE on 8/30/2022)

Location: 8/31/2022-A. DEAD

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Dead	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law authorizes a groundwater sustainability agency to request of the county, and requires a county to consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the agency before permit approval. Current law also authorizes the State Water Resources Control Board to designate a high- or medium-priority basin as a probationary basin under certain conditions for specified purposes. This bill would instead require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval. The bill would prohibit a county, city, or any other water well permitting agency from approving a permit for a new groundwater well or for an alteration to an existing well in a basin subject to the act and classified as medium- or high-priority unless specified conditions are met, including that it obtains a written verification, from the groundwater sustainability agency that manages the basin or area of the basin where the well is proposed to be located, determining that, among other things, the extraction by the proposed well is consistent with any sustainable groundwater management program established in any applicable groundwater sustainability plan adopted by that groundwater sustainability agency or an alternate plan approved or under review by the Department of Water Resources.

Position

Watch

Subject

Water

CALAFCO Comments: 2/15/2022: As introduced, a spot holder.

3/17/2022: As amended, this bill now seeks to add a new section into the Water Code that would require, after July 1, 2023, designated extraction facilities to procure permits from the Department of Water Resources (DWR.) Extraction facilities are defined as those located in a basin that has already been designated by DWR as subject to critical overdraft conditions. It would also define times when permits are not needed, including for "de minimis extractors" (as defined by Section 10721), for replacement extractors, when drinking water is needed by a water system for public health purposes, for habitat and wetlands conservation, for photovoltaic or wind energy generation when less than 75 acre feet of groundwater is needed annually, when required by an approved CEQA document, and for facilities constructed to ensure a sustain water supply to consolidated public water systems. This bill would also require groundwater sustainability agencies (GSAs) to develop a process for the issuance of groundwater extraction permits which considers demonstrations of need, adherence to a groundwater sustainability plan, a showing that the extraction will not contribute to an undesirable result, and other procedural requirements. Additionally, the bill would require notification to all groundwater users within one mile of the proposed groundwater extraction facility, and to the DWR when the proposed extraction is within one mile of a disadvantaged community or a domestic well user, and other procedural steps. Also allows those GSAs in a basin not designated as subject to critical conditions of overdraft to adopt an ordinance that establishes their own process, in accordance with this section, for the issuance of groundwater extraction permits, and allows imposition of fees as long as they do not exceed reasonable agency costs. DWR shall provide technical assistance to assist GSA implement this section. This bill would further amend Water Code Section 10728 to require annual reports by GSA to include information regarding the number, location, and volume of water encompassed by permits issued under this section.

Unfunded mandate, now reimbursements provided. Keyed: fiscal.

Amended 4/27/2022 to removes all provisions regarding groundwater extraction facilities, adds in provisions regarding local agencies, which are defined as cities, counties, districts, agencies, or other entities with the authority to issue a permit for a a new groundwater well or for an alteration to an existing well.

AB 2442 (Rivas, Robert D) California Disaster Assistance Act: climate change.

Current Text: Amended: 8/11/2022 [html](#) [pdf](#)

Introduced: 2/17/2022

Last Amend: 8/11/2022

Status: 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was INACTIVE FILE on 8/30/2022)

Location: 8/31/2022-S. DEAD

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

Summary: The California Disaster Assistance Act requires the Director of Emergency Services to authorize the replacement of a damaged or destroyed facility, whenever a local agency and the director determine that the general public and state interest will be better served by replacing a damaged or destroyed facility with a facility that will more adequately serve the present and future public needs than would be accomplished merely by repairing or restoring the damaged or destroyed facility. Current law also authorizes the director to implement mitigation measures when the director determines that the measures are cost effective and substantially reduce the risk of future damage, hardship, loss, or suffering in any area where a state of emergency has been proclaimed by the Governor. This bill would specify that mitigation measures for climate change and disasters related to climate, may include, but are not limited to, measures that reduce emissions of greenhouse gases and investments in natural infrastructure, as defined, including, but not limited to, the preservation of natural and working lands, as described, improved forest management, and wildfire risk reduction measures.

Position
Watch

Subject
Ag/Open Space
Protection

CALAFCO Comments: Seeks to add climate change to California Disaster Assistance Act and adds, as noted cost effective mitigation measures, the preservation of open space, improved forest management and wildfire risk reduction measures, and other investments in natural infrastructure (in line with definition of a "natural infrastructure" in GC Section 65302(g)(4)(C)(v).) Also would amend GC Sec 65302 to require General Plans to include "a set of measures designed to reduce emissions of greenhouse gases resulting in climate change, and natural features and ecosystem processes in or near identified at-risk areas threatened by the impacts attributable."

This bill failed to pass in the Senate by the deadline and is now DEAD.

SB 12 (McGuire D) Local government: planning and zoning: wildfires.

Current Text: Amended: 6/6/2022 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amend: 6/6/2022

Status: 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was A. H. & C.D. on 5/24/2022)

Location: 7/5/2022-A. DEAD

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

Summary: The Planning and Zoning Law requires the legislative body of a city or county to adopt a comprehensive, long-term general plan that includes various elements, including, among others, a housing element and a safety element for the protection of the community from unreasonable risks associated with the effects of various geologic and seismic hazards, flooding, and wildland and urban fires. Current law requires the housing element to be revised according to a specific schedule. Current law requires the planning agency to review and, if necessary, revise the safety element upon each revision of the housing element or local hazard mitigation plan, but not less than once every 8 years to identify new information relating to flood and fire hazards and climate adaptation and resiliency strategies applicable to the city or county that was not available during the previous revision of the safety element. Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse

Position
Watch

Subject
Growth
Management,
Planning

CALAFCO Comments: UPDATE 2/24/22: According to the author's office, they do plan to move this bill forward in 2022 and no other details are available at this time.

This bill failed to make deadlines and is DEAD as of 7/5/2022.

SB 418

(Laird D) Pajaro Valley Health Care District.

Current Text: Chaptered: 2/4/2022 [html](#) [pdf](#)

Introduced: 2/12/2021

Last Amend: 1/24/2022

Status: 2/4/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 1, Statutes of 2022.

Location: 2/4/2022-S. CHAPTERED

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

Summary: Would create the Pajaro Valley Health Care District, as specified, except that the bill would authorize the Pajaro Valley Health Care District to be organized, incorporated, and managed, only if the relevant county board of supervisors chooses to appoint an initial board of directors.

Position

Watch

Subject

Special District
Principle Acts

CALAFCO Comments: Gut and amended on 1/14/22, this bill forms the Pajaro Valley Health Care District within Santa Cruz and Monterey counties. The formation, done by special legislation, bypasses the LAFCo process, with language explicitly stating upon formation, LAFCo shall have authority. The bill requires that within 5 years of the date of the first meeting of the Board of Directors of the district, the board of directors shall divide the district into zones. The bill would require the district to notify Santa Cruz LAFCo when the district, or any other entity, acquires the Watsonville Community Hospital. The bill requires the LAFCo to order the dissolution of the district if the hospital has not been acquired by January 1, 2024 through a streamlined process, and requires the district to notify LAFCo if the district sells the Watsonville Community Hospital to another entity or stops providing health care services at the facility, requiring the LAFCo to dissolve the district under those circumstances in a streamlined process.

Given the hospital has filed bankruptcy and this is the only hospital in the area and serves disadvantaged communities and employs a large number of people in the area, the bill has an urgency clause.

Several amendments were added on 1/24/22 by the ALGC and SGFC all contained within Section 32498.7.

CALAFCO worked closely with the author's office, Santa Cruz County lobbyist and the Santa Cruz and Monterey LAFCos on this bill. We have requested further amendments which the Senator has agreed to take in a follow-up bill this year. Those amendments include requiring Santa Cruz LAFCo to adopt a sphere of influence for the district within 1 year of formation; the district filing annual progress reports to Santa Cruz LAFCo for the first 3 years, Santa Cruz LAFCo conducting a special study on the district after 3 years, and representation from both counties on the governing board.

The bill is sponsored by the Pajaro Valley Healthcare District Project and is not keyed fiscal.

SB 969

(Laird D) Pajaro Valley Health Care District.

Current Text: Chaptered: 7/1/2022 [html](#) [pdf](#)

Introduced: 2/10/2022

Last Amend: 3/2/2022

Status: 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 90, Statutes of 2022.

Location: 7/1/2022-S. CHAPTERED

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

Summary: Current law creates the Pajaro Valley Health Care District, as specified, and authorizes the Pajaro Valley Health Care District to be organized, incorporated, and managed, only if the relevant county board of supervisors chooses to appoint an initial board of directors. Current law requires, within 5 years of the date of the first meeting of the Board of Directors of the Pajaro Valley Health Care District, the board of directors to divide the district into zones and number the zones consecutively. Existing law requires the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to govern any organizational changes for the district after formation. Existing law requires the district to notify the County of Santa Cruz local agency formation commission (LAFCO) when the district, or any other entity, acquires the Watsonville Community Hospital. Existing law requires the LAFCO to dissolve the district under certain circumstances. This bill would require the LAFCO to develop and determine a

sphere of influence for the district within one year of the district's date of formation, and to conduct a municipal service review regarding health care provision in the district by December 31, 2025, and by December 31 every 5 years thereafter.

Position

Watch

Subject

Other

CALAFCO Comments: This bill is a follow up to SB 418 (Laird) and contains some of the amendments requested by CALAFCO and Monterey and Santa Cruz LAFcos. As introduced the bill requires Santa Cruz LAFco to adopt a sphere of influence for the district within 1 year of formation; the district filing annual progress reports to Santa Cruz LAFco for the first 2 years, Santa Cruz LAFco conducting a Municipal Service Review on the district every 5 years with the first being conducted by 12-31-25. Our final requested amendment, ensuring representation from both counties on the governing board, is still being worked on and not reflected in the introduced version of the bill.

SB 1405 (Ochoa Bogh R) Community service districts: Lake Arrowhead Community Service District: covenants, conditions, and restrictions: enforcement.

Current Text: Chaptered: 9/13/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Last Amend: 4/18/2022

Status: 9/13/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 309, Statutes of 2022.

Location: 9/13/2022-S. CHAPTERED

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

Summary: Would authorize the Lake Arrowhead Community Services District to enforce all or part of the covenants, conditions, and restrictions for tracts within that district, and to assume the duties of the Arrowhead Woods Architectural Committee for those tracts, as provided.

Position

Watch

Subject

Other

SB 1425 (Stern D) Open-space element: updates.

Current Text: Enrollment: 8/30/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Last Amend: 4/18/2022

Status: 8/30/2022-Enrolled and presented to the Governor at 3 p.m.

Location: 8/30/2022-S. ENROLLED

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

Summary: Existing law requires cities and counties to prepare, adopt, and amend general plans and elements of those plans, as specified. Existing law requires the general plan to include a housing element and an open-space element, which is also called an open-space plan. Existing law sets forth various deadlines for updates to the housing element. This bill would require every city and county to review and update its local open-space plan by January 1, 2026. The bill would require the local open-space plan update to include plans and an action program that address specified issues, including climate resilience and other cobenefits of open space, correlated with the safety element. By imposing additional duties on local officials, the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

Position

Watch

Subject

Other

SB 1489 (Committee on Governance and Finance) Local Government Omnibus Act of 2022.

Current Text: Chaptered: 9/19/2022 [html](#) [pdf](#)

Introduced: 2/28/2022

Last Amend: 6/20/2022

Status: 9/18/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 427, Statutes of 2022.

Location: 9/19/2022-S. CHAPTERED

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

Summary: Current law, including the Professional Land Surveyors' Act, the Mello-Roos Community Facilities Act of 1982, the Subdivision Map Act, provisions relating to official maps of counties and cities, and provisions relating to maps of certain special assessment districts, prescribe requirements for the identification, storage, access, and preservation of maps. This bill would revise requirements for storage, access, and preservation of maps, in connection with the above-described laws, to authorize alternative methods by which maps may be identified, kept safe and reproducible, and to which they

may be referred, and would generally eliminate the requirement that they be fastened and stored in books.

Position

Subject

Watch

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

Total Measures: 29

Total Tracking Forms: 29

Bill Counts By House of Origin

	1st Year All	1st Year Mine	2nd Year All	2nd Year Mine
ASSEMBLY	1811	4	1566	11
SENATE	965	3	787	11
TOTALS	2776	7	2353	22

Bill Counts By Location

	1st Year All	1st Year Mine	2nd Year All	2nd Year Mine
CHAPTERED	1038	0	1176	15
DEAD	1	0	2581	11
ENROLLED	0	0	97	2
OTHER	0	0	1	0
VETOED	66	0	169	1

Bill Counts By Prefix

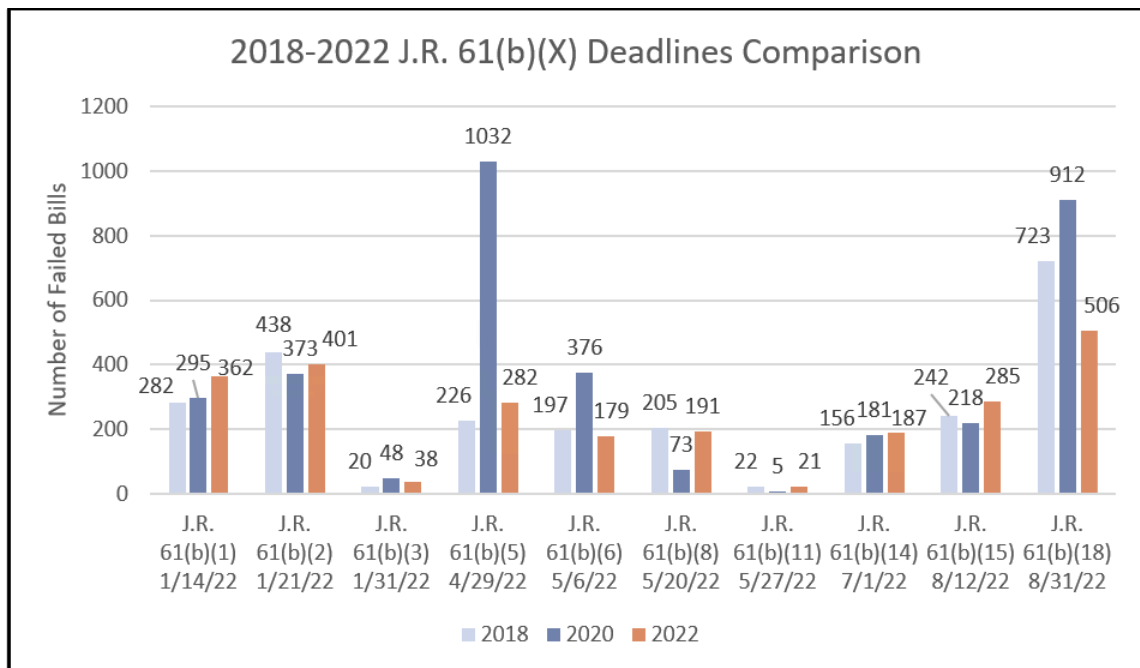
	1st Year All	1st Year Mine	2nd Year All	2nd Year Mine
AB	1593	4	1383	11
ACA	10	0	6	0
ACR	110	0	105	0
AJR	21	0	15	0
HR	77	0	57	0
SB	828	3	672	11
SCA	5	0	5	0
SCR	61	0	61	0
SJR	9	0	7	0
SR	62	0	42	0

CapitolTrack

Analysis and Tips

2022 Comparison Graphs

Wednesday, August 31st brought us the final votes for the 2022 session. All bills not enrolled and presented to the Governor have failed to pass the final deadline, 61(b)(18). With all deadlines concluded for the session, take a look at how 2022 compared to the 2020 and 2018 deadlines:



Knowing that none of us has these memorized, here is a cheat-sheet of what each deadline requires of a bill before it passes:

- **J.R.61(b)(1):** 1/14/22 - Last day for first year fiscal bills still in their house of origin to be heard by policy committees.

- **J.R.61(b)(2):** 1/21/22 - Last day for first year bills still in their house of origin to be heard by policy committees.
- **J.R.61(b)(3):** 1/31/22 - Last day for first year bills to pass out of their house of origin.
- **J.R.61(b)(5):** 4/29/22 - Last day for fiscal bills in their house of origin to be heard by policy committees.
- **J.R.61(b)(6):** 5/6/22 - Last day for non-fiscal bills in their house of origin to be heard by policy committees.
- **J.R.61(b)(8):** 5/20/22 - Last day for Appropriations to hear fiscal bills still in their house of origin.
- **J.R.61(b)(11):** 5/27/22 - Last day for bills to pass out of their house of origin.
- **J.R.61(b)(14):** 7/1/22 - Last day for policy committees to pass bills.
- **J.R.61(b)(15):** 8/12/22 - Last day for Appropriations to pass bills.
- **J.R.61(b)(18):** 8/31/22 - Last day for each house to pass bills.

While J.R. 61(b)(5) was interesting in 2020, it was an expected outlier. The variation in the J.R.61(b)(18) deadline is best explained by 'exempt' measures such as resolutions and constitutional amendments being included in the final deadline. Once session is concluded they're no longer truly 'exempt.'

Including all these non-bill measures in the final count contributes to a greater variance between sessions.

LEGISLATIVE COMMITTEE MEETING STAFF REPORT

October 7, 2022

Agenda Item No. 6 Review Legislative Committee Guidelines and Modify, if Needed

Prepared By: René LaRoche, Chair

Date: October 7, 2022

RECOMMENDATION

1. Review Legislative Committee Guidelines and Modify, if Needed.

DISCUSSION

With the start of the legislative season, the item before the Legislative Committee is to review its guidelines and modify, if necessary.

The Committee last revised the guidelines on October 22, 2021, when it approved amendments as recommended by the subcommittee that included Pamela Miller, Bill Connelly and Luis Tapia.

Attachments:

6.a. Legislative Committee Guidelines

California Association of Local Agency Formation Commissions

LEGISLATIVE COMMITTEE GUIDELINES

TITLE: Legislative Committee Guidelines: Adopting Positions on Legislation and Propositions

GUIDELINE NUMBER: 2014-001

LAST UPDATED: October 22, 2021

SECTION I. The California Association of Local Agency Formation Commissions (CALAFCO) represents the interests of the 58 Commissions statewide which implement the Cortese-Knox-Hertzberg Act and other laws within the State of California. Consistent with CALAFCO Policy 4.5, or other direction, the CALAFCO Legislative Committee (Committee), as appointed by the CALAFCO Board of Directors (Board), and in accordance with policy direction of the Board, plays a key role in reviewing proposed legislation, developing priorities and positions on legislation introduced in the State Legislature, making recommendations on legislation and/or statewide propositions, and/or reviewing and commenting on regulations issued by state or other agencies.

SECTION II. Purpose:

Within the parameters of the most recently adopted Board legislative policies and priorities, the Committee is charged with reviewing legislation and proposed legislation during the legislative session and considering proposals for new legislation where it appears needed to carry out the direction of LAFCo as enacted in the Government Code and other statutes. The Committee meets regularly to consider legislation, make legislative proposals, and take positions where deemed appropriate. When considered important, positions may be taken on legislation and/or statewide propositions, and comments may be provided to legislators or stakeholders to explain the position taken by CALAFCO. Testimony in writing or in person may be presented on behalf of CALAFCO by the staff or representatives of the Association as needed. The purpose of these Guidelines is to provide a framework for the Committee's review of proposed legislation, propositions and/or regulations, as well as for adopting positions on such proposals. At the beginning of each legislative session, the Committee shall review these Guidelines and amend as necessary.

SECTION III. Process:

Newly introduced or identified legislation is to be reviewed by the CALAFCO Executive Director (Committee Chair) or designee, as it is introduced or brought to his or her attention.

Anyone who wishes to submit legislative proposals shall use the CALAFCO Legislative Proposal Request Form and the process identified by the Executive Director. Any proposal presented to the Committee for inclusion in the Assembly Local Government Committee annual Omnibus bill must have unanimous support of the Committee to be included. A vote cast as "abstain" is not counted towards the vote tally (it is not counted as a "yes" vote or a "no" vote). Bills that are of interest to CALAFCO in accordance with the Board's adopted Legislative Policies will be presented to the Committee for review and possible action/recommendation to the Board. Committee

members and CALAFCO members are encouraged to bring to the Committee's attention additional bills they believe to be relevant to CALAFCO's Legislative Policies.

The steps in acting on proposed legislative bills or issues are generally outlined as follows:

1. The Executive Director reviews legislation daily and flags bills relevant to CALAFCO or member LAFCos. At the time they are added to the tracking log, these bills are assigned a preliminary priority and position (usually of Watch) until the Committee has an opportunity to meet and discuss the item.
2. The Executive Director notifies the Committee of a bill or issue and provides a copy and any background information. If a bill or issue warrants a timely response from the Committee, input by email may be requested.
3. The Committee will consider the bill or issue ,will either confirm the priority assigned or change it as it deems appropriate, and consider its position on the item as outlined in these Guidelines. All Committee decisions are determined by a majority of members participating in review of the bill or issue as long as a quorum of Board members serving on the Committee participates in the decision process. If a majority of Committee members participating cannot agree on a position, the issue shall be forwarded to the Board for its consideration and action. The Executive Director may poll the Committee by email or present the issue to the Board if a meeting of the Committee is not possible within the applicable timeframe and the issue is deemed important, or upon request of a Committee member or legislator or important party, such as the bill sponsor.
4. In time sensitive situations or in the absence of a timely meeting by the Committee or Board, the Executive Director may take a position or change a previously taken position on a bill. The Committee and Board shall be informed of such an action as soon as practically possible to ensure that the Committee and Board have up to date information on CALAFCO legislative positions. Such decisions should be made only when deemed necessary due to urgent issues or circumstances and when insufficient time exists to obtain formal consideration and a vote of the Committee and/or Board.
5. Positions on legislation and priorities may change throughout the legislative year or when amendments or policy positions are changed by sponsors or stakeholders. The Committee will be updated on the status of bills, usually by discussion at the next scheduled Committee meeting, by email or on the CALAFCO website, and may change a position on a bill if the circumstances or priority warrant such an action.
6. For controversial bills, (such as bills objected to by a majority of Committee members from at least one Region of the Association or bills for which the vote on a position was split) the issue shall be presented to the Board for direction and/or final decision.
7. CALAFCO may sponsor a bill when an issue or proposal is of priority or direct concern to CALAFCO and a change in the law is desired by CALAFCO. Sponsoring a bill requires substantial resources of time and involvement of CALAFCO staff and members. The process involves close interaction with a legislator and staff of legislative committees. Board approval is required for CALAFCO to sponsor a bill.

SECTION IV. Propositions:

If a proposed statewide proposition is identified, and is of interest to CALAFCO members, the Executive Director shall present it to the Committee for review and determination of a position, if deemed appropriate. CALAFCO will generally not take a position on a proposition unless it will have a direct impact on the mission and purpose of CALAFCO or its member LAFCos.

The Committee shall forward a recommendation of a position taken on any proposition to the Board, which shall review and make the final decision on taking a position on a proposition, taking into consideration the recommendation of the Committee.

SECTION V. Formal Positions on Legislation:

The Committee shall identify and review the issues presented by a proposed bill and consider taking a formal position as deemed appropriate. The positions and resource priority categories are:

Position	Category Description
Sponsor	A position given to bills for which CALAFCO is the sponsor or Co-Sponsor. Inherent in this position is CALAFCO's support of the bill. CALAFCO sponsored bills are deemed the highest priority and given the highest level of resources.
Support	A position given to bills or propositions that the Committee believes are consistent with or would further CALAFCO policy positions or implementation of the Cortese-Knox-Hertzberg Act; benefits the membership of CALAFCO, and/or reflects good governance principles as public policy.
Neutral	A position given to bills that have no direct impact upon CALAFCO members or have been sufficiently amended to remove CALAFCO's support or opposition and warrant no other position as a result of those amendments. .
Watch	A position given to bills of interest to CALAFCO or its members that have no direct impact upon CALAFCO members or that do have an impact but do not warrant a position at that time given amendments are likely pending. , May include two-year bills where the author has indicated the bill will be amended or the subject area may change to not impact CALAFCO or its members (also known as gut and amend bills). These bills will be tracked but do not warrant taking a position at that time.
Watch with concerns	A position given to bills of interest to CALAFCO or its members that have a direct impact to CALAFCO or its members and for which CALAFCO has concerns. This position usually requires a letter to the author stating our concerns with suggestions for mitigating the concerns.
Placeholder – Spot bill	A position given to a bill identified as a spot bill.
Oppose	A position given to bills or propositions the Committee believes are detrimental to the policy positions of CALAFCO or its members or to good governance principles as public policy. This position is taken when the Committee has deemed that no amount of amendments would change the position and no negotiations are intended to be undertaken.
Support If Amended	A position given to bills for which a support or oppose position could be taken if amendments were made to address identified concerns of the Committee and/or Board. This may include changing a previously stated CALAFCO position. These

As approved and adopted by the CALAFCO Legislative Committee on 01/24/14, revised on 01/23/15, 06/19/15, 12/14/18, 11/15/19 and 10/22/21.

Position	Category Description
or Oppose Unless Amended	positions can be changed by the Executive Director if identified amendments have been accepted and are either “pending’ (e.g., the author has accepted or the Executive Director has seen legislative counsel mock-up) or are in print. Timeliness is usually important in responding to requests on these types of bills.
Oppose pending amendments	A position given to bills when amendments that are opposed by CALAFCO are forthcoming that are not yet in print. This includes bills with pending amendments that may be heard in committee without being in print. Timeliness is usually a factor in taking this position.
None at this time	A position given to bills that either are of interest to or have an impact on CALAFCO or its members for which no adopted position is possible and for which there is a clear lack of consensus among the membership on the appropriate position. This may include situations in which a substantive number of member LAFcos have divergent positions or policy issues of concern with proposed legislation and no final consensus position is possible.

SECTION VI. Establishing Resource Priorities on Bills or Propositions

The time and resources of CALAFCO are limited. In other words, as a nonprofit association, CALAFCO can expend or allocate only a limited amount of effort and budget to legislative activities and there are only two part-time staff. Therefore, resource priorities may be assigned on legislative issues or bills to guide the activities of CALAFCO staff, Committee and Board. Member representatives may be called upon to write letters or testify on bills as determined beneficial by the Executive Director, Committee or Board.

Resource Priority Level	Level Description
Priority 1	Bills have major importance and a direct, significant impact on CALAFCO or its members statewide, or set a policy precedent that impacts the mission and effectiveness of LAFcos statewide. These bills receive primary attention and comprehensive advocacy by the Executive Director and Committee. Such advocacy may include letters of position, testimony in policy committees, direct communications with legislators, and grassroots mobilization of members and any combination of effort. This level requires the highest resource commitment.
Priority 2	Bills have a direct impact on or are of interest to CALAFCO or its members; may set a policy precedent or have impact relevant to the mission of CALAFCO or its member LAFcos, or have a major importance to a CALAFCO member or group of members or constituents. These bills receive position letters and testimony to policy committees as time permits or upon request of the author or sponsor.
Priority 3	Bills have an interest to CALAFCO or members, and may have a substantive effect but are deemed to be of a lower priority as to time and effort resources for advocacy. If requested by a CALAFCO member or stakeholder and approved by the Committee, CALAFCO will send a position letter but will not testify unless

Resource Priority Level	Level Description
	unusual circumstances arise and if time allows, so as to not conflict with other higher priorities. Minimal resources are to be committed to Priority 3 bills.

From time to time, impacts of and priorities on bills and issues may change. The Executive Director is empowered to use her/his discretion in evaluating such circumstances and, where applicable, if time is of the essence, may change position or priority on a bill when considered in the best interest of CALAFCO and consistent with adopted policy. Such action, including a description of the circumstances that led to the change, shall be communicated to the Committee and Board as soon as possible after such an action is taken. When timing allows a delay in considering a change of impact or priority on a bill or issue, the Executive Director shall obtain the input and action of the Committee.

SECTION VII. Definitions

Author: A member of the Legislature who introduces a legislative measure (bill).

Author/Sponsor: Legislator who is authoring or carrying the bill without a designated sponsor.

Bill: A proposed law, introduced during a session for consideration by the Legislature, and identified numerically in order of presentation; also, a reference that may include joint and concurrent resolutions and constitutional amendments.

Proposition: A direct initiative process which allows state citizens to bypass the Legislature and have a voice in directly adding, repealing or amending provisions of the California Constitution or statutes. Ballot propositions can be proposed either by the Legislature or citizens.

Sponsor: The private individual or group who developed a piece of legislation and advocates its passage.

Spot Bill: A bill that proposes nonsubstantive amendments to a code section in a particular subject; introduced to assure that a bill will be available, subsequent to the deadline to introduce bills, for revision by amendments that are germane to the subject of the bill.



CALAFCO 2022 Legislative Policies

As adopted by the Board of Directors on November 12, 2021

1. LAFCo Purpose and Authority

- 1.1. Support legislation that enhances LAFCo authority and powers to carry out the legislative findings and authority in Government Code §56000 et seq. Oppose legislation that diminishes LAFCo authority.
- 1.2. Support authority for each LAFCo to establish local policies to apply Government Code §56000 et seq. based on local needs and conditions. Oppose any limitations to that authority.
- 1.3. Oppose additional LAFCo responsibilities that require expansion of current local funding sources. Oppose unrelated responsibilities that dilute LAFCo ability to meet its primary mission.
- 1.4. Support alignment of responsibilities and authority of LAFCo and regional agencies that may have overlapping responsibilities in orderly growth, agricultural and open space preservation, and municipal service delivery. Oppose legislation or policies that create conflicts or hamper those responsibilities.
- 1.5. Oppose grants of special status to any individual agency or proposal to circumvent the LAFCo process.
- 1.6. Support individual commissioner responsibility that allows each commissioner to independently vote his or her conscience on issues affecting his or her own jurisdiction.

2. LAFCo Organization

- 2.1. Support LAFCo independence from local agencies.
- 2.2. Oppose the re-composition of any LAFCo to create special seats and recognize the importance of balanced representation provided by cities, the county, the public, and special districts in advancing the public interest.
- 2.3. Support representation of special districts on all LAFCos in counties with independent districts and oppose removal of special districts from any LAFCo.
- 2.4. Support communication and collaborative decision-making among neighboring LAFCos when growth pressures and multicounty agencies extend beyond an individual LAFCo's boundaries.

3. Agricultural and Open Space Protection

- 3.1. Support legislation that clarifies LAFCo authority to identify, encourage and ensure the preservation of agricultural and open space lands.
- 3.2. Encourage a consistent definition of agricultural and open space lands.
- 3.3. Support policies that encourage cities, counties and special districts to discourage development on all types of agricultural lands, including prime agricultural lands and open space lands.
- 3.4. Support policies and tools that protect all types of agricultural lands, including prime agricultural lands and open space lands.
- 3.5. Support the continuance of the Williamson Act and restoration of program funding through State subvention payments.

4. Orderly Growth

- 4.1. Support the recognition and use of spheres of influence as a planning tool pertaining to growth and development, and the preservation of agricultural and open space lands.
- 4.2. Support recognition of LAFCo spheres of influence by other agencies involved in determining and developing long-term growth and infrastructure plans.
- 4.3. Support orderly boundaries of local agencies and the elimination of islands within the sphere of influence and boundaries of agencies.
- 4.4. Support communication among cities, counties, special districts, stakeholders and affected parties through a collaborative process that resolves service, infrastructure, housing, land use, and fiscal issues, prior to application to LAFCo.
- 4.5. Support cooperation between counties and cities on decisions related to development within a city's designated sphere of influence.
- 4.6. Support cooperation between cities and special districts on decisions related to development within city and district spheres of influence that overlap.
- 4.7. Support the recognition of extreme natural disasters and disaster preparedness when considering growth and service delivery issues.

5. Service Delivery and Local Agency Effectiveness

- 5.1. Support the use of LAFCo resources to review Regional Transportation Plans, with a focus on sustainable communities strategies and other growth plans to ensure reliable services, orderly growth, and conformity with LAFCo's legislative mandates. Support efforts that enhance meaningful collaboration between LAFCos and regional planning agencies.
- 5.2. Support LAFCo authority as the preferred method of local governance. Support the availability of LAFCo tools that provide options for local governance and efficient service delivery, including the authority to impose conditions that assure a proposal's conformity with LAFCo's legislative mandates.
- 5.3. Support a deliberative and open process for the creation or reorganization of local governments that evaluates the proposed new or successor agency's long-term financial viability, governance structure and ability to efficiently deliver proposed services.
- 5.4. Support the availability of tools for LAFCo to insure equitable distribution of revenues to local government agencies consistent with their service delivery responsibilities.
- 5.5. Support legislation and collaborative efforts among agencies and LAFCos that encourage opportunities for sharing of services, staff and facilities to provide more efficient and cost-effective services.

2022 Legislative Priorities

Primary Issues

Authority of LAFCo

Support legislation that maintains or enhances LAFCo's authority to condition proposals in order 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, and 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 and disadvantaged communities, and that 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 in order to evaluate current and cumulative water demands for service expansions and boundary changes. Such policies should include the 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 policies, programs and legislation that maintain or enhance 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 that provides LAFCo and local communities with options for local governance that ensures efficient, effective, and quality service delivery. Support efforts that provide tools to local agencies to address aging infrastructure, fiscal challenges, declining levels of services, and inadequate services to disadvantaged communities.

Issues of Interest

Housing

Provision of territory and services to support housing plans consistent with State affordable housing mandates, 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 at risk of 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

Consistency of expedited processes for inhabited annexations with LAFCo law that include fiscal viability. 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 that would provide adequate municipal services to disadvantaged communities. Promote the delivery of adequate, sustainable, efficient, and effective levels of municipal services through periodic updates and reviews of Municipal Service Reviews, Spheres of Influence, and related studies prepared by LAFCOs.

Climate Adaptation

The ability and effectiveness of local agencies to proactively and effectively address issues that impact municipal service infrastructure and service delivery that include sea level rise, sand erosion, and levee protection. Adequate resources for local agencies to prepare for and appropriately respond to extreme disasters related to climate change. Ensure local agencies are considering climate resiliency when considering future development.

CALAFCO Legislative Committee MEETING AGENDA

**Friday, November 4, 2022 ♦ 9:00 am – 12:00 pm
Virtual via Zoom**

<https://us02web.zoom.us/j/89785813863?pwd=WFR3TDZsTnlhV253VXI0TjFMOEwwQT09>

Meeting ID: 897 8581 3863

Passcode: 330518

Phone: 669-900-6833

		<i>Page</i>
1. Convene and Roll Call	<i>R. LaRoche</i>	
2. Approval of Minutes of the October 7, 2022 meeting	<i>R. LaRoche</i>	3
3. Review and Possible Direction Regarding Proposed Omnibus Bill Item	<i>R. LaRoche</i>	5
4. Discussion and Direction Regarding Cancellation of the January 13, 2023 Meeting	<i>R. LaRoche</i>	11
5. Items for next meeting		
6. Good of the Order		
7. Adjournment to January 13, 2023 virtual meeting at 9:00 a.m., OR February 24, 2023 at 10:00 a.m. in Sacramento.		

This page intentionally left blank.

**CALAFCO Legislative Committee
DRAFT ACTION MEETING MINUTES**

Date:	October 7, 2022
Location:	Virtual
Participants:	Clark Alsop, Mark Bramfitt, Bill Connelly , Carolyn Emery, Gay Jones , René LaRoche, Steve Lucas, Kai Luoma, Jo MacKenzie , Mike McGill , Margie Mohler , Anita Paque , and Jennifer Stephenson.
Alternates:	Rob Fitzroy, Joe Serrano
Others present:	Advisory Committee Members: Crystal Craig, Priscilla Mumpower, Sara Lytle-Pinhey, Erica Sanchez, Jim Simon (RSG), Guests: Jonathan Brinkmann (Monterey), and Mike Prater (Santa Barbara)
Recorder:	René LaRoche

1. Welcome, Roll Call

10:04 AM: The meeting was called to order by René LaRoche. Roll was taken and a quorum was established.

2. Approval of minutes of the June 17, 2022 meeting

ACTION: *Approved as presented. Jo MacKenzie (M); Gay Jones (S). Approved unanimously.*

3. Approval of minutes of the July 29, 2022 meeting

ACTION: *Approved as presented. Jo MacKenzie (M); Gay Jones (S). Approved unanimously.*

4. Adopt the 2022-2023 Legislative Committee Meeting Calendar

ACTION: *Approved, with the starting times of all virtual meetings being modified to 9:00 AM while in-person meeting start times remain at 10:00 AM. Gay Jones (M); Jo MacKenzie (S). Approved unanimously.*

5. Receive and File the Final Reports for the 2021-2022 Legislative Year

ACTION: *Reports Received and Filed. Anita Paque (M); Bill Connelly (S). Approved unanimously.*

6. Review of Legislative Committee Guidelines

ACTION: *Approved as presented. Anita Paque (M); Jo MacKenzie (S). Approved unanimously.*

7. Review of Omnibus Process

Joe Serrano provided an overview of the Omnibus Process.

8. Good of the Order

René LaRoche discussed the cyclical nature of the legislative seasons and committee meetings, and noted being open to ideas that might improve committee functioning.

9. Adjournment to November 4, 2022 meeting at 9:00 a.m.

10:42 AM: René LaRoche adjourned the meeting, noting the next meeting date and time.

This page intentionally left blank.

LEGISLATIVE COMMITTEE MEETING STAFF REPORT

Agenda Item No. 3 Review and Possible Direction Regarding Proposed Omnibus Bill Item

Meeting Date: November 4, 2022

Prepared By: René LaRoche, Chair

RECOMMENDATIONS

1. Review the legislative proposal for the 2023 Omnibus Bill and determine if it meets the Omnibus Bill criteria; and
2. Direct the CALAFCO Executive Director to submit the proposal(s) approved by the Legislative Committee to the Assembly Local Government Committee.

DISCUSSION

Every year, legislative proposals are solicited from the membership for both omnibus and standalone bills. This year, the call for proposals went out on October 4, 2022 with a requested return date of November 4, 2022. To date, CALAFCO staff has received 1 proposed change, a summary of which can be found below. Copies of any proposals that may be received after the posting of this agenda, yet prior to the meeting, will be distributed separately.

As the Committee considers potential Omnibus proposals, it should keep the following three factors in mind:

- (1) What is the identified problem?
- (2) What is the proposed solution? and
- (3) Does the proposal meet the Omnibus Bill criteria?

If the Committee feels that the above questions have been adequately addressed by the proposal, then action will be invited. Under Committee guidelines, approval must be unanimous for the proposal to move forward in the process.

Proposed Change #1: Term Modifications to Allow Email Transmissions of Resolutions, and Replace the word "boundaries" with "jurisdictional boundary"

Government Code (GC) § 56882 defines two instances when an Executive Officer must mail a copy of a commission's resolution making determinations. This proposal would change the word "mail" to "transmit" to allow for email transmission. It would also change the wording of one of those defined instances regarding the affected local agency from "boundaries" to "jurisdictional boundary" to better reflect the actual nature of the boundary. This amendment has been proposed by Paul Novak (Los Angeles), Brendon Freeman (Napa), and Carolyn Emery (Orange).

HISTORY

Consideration of Omnibus proposals is an annual occurrence, normally timed for the beginning of the legislative year. The committee last reviewed legislative proposals on October 22, 2021.

ATTACHMENTS

- 3.a. – Proposal for GC §56882
- 3.b. Government Code Section 56882

C A L A F C O
LEGISLATIVE PROPOSAL REQUEST
2023 Legislative Year

CALAFCO will consider any proposals for improving or clarifying the Cortese-Knox-Hertzberg Act or related laws when it can be shown to provide benefit or assistance to the mission and policy principles of CALAFCO. Requesting agencies are expected to provide sufficient explanation for proposals in order for the CALAFCO Legislative Committee to consider the proposal. Please complete the following questions as thoroughly as possible. **PROPOSALS ARE DUE BY 5:00 P.M., FRIDAY, NOVEMBER 4, 2022.**

REMEMBER THAT PROPOSALS FOR THE OMNIBUS BILL MUST BE NON-CONTROVERSIAL, HAVE NO OPPOSITION AND BE MINOR TECHNICAL CORRECTIONS. **WE CANNOT ACCEPT ANYTHING FOR THE OMNIBUS THAT DOES NOT MEET THIS CRITERIA AND PROPOSALS OF THIS NATURE FOR THE OMNIBUS WILL NOT BE FORWARDED TO THE LEGISLATIVE COMMITTEE.**

Along with this form, you must also provide a strike-through underlined version (tracked changes) of the code section in its entirety showing the changes (underlining the additional text and striking through the proposed deletions). This should begin on a new page of the form.

In summary, here's what we need to know – you will need to answer these questions on page 3 of the form.

- **Legislative history:** *What bill created the current law? What problem did it solve?*
- **Problem:** *What's wrong with the current law? Who says there's a problem? Why is this the best fix for the problem?*
- **Politics:** *Who else cares about this topic? What did they tell you when you asked them?*
- **People:** *Which groups did you talk to before submitting this request? What did they say?*
- **Specific language:** *What's your proposed amendment? How should the section really read?*

C A L A F C O
LEGISLATIVE PROPOSAL REQUEST
2023 Legislative Year

Is this an Omnibus suggestion or stand-alone CALAFCO sponsored bill proposal?

 XX Omnibus _____ Stand-alone CALAFCO sponsored bill

If Omnibus, does it meet the requirements that the change is minor technical in nature and non-controversial? (If no, do not submit the proposal as Omnibus)

YES XX NO _____

If CALAFCO sponsored bill, have you identified and approached a potential legislative author(s)? N/A

YES _____ NO _____

If Yes, who is the legislator(s)?

PROPOSAL SUMMARY:

What Code Section (s) and specific language are proposed for change?

Government Code § 56882

Which CALAFCO Board-adopted legislative policy or priority does this proposal address (you will find the current legislative policies on the CALAFCO website)?

1.1. Support legislation that enhances LAFCo authority and powers to carry out the legislative findings and authority in Government Code §56000 et seq.
Oppose legislation that diminishes LAFCo authority.

C A L A F C O
LEGISLATIVE PROPOSAL REQUEST
2023 Legislative Year

1. PROBLEM. The problem(s) that the proposal would address are:

Provide a detailed explanation of the problem(s) identified that would be solved with this proposal.

Existing language in Government Code § 56882 requires that an executive officer mail a copy of a resolution adopted by the Commission to the proponents (when initiated by petition) and each local agency affected by a proposal. Many executive officers—and, more importantly, many public agency representatives who receive these resolutions—would prefer to use alternative delivery options (email or hand-delivery).

2. SOLUTION. The proposal would address the problem in the following manner:

Describe *how* the problem would be resolved through this proposal. Include previous proposals or solutions that did not work and why they were not successful as a way to strengthen this position.

The proposal would amend Government Code § 56882 to replace the word “mail” with the word “provide,” which would allow for any form of delivery.

Additionally, the proposal would amend Government Code § 56882 to replace the word “boundaries” with the words “jurisdictional boundary.” This change reflects the fact that a public agency has a boundary (singular) and not boundaries (plural); further, the addition of the word “jurisdictional” is to distinguish a change of a jurisdictional boundary as opposed to an SOI boundary.

3. ORGANIZATIONAL SUPPORT.

Which LAFCos support the proposal? What other stakeholders may support the proposal?

Los Angeles LAFCO, Napa LAFCO, and Orange LAFCO.

4. ARGUMENTS IN SUPPORT.

What are the specific arguments in support of the proposal? Be as specific as possible, including data to support the argument.

The proposal would enable an executive officer to provide copies of resolutions in a method preferred by the recipient public agency representatives.

5. ORGANIZATIONAL OPPOSITION.

C A L A F C O
LEGISLATIVE PROPOSAL REQUEST
2023 Legislative Year

What organizations, if any (LAFCOs or other stakeholders) have expressed or may express opposition to the proposal?

The sponsors anticipate no organizational opposition.

6. ARGUMENTS IN OPPOSITION.

What are the potential specific arguments in opposition of the proposal? Be as specific as possible, including data to support the argument.

The sponsor is unaware of any potential arguments in opposition to the proposal.

7. CONTACT.

For information please contact:

Paul A. Novak, AICP
Executive Officer
Local Agency Formation Commission for the County of Los Angeles
80 So. Lake Avenue
Suite 870
Pasadena, CA 91101
(626) 204-6500
pnovak@lalafco.org

Brendon Freeman
Executive Officer
Napa LAFCO
1754 Second Street
Suite C
Napa, CA 94559
(702) 259-8645
bfreeman@napalafco.ca.gov

Carolyn Emery
Executive Officer
Orange County LAFCO
2677 N. Main Street
Suite 1050
Santa Ana, CA 02705
(714) 640-5100
cemery@oclafco.org

State of California

GOVERNMENT CODE

Section 56882

56882. The executive officer shall ~~mail-transmit~~ a copy of the resolution adopted by the commission making determinations addressed to each of the following persons or entities:

- (a) The proponents, if any, where the proceedings for change of organization were initiated by petition.
- (b) Each affected local agency whose ~~boundaries-jurisdictional boundary~~ would be changed by the proposal.

(Added by Stats. 2000, Ch. 761, Sec. 211. Effective January 1, 2001.)

LEGISLATIVE COMMITTEE MEETING STAFF REPORT

Agenda Item No. 4 Discussion and Direction Regarding Cancellation of the January 13, 2023 Meeting

Meeting Date: November 4, 2022

Prepared By: René LaRoche, Chair

RECOMMENDATIONS

Discussion and Direction Regarding Potential Cancellation of the January 13, 2023 Legislative Committee (the Committee) meeting.

DISCUSSION

The Committee is next scheduled to meet virtually on January 13, 2023 at 9:00 a.m. However, given that the two-year 21-22 legislative cycle has concluded, and given that the Legislature is now in recess, there is a high likelihood that little to no legislative business requiring the Committee's immediate attention will occur in the span of time leading up to the January 13, 2023 meeting. While it is, technically, possible for there to be legislative business conducted after December 5, 2022, when the California Constitution requires the Legislature to convene at Noon, the question that remains is how much business given the ensuing holidays. The Committee is therefore being requested to provide direction as to whether to hold the January 13, 2023 meeting as scheduled, or itself recess until the next scheduled meeting of February 24, 2023, when it is scheduled to meet in-person in Sacramento at 10:00 a.m.

To better inform this discussion, a review was conducted of past January meetings that similarly fell at the beginning of the legislative cycle. The agenda for January 25, 2019, had items to approve minutes, receive an Omnibus update, receive updates on grant funding legislation and the protest provisions revision, and to receive the list of CALAFCO tracked legislation, of which there were two bills that had been introduced mid-month, at approximately the same time of the month as the Committee's next meeting. (It should also be noted that the two bills were unchanged the following month.)

Similarly, the agenda for January 27, 2017, had items to approve minutes, a review of CALAFCO Legislative Policies (already accomplished by this Committee), a report on the 2017 Omnibus Bill, reports regarding CALAFCO sponsored legislation, and an item to receive the list of CALAFCO tracked legislation, of which there was one bill.

The 2015, 2013, 2011, and 2009 agendas were similarly sparsely populated.

Consequently, the Committee is now being asked to consider its adopted calendar and determine if the January 13, 2023 meeting is still needed.

HISTORY

The Committee adopted its 2023 calendar on October 7, 2022.

ATTACHMENTS:

4.a. The 2023 Legislative Committee Calendar



Legislative Committee 2022-23 Meeting Calendar

2022

Friday, November 4, 2022 - 9:00 AM
Location: Virtual

2023

Friday, January 13, 2023 – 9:00 AM
Location: Virtual

Friday, February 24, 2023 – 10:00 AM
Location: Sacramento*

Friday, March 31, 2023 – 9:00 AM
Location: Virtual

April 26-28th: Staff Workshop

Friday, May 5, 2023 – 9:00 AM
Location: Virtual

Friday, June 16, 2023 – 10:00 AM
Location: San Diego*

Friday, July 28, 2023 (as needed) – 9:00 AM
Location: Virtual

Friday, August 25, 2023 (as needed) – 9:00 AM
Location: Virtual

Oct. 18-20th: CALAFCO Annual Conference

Friday, November 3, 2023 – 9:00 AM
Location: Virtual

Friday, December 8, 2023 – 10:00 AM
Location: Sacramento*

*Phone Conferencing will be available.

LEGISLATIVE COMMITTEE MEETING STAFF REPORT

Agenda Item No. 3 **ADDENDUM Review and Possible Direction Regarding Proposed Omnibus Bill Item**

Meeting Date: November 4, 2022

Prepared By: René LaRoche, Chair

RECOMMENDATIONS

1. Include the two attached legislative proposals in the review of legislative proposals (Agenda Item Number 3)

DISCUSSION

Since the agenda packet was published on October 26, 2022, two additional legislative proposals were received on November 3, 2022, both within the submission period and both from Kai Luoma, Ventura LAFCo. Consequently, the committee is being requested to include these proposals in their November 4, 2022, reviews and determinations.

As with the prior proposal, the Committee should keep the following three factors in mind:

- (1) What is the identified problem?
- (2) What is the proposed solution? and
- (3) Does the proposal meet the Omnibus Bill criteria?

If the Committee feels that the above questions have been adequately addressed by the proposal, then action will be invited. Under Committee guidelines, approval must be unanimous for the proposal to move forward in the process.

Proposed Change #2: add language to GC §56658 to require a completed tax sharing agreement prior to application filing

Add the following underlined language to a new subsection of 56658(d):
56658

(d)(1) The executive officer shall not accept an application for filing and issue a certificate of filing pursuant to subdivision (f) and an application shall not be deemed accepted for filing pursuant to subdivision (e) if an agreement for the exchange of property tax revenues has not been adopted pursuant to Section 99(b)(6) of the Revenue and Taxation Code.

This amendment has been proposed by Kai Luoma (Ventura).

Proposed Change #3: remove sections 56375.3(c), 56425.5, and 56429 which appear to be obsolete

CKH Sections 56375.3(c), 56425.5, and 56429 are special provisions that apply to only the Inland Valley Redevelopment Project Areal located in San Bernardino County (as referenced in Health and Safety Code Section 33492.41(e)). Redevelopment agencies, and presumably their redevelopment project areas, were dissolved by the Governor in 2012. Therefore, these sections of CKH appear to be obsolete and should be removed.

This amendment has been proposed by Kai Luoma (Ventura).

HISTORY

Consideration of Omnibus proposals is an annual occurrence, normally timed for the beginning of the legislative year. The committee last reviewed legislative proposals on October 22, 2021.

ATTACHMENTS

3A.1 – Proposal No 2

3A.2 – Proposal No. 3

CALAFCO will consider any proposals for improving or clarifying the Cortese-Knox-Hertzberg Act or related laws when it can be shown to provide benefit or assistance to the mission and policy principles of CALAFCO. Requesting agencies are expected to provide sufficient explanation for proposals in order for the CALAFCO Legislative Committee to consider the proposal. Please complete the following questions as thoroughly as possible. **PROPOSALS ARE DUE BY 5:00 P.M., FRIDAY, NOVEMBER 4, 2022.**

REMEMBER THAT PROPOSALS FOR THE OMNIBUS BILL MUST BE NON-CONTROVERSIAL, HAVE NO OPPOSITION AND BE MINOR TECHNICAL CORRECTIONS. WE CANNOT ACCEPT ANYTHING FOR THE OMNIBUS THAT DOES NOT MEET THIS CRITERIA AND PROPOSALS OF THIS NATURE FOR THE OMNIBUS WILL NOT BE FORWARDED TO THE LEGISLATIVE COMMITTEE.

Along with this form, you must also provide a strike-through underlined version (tracked changes) of the code section in its entirety showing the changes (underlining the additional text and striking through the proposed deletions). This should begin on a new page of the form.

In summary, here's what we need to know – you will need to answer these questions on page 3 of the form.

- **Legislative history:** *What bill created the current law? What problem did it solve?*
- **Problem:** *What's wrong with the current law? Who says there's a problem? Why is this the best fix for the problem?*
- **Politics:** *Who else cares about this topic? What did they tell you when you asked them?*
- **People:** *Which groups did you talk to before submitting this request? What did they say?*
- **Specific language:** *What's your proposed amendment? How should the section really read?*

Is this an Omnibus suggestion or stand-alone CALAFCO sponsored bill proposal?

Omnibus Stand-alone CALAFCO sponsored bill

If Omnibus, does it meet the requirements that the change is minor technical in nature and non-controversial? (If no, do not submit the proposal as Omnibus)

YES NO

If CALAFCO sponsored bill, have you identified and approached a potential legislative author(s)?

YES NO

If Yes, who is the legislator(s)?

PROPOSAL SUMMARY:

What Code Section (s) and specific language are proposed for change?

Add the following underlined language to a new subsection of 56658(d):

56658

(d)(1) The executive officer shall not accept an application for filing and issue a certificate of filing pursuant to subdivision (f) and an application shall not be deemed accepted for filing pursuant to subdivision (e) if an agreement for the exchange of property tax revenues has not been adopted pursuant to Section 99(b)(6) of the Revenue and Taxation Code.

(2) The executive officer shall not accept an application for filing and issue a certificate of filing for at least 20 days after giving the mailed notice required by subdivision (b). The executive officer shall not be required to comply with this subdivision in the case of an application which meets the requirements of Section 56662 or in the case of an application for which a local agency has already given notice pursuant to subdivision (c) of Section 56654.

Which CALAFCO Board-adopted legislative policy or priority does this proposal address (you will find the current legislative policies on the CALAFCO website)?

None. It merely assists executive officers by increasing awareness of sections of the R&T Code that apply to executive officers as they process proposals.

1. **PROBLEM. The problem(s) that the proposal would address are:**

Provide a detailed explanation of the problem(s) identified that would be solved with this proposal.

Section 99(b)(6) of the Revenue and Taxation Code provides that the LAFCo executive officer shall not issue a certificate of filing unless or until a property tax sharing agreement has been adopted. However, LAFCo law, particularly the section pertaining to when the executive officer is to issue a certificate of filing (Section 56658), makes no reference to the Revenue and Taxation Code. Because this provision is not located in LAFCo law, some executive officers have been unaware of it and have issued certificates of filing prematurely and in violation of the R&T Code.

2. **SOLUTION. The proposal would address the problem in the following manner:**

Describe *how* the problem would be resolved through this proposal. Include previous proposals or solutions that did not work and why they were not successful as a way to strengthen this position.

Adding this subsection to 56658 will help ensure that LAFCo executive officers are aware of this R&T Code requirement and implement the law accordingly.

3. **ORGANIZATIONAL SUPPORT.**

Which LAFCos support the proposal? What other stakeholders may support the proposal?

Unknown. The proposal does not change existing law, but simply adds a reference to another applicable code section to ensure that executive officers are aware of it and follow it.

4. **ARGUMENTS IN SUPPORT.**

What are the specific arguments in support of the proposal? Be as specific as possible, including data to support the argument.

It makes executive officers aware of a somewhat obscure provision in the law that they may not otherwise be aware of but that they are required to follow.

5. **ORGANIZATIONAL OPPOSITION.**

What organizations, if any (LAFCos or other stakeholders) have expressed or may express opposition to the proposal?

None.

6. **ARGUMENTS IN OPPOSITION.**

What are the potential specific arguments in opposition of the proposal? Be as specific as possible, including data to support the argument.

None known. This proposal merely assists executive officers in following existing law by making them aware of applicable provisions in the R&T code.

7. **CONTACT.**

For information please contact:

Kai Luoma
Executive Officer
Ventura LAFCo
(805) 654-2575

CALAFCO will consider any proposals for improving or clarifying the Cortese-Knox-Hertzberg Act or related laws when it can be shown to provide benefit or assistance to the mission and policy principles of CALAFCO. Requesting agencies are expected to provide sufficient explanation for proposals in order for the CALAFCO Legislative Committee to consider the proposal. Please complete the following questions as thoroughly as possible. **PROPOSALS ARE DUE BY 5:00 P.M., FRIDAY, NOVEMBER 4, 2022.**

REMEMBER THAT PROPOSALS FOR THE OMNIBUS BILL MUST BE NON-CONTROVERSIAL, HAVE NO OPPOSITION AND BE MINOR TECHNICAL CORRECTIONS. WE CANNOT ACCEPT ANYTHING FOR THE OMNIBUS THAT DOES NOT MEET THIS CRITERIA AND PROPOSALS OF THIS NATURE FOR THE OMNIBUS WILL NOT BE FORWARDED TO THE LEGISLATIVE COMMITTEE.

Along with this form, you must also provide a strike-through underlined version (tracked changes) of the code section in its entirety showing the changes (underlining the additional text and striking through the proposed deletions). This should begin on a new page of the form.

In summary, here's what we need to know – you will need to answer these questions on page 3 of the form.

- **Legislative history:** *What bill created the current law? What problem did it solve?*
- **Problem:** *What's wrong with the current law? Who says there's a problem? Why is this the best fix for the problem?*
- **Politics:** *Who else cares about this topic? What did they tell you when you asked them?*
- **People:** *Which groups did you talk to before submitting this request? What did they say?*
- **Specific language:** *What's your proposed amendment? How should the section really read?*

Is this an Omnibus suggestion or stand-alone CALAFCO sponsored bill proposal?

Omnibus Stand-alone CALAFCO sponsored bill

If Omnibus, does it meet the requirements that the change is minor technical in nature and non-controversial? (If no, do not submit the proposal as Omnibus)

YES NO

If CALAFCO sponsored bill, have you identified and approached a potential legislative author(s)?

YES NO

If Yes, who is the legislator(s)?

PROPOSAL SUMMARY:

What Code Section (s) and specific language are proposed for change?

The proposal would remove sections 56375.3(c), 56425.5, and 56429 which appear to be obsolete. See attached.

Which CALAFCO Board-adopted legislative policy or priority does this proposal address (you will find the current legislative policies on the CALAFCO website)?

None. The proposal merely removes obsolete sections of CKH.

1. **PROBLEM. The problem(s) that the proposal would address are:**

Provide a detailed explanation of the problem(s) identified that would be solved with this proposal.

CKH Sections 56375.3(c), 56425.5, and 56429 are special provisions that apply to only the Inland Valley Redevelopment Project Areal located in San Bernardino County (as referenced in Health and Safety Code Section 33492.41(e)). Redevelopment agencies, and presumably their redevelopment project areas, were dissolved by the Governor in 2012. Therefore, these sections of CKH appear to be obsolete and should be removed.

2. **SOLUTION. The proposal would address the problem in the following manner:**

Describe *how* the problem would be resolved through this proposal. Include previous proposals or solutions that did not work and why they were not successful as a way to strengthen this position.

The proposal removes obsolete sections of CKH.

3. **ORGANIZATIONAL SUPPORT.**

Which LAFCos support the proposal? What other stakeholders may support the proposal?

Unknown. The sections apply to a single redevelopment area in San Bernardino County and are now obsolete. San Bernardino LAFCo agrees they are obsolete but has taken no position to their removal.

4. **ARGUMENTS IN SUPPORT.**

What are the specific arguments in support of the proposal? Be as specific as possible, including data to support the argument.

Removal of obsolete provisions from CKH helps keep it current and simplifies it.

5. **ORGANIZATIONAL OPPOSITION.**

What organizations, if any (LAFCos or other stakeholders) have expressed or may express opposition to the proposal?

None. San Bernardino LAFCo has taken no position on the proposal.

6. **ARGUMENTS IN OPPOSITION.**

What are the potential specific arguments in opposition of the proposal? Be as specific as possible, including data to support the argument.

None known. These sections appear to be obsolete.

7. **CONTACT.**

For information please contact:

Kai Luoma
Executive Officer
Ventura LAFCo
(805) 654-2575

Proposed Omnibus Item – Remove Sections 56375.3(c), 56425.5, and 56429

56375.3

~~–(c) Notwithstanding any other provision of this subdivision, this subdivision shall not apply to all or any part of that portion of the development project area referenced in subdivision (e) of Section 33492.41 of the Health and Safety Code that as of January 1, 2000, meets all of the following requirements:~~

- ~~–(1) Is unincorporated territory.~~
- ~~–(2) Contains at least 100 acres.~~
- ~~–(3) Is surrounded or substantially surrounded by incorporated territory.~~
- ~~–(4) Contains at least 100 acres zoned for commercial or industrial uses or is designated on the applicable county general plan for commercial or industrial uses.~~
- ~~–(d) (c) [renumbered to reflect removal of (c)]~~

~~56425.5. (a) A determination of a city's sphere of influence, in any case where that sphere of influence includes any portion of the redevelopment project area referenced in subdivision (e) of Section 33492.41 of the Health and Safety Code, shall not preclude any other local agency, as defined in Section 54951, including the redevelopment agency referenced in Section 33492.41 of the Health and Safety Code, in addition to that city, from providing facilities or services related to development, to or in that portion of the redevelopment project area that, as of January 1, 2000, meets all of the following requirements:~~

- ~~–(1) Is unincorporated territory.~~
- ~~–(2) Contains at least 100 acres.~~
- ~~–(3) Is surrounded or substantially surrounded by incorporated territory.~~
- ~~–(4) Contains at least 100 acres zoned for commercial or industrial uses or is designated on the applicable county general plan for commercial or industrial uses.~~

~~–(b) Facilities or services related to development may be provided by other local agencies to all or any portion of the area defined in paragraphs (1) to (4), inclusive, of subdivision (a). Subdivision (a) shall apply regardless of whether the determination of the sphere of influence is made before or after January 1, 2000.~~

~~56429. (a) Notwithstanding Sections 56425, 56427, and 56428, a petition for removal of territory from a sphere of influence determination may be brought pursuant to this section by landowners within the redevelopment project area referenced in subdivision (e) of Section 33492.41 of the Health and Safety Code, if, at the time the petition is submitted, the area for which the petition is being requested meets all of the following requirements:~~

- ~~–(1) Is unincorporated territory.~~
- ~~–(2) Contains at least 100 acres.~~
- ~~–(3) Is surrounded or substantially surrounded by incorporated territory.~~
- ~~–(4) Contains at least 100 acres zoned for commercial or industrial uses or is designated on the applicable county general plan for commercial or industrial uses.~~

~~–(b) On receipt of a petition signed by landowners owning at least 25 percent of the assessed value of the land within the affected territory, the commission shall hear and consider oral or written testimony.~~

~~–(c) The petition shall be placed on the agenda of the commission in accordance with subdivision (b) of Section 56428.~~

~~–(d) The executive officer shall give notice of the hearing in accordance with Section 56427.~~

~~–(e) From the date of filing of the petition to the conclusion of the hearing, the commission shall accept written positions from any owner of land in the unincorporated territory that is seeking removal from a city's sphere of influence.~~

~~–(f) The petition to remove territory from a city's sphere of influence shall be granted and given immediate effect if the commission finds that written positions filed in favor of the petition and not withdrawn prior to the conclusion of the hearing represent landowners owning 50 percent or more of the assessed value of the land within the affected territory.~~

~~–(g) No removal of territory from a city's sphere of influence that is proposed by petition and adopted pursuant to this section shall be repealed or amended except by the petition and adoption procedure provided in subdivisions (a) to (f), inclusive. In all other respects, a removal of territory from a city's sphere of influence proposed by petition and adopted pursuant to this section shall have the same force and effect as any amendment to or removal of territory from a city's sphere of influence approved by the commission. No territory removed from a city's sphere of influence pursuant to this section shall be annexed to that city, unless the territory is subsequently added to the sphere of influence of the city pursuant to the petition and adoption procedure provided in this section.~~

~~–(h) Pursuant to Section 56383, the commission may establish a schedule of fees for the costs of carrying out this section.~~

~~–(i) All proper expenses incurred in connection with removal of territory from a city's sphere of influence pursuant to this section shall be paid by the proponents.~~