

**SACRAMENTO LOCAL AGENCY FORMATION COMMISSION**  
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**Sacramento, California 95814**  
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April 2, 2003

TO: Sacramento Local Agency Formation Commission  
FROM: Peter Brundage, Executive Officer  
RE: Legislative Report

**RECOMMENDATION**

Adopt positions on 2003-04 LAFCo legislation as follows.

<b>Bill Number</b>	<b>Author</b>	<b>Topic</b>	<b>Recommended Position</b>
AB 192	Harman	Non-contiguous Annexation	Support
AB 208	Harman	Dissolutions	Support
AB 518	Salinas	Regional Housing Needs Plan	Watch/ Support
AB 520	Salinas	Annexation Phasing	Oppose in Current Form
AB 668	Cox	Regional Housing Needs Plan	Support
AB 838	Spitzer	CC & R's/ Incorporation	Watch
AB 1385	Haynes	Water Rights/ San Diego	Watch

<b>Bill Number</b>	<b>Author</b>	<b>Topic</b>	<b>Recommended Position</b>
SB 282	Oller	El Dorado Incorporation	Oppose
SB 341	SLGC	Public Cemetery District Law	Support
SB 487	Torlakson	Special District Annexation	Support
SB 865	Hollingsworth	Notice Requirements L.A. County Only	Watch

### **BILL SUMMARY**

#### **AB 192 Harman Support**

Allows annexation of non-contiguous land into a city that is used for municipal services only. The current language of Government Code Section 56742 is ambiguous with respect to whether or not a city is limited to the annexation of 300 acres of non-contiguous land in total (cumulatively) or to the annexation of 300 acres of non-contiguous land as part of one proposal. **[CALAFCo proposes to clarify that it is the latter. Bill sponsored by CALAFCo.]**

#### **AB 208 Harman Support**

This bill provides that a successor agency may not be prevented from continuing to perform any or all functions of the extinguished local agency, regardless of whether the successor agency previously performed that function. **Sponsored by CALAFCo.**

#### **AB 518 Salinas Watch/ Support**

Current law calls upon LAFCo to consider the effect of a change of organization or reorganization on the receiving entity's ability to meet its regional housing needs allocation (RHNA). CALAFCo is seeking modification of this language to better reflect the nature of the RHNA process. CALAFCo has proposed that the language require LAFCo to consider the effect on both the city and the county. CALAFCo is working with Assemblyman Salinas' office to craft the most appropriate form of language. **Sponsored by CALAFCo.**

**AB 520      Salinas      Oppose**

Applies to annexations in Santa Cruz County. Would allow the effective date of annexation to be determined by the Commission rather than as currently provided under law.

**AB 668      Cox      Support**

Requires that city and county must agree to transfer of fair share housing needs prior to annexation of an area. LAFCo could impose this agreement as a term or condition of the annexation.

**AB 838      Spitzer      Watch**

Recent incorporations have included commercial and industrial properties subject to CC & R's. This bill seeks to limit the applicability of these CC & R's when they are inconsistent with the General Plan adopted by the city. **This bill should have no impact on incorporations in Sacramento County.**

**AB 1385      Hayes      Watch**

Applies to the County Water Authority Act only. There is only one agency that exists, the San Diego County Water Authority. This bill will have no impact on Sacramento LAFCo.

**SB 282      Oller      Oppose**

This bill preempts existing law to make exceptions for the proposed incorporation of El Dorado Hills. This legislation circumvents the LAFCo process. CALAFCo opposes.

**SB 341      Senate Local  
Government Committee      Support**

Rewrite of law relating to public cemetery districts. **Sacramento LAFCo has already supported this bill. CALAFCo supports.**

**SB 487      Torlakson      Support**

Under existing law, annexations to a special district initiated by an applicant other than the district must be terminated by LAFCo if the district passes a resolution to that effect within 60 days of filing the proposed annexation. The District is not required to make findings. This bill would empower applicants to challenge a special district's veto action in court. **CALAFCo supports this bill.**

**SB 865      Hollingsworth      Watch**

Impacts Los Angeles County only. Relates to noticing requirements.

**PB:Maf**  
(Legislation April 2, 2003)