

Les Baugh
County Member

Larry Farr
City Member

Stan Neutze
City Member Alternate

Francie Sullivan
City Member

Irwin Fust
Special District Member

Mary Rickert
County Member Alternate

Brenda Haynes
Special District Member



Larry Russell
Public Member

David Kehoe
County Member

Patricia A. Clarke
Special District Alternate

Vacant
Public Member Alternate

George Williamson
Executive Officer

James M. Underwood
General Counsel

Kathy Bull
Manager

Agenda Item:8.c.

MEETING DATE: June 7, 2018
TO: Shasta Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: CALAFCO Legislation Support

DISCUSSION

Legislative support for three bills CALAFCO has taken a support position on is requested. Information and specific request instructions follow. Final letters deadline is June 29 (last day for policy committees to get the bills out of their committee).

AB 2238 (Aguiar-Curry). This bill adds a factor for LAFCo consideration in the review of a proposal. That factor is information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Public Resources Code Section 4102, if it is determined that such information is relevant to the area subject of the proposal.

CALAFCO requests letter to Assm. Aguiar-Curry's copy to: Debbie Michel at Debbie.Michel@asm.ca.gov . Email Anton's copy to: Anton.Favorini-Csorba@sen.ca.gov and Ryan's copy to: Ryan.Eisberg@SEN.CA.GOV. Not yet assigned to Senate Governance & Finance Committee.

AB 2268 (Reyes) This bill restores funding for inhabited annexations. Payments come from ERAF and backfilled from general fund. CALAFCO has historically supported this bill.

CALAFCO requests letter to Assm. Reyes' with copy to Matthew Hamlett at matthew.hamlett@asm.ca.gov , and Dan Carrigg's copy to CarriggD@cacities.org.

SB 929 (McGuire). This bill requires all independent special districts to have a website by January 1, 2020, unless certain exemption standards have been met.

Bill fact sheet attached, CALAFCO requests letter to all ALGC members. Email copy to: jimmy.macdonald@asm.ca.gov, william.weber@asm.ca.gov , Anton.Favorini-Csorba@sen.ca.gov and dillong@csda.net.

RECOMMENDATION

Direct Staff to send letters of support.

ATTACHMENTS

Fact Sheet and Letters of Support

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June 7, 2018

Assembly Member Cecilia Aguiar-Curry
California State Assembly
State Capital Room 5144
Sacramento, CA 95814

Subject: Support of AB 2238 as amended April 3, 2018

Dear Assembly Member Aguiar-Curry:

The Shasta Local Agency Formation Commission (LAFCo) is pleased to join the California Association of Local Agency Formation Commissions (CALAFCO) in support **Assembly Bill AB 2238 as amended April 3, 2018**. Specifically of interest to LAFCOs is the provision requiring the commission to consider information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or land determined to be in a state responsibility area if it is determined that such information is relevant to the area that is the subject of the proposal.

When reviewing proposals for changes of organization or reorganizations, it's important for LAFCOs to consider whether or not the proposal is consistent with a city or county general plan and other types of growth plans. Further, considering the impact of specific potential fire hazard threats is an important part of smart growth and development planning. As we collectively work to adapt and evolve the way we respond to the impacts of climate change, these kinds of considerations are important in balancing orderly growth and climate adaptation efforts.

Because **AB 2238** is aligned with CALAFCO's policy to use LAFCo resources to review growth plans to ensure reliable services, orderly growth and sustainable communities, Shasta LAFCo supports this bill.

Sincerely,

Irwin Fust
Shasta LAFCo Chair

Cc: Debbie Michel, Chief Consultant, Assembly Local Government Committee
Anton Favorini-Csorba, Consultant, Senate Governance & Finance Committee
Ryan Eisberg, Consultant, Senate Republican Caucus
Pamela Miller, Executive Director, CALAFCO

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June 7, 2018

Assembly Member Eloise Gómez Reyes
California State Assembly
State Capital Room 2175
Sacramento, CA 95814

Subject: Support of AB 2268 as amended April 2, 2018

Dear Assembly Member Reyes:

The Shasta Local Agency Formation Commission (LAFCo) is pleased to join the California Association of Local Agency Formation Commissions (CALAFCO) in support of **Assembly Bill AB 2268 as amended April 2, 2018**. This bill would restore funding to approximately 140 cities that had annexed inhabited territory in reliance on previous financial incentives, then suffered significant fiscal harm when those funds were swept away due to the passage SB 89 (2011). The bill also offers similar incentives to support future annexations of inhabited territory to improve services to affected residents consistent with state LAFCo policies.

The VLF gap created by SB 89, one of the 2011 budget bills, created a financial disincentive for future city incorporations and annexations of inhabited territory. Further, it created severe fiscal penalties for those communities which chose to annex inhabited territories, particularly unincorporated islands. In several previous legislative acts the Legislature had directed LAFCOs to work with cities to annex unincorporated inhabited islands. The loss of financial incentive for these inhabited annexations has made it difficult for LAFCOs to follow this legislative directive.

Reinstating revenues for annexations is consistent with statewide LAFCo legislative policies of providing communities with local governance and efficient service delivery options, including the ability to annex. The inability to do so creates a tremendous detriment to the creation of logical development boundaries and to the prevention of urban sprawl. Because **AB 2268** reinstates a critical funding component to cities who previously annexed inhabited territory and did so relying on this financing, and to those cities who annex inhabited territory in the future, Shasta LAFCo supports this bill.

Thank you for carrying this important legislation. Please do not hesitate to contact me with any questions you may have on our position.

Sincerely,

Irwin Fust
Shasta LAFCo Chair

Cc: Pamela Miller, Executive Director, CALAFCO
Dan Carrigg, Deputy Executive Director and Legislative Director, League of CA Cities

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June 7, 2018

Senator Mike McGuire
California State Senate
State Capital Room 5061
Sacramento, CA 95814

Subject: Support of SB 929 as amended March 6, 2018

Dear Assembly Senator McGuire:

The Shasta Local Agency Formation Commission (LAFCo) is pleased to join the California Association of Local Agency Formation Commissions (CALAFCO) in support of **Senate Bill 929**, which would require all independent special districts have a website by January 1, 2020, thereby increasing transparency.

LAFCOs work very closely with special districts in their role of overseeing the provision of municipal services. For the approximately 50 percent of the independent special districts that have websites today, communication and transparency with the local LAFCo is far more seamless than with the other half that do not have a website. In those instances, the LAFCo is left to creative resourcefulness to gain access to critical contact and agency information, often times requiring the LAFCo to expend a great deal of effort and resources. This information is especially critical for LAFCo when fulfilling their statutory obligations related to conducting Municipal Service Reviews on these districts.

Further, providing information in an easy, accessible and transparent way to all members of the public – especially those being served by the district – is simply good governance.

For these reasons Shasta LAFCo supports **SB 929**.

Sincerely,

Irwin Fust
Shasta LAFCo Chair

Cc: Chair and Members, Assembly Local Government Committee
Jimmy MacDonald, Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
Pamela Miller, Executive Director, CALAFCO
Dillon Gibbons, CA Special Districts Association

Senate Bill 929

Special Districts Internet Transparency Act

Senator McGuire

SUMMARY

California has over 2,000 independent special districts that operate a range of local services, such as utilities, fire protection, parks, and transit. However, currently, less than half of all special districts have websites. While special districts provide a number of essential services to residents across California, recipients of these services may be unaware of what they do or even how to contact them.

SB 929 will require every independent special district to create and maintain a website with specific information—such as contact information, the timely posting of meeting agendas, and a copy or link to financial transaction and compensation reports – by January 1, 2020.

BACKGROUND

Special districts are local government agencies that provide essential services to millions of Californians. Typically, special districts are organized when local residents or landowners notice a need in the community.

Special districts come in two forms: dependent and independent. Dependent special districts are governed by existing legislative bodies, such as a city council or board of supervisors. Independent special districts are governed by a board of directors, either elected by voters or appointed by a local jurisdiction.

Today, California statute authorizes thirty-six types of principle special districts, and approximately 140 special acts that enable unique circumstances. These enabling acts cover a wide variety of services such as airports, community services, fire protection, harbor and ports, irrigation, recreations and parks, resource conservation, sanitation, transit, utility, and water districts.

Problem

Existing law requires special districts with websites to post certain information, such as meeting agendas and compensation reports. However, there is no requirement that special districts must create and maintain a website, leaving many Californians without easily accessible information for these essential services.

According to the California Special Districts Association, of the some 2,000 independent special districts in California, about half of them do not have a website.

In 2017, the Little Hoover Commission released a report on the state of special districts. In the report, the Commission cites a need for greater transparency and public involvement in special districts, such as a need for the public to be able to access what services are provided by the district, their contact information, and how they use their funding.

SOLUTION

To further public transparency for special districts, SB 929 will require every independent special district to create and maintain a website with specific information by January 1, 2020.

Independent special districts who are unable to maintain a website because of a hardship, such as inadequate staff, financial resources, or access to broadband, may be exempted on an annual basis by a resolution adopted by the governing board with detailed findings.

CONTACT

Kimberly Kollwitz, Legislative Aide
Phone: 916-651-4002
Kimberly.Kollwitz@sen.ca.gov

SUPPORT

California Special Districts Association