

**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)
EXECUTIVE OFFICER'S REPORT**

CONSENT AGENDA ITEM No. 5-B

DATE: April 18, 2018

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, LAFCo Executive Officer 

BY: Amanda Graham, Office Assistant

SUBJECT: CALAFCO letters in support of AB 2258, AB 3254, AB 2600 and AB 2491

RECOMMENDATION: Receive and file

Summary

The CALAFCO Legislative Committee took positions on a number of bills in Sacramento, CA. CALAFCO Executive Director Pamela Miller requested that all LAFCos consider the draft bills and write letters of support.

Pursuant to LAFCo policy, staff forwarded the request for support to Chair Silva and LAFCo Counsel Ken Price. Chair Silva directed staff to send the support letters. Attached to this report are copies of the support letters sent and signed by Executive Officer Fey on behalf of Chair Silva.



Fresno Local Agency Formation Commission

March 29, 2018

Assembly Member Heath Flora
California State Assembly
State Capitol, Room 3098
Sacramento, CA 95814

RE: **SUPPORT FOR AB 2600**: Regional Park and Open Space Districts

Dear Assembly Member Flora:

The Fresno Local Agency Formation Commission (LAFCo) supports *Assembly Bill 2600*, which allows the initiation of Regional Park and Open Space Districts to occur by resolution of the City Councils and Board of Supervisors within the proposed district.

Current law only allows the initiation to occur by a petition of 5,000 or more voters. This restrictive initiation requirement is an antiquated feature of the Open Space District law which was passed in 1939 and has not undergone a comprehensive update since. The petition requirement increases the cost and time for proponents to initiate Regional Park and Open Space District formation proposals. The principal acts for a variety of special districts allow initiation by either petition or local agency resolution, including Cemetery Districts, Community Service Districts, Fire Protection Districts, Mosquito and Vector Abatement Districts, and Parks and Recreation Districts.

The proponents of the last eleven proposals for Regional Park and Open Space Districts have sought special enabling acts from the Legislature. A principal act should allow district initiations without the need for special enabling acts.

CALAFCo supports the availability of a more streamlined and less costly initiation process for Regional Park and Open Space Districts. Adding the option for local governments to adopt a resolution of application in lieu of the 5,000 signature petition is a much more streamlined way to initiate the formation process. Further, keeping the LAFCo application process intact also allows for the appropriate detailed review to ensure the efficient and sustainable provision of services.

For these reasons, the Fresno LAFCo is pleased to join the California Association of Local Agency Formation Commissions (CALAFCo) and support *AB 2600* and thank you for authoring this important piece of legislation.

Yours sincerely,


P.D. Robert Silva
Chairman

cc: Members, Assembly Local Government Committee
Debbie Michel, Chief Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
Pamela Miller, Executive Director, CALAFCo



Fresno Local Agency Formation Commission

March 29, 2018

The Honorable Anna Caballero
California State Assembly
State Capital Room 5158
Sacramento, CA 95814

Subject: **Support of AB 2258 (as amended March 15, 2018)**

Dear Assemblymember Caballero:

The Fresno Local Agency Formation Commission (LAFCo) is pleased to join the California Association of Local Agency Formation Commissions (CALAFCO) in support for **Assembly Bill 2258**. Sponsored by CALAFCO, the bill establishes a funding program to provide grants to LAFCos for conducting in-depth studies and analyses of local government agencies and services for the purposes of creating improved efficiencies in the delivery of local government services and completing the dissolution of inactive special districts. The grant program would be administered by the Strategic Growth Council and sunset on December 31, 2023.

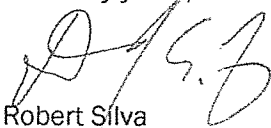
The Legislature established LAFCos in 1963 to encourage the orderly formation of local government agencies. Since that time, the regulatory role and responsibilities of LAFCos has substantially increased without additional funding. Operating in all 58 California counties, LAFCos are responsible for meeting important statutory directives to maintain orderly boundaries and seek greater efficiencies in delivering local services, and yet these directives often times cannot be met under current funding mechanisms. As a result, much needed LAFCo activities are sometimes delayed or rejected.

In August 2017, the Little Hoover Commission published a report on special districts and their oversight by LAFCos, which contained several recommendations directly related to LAFCo. One recommendation was for the Legislature to provide one-time grant funding to pay for specified LAFCo activities, particularly to incentivize LAFCos or smaller special districts to develop and implement dissolution or consolidation plans with timelines for expected outcomes.

By establishing this one-time grant funding, **AB 2258** provides an additional tool for LAFCos to conduct detailed studies and implement greater efficiencies in delivering local services based on local circumstances and conditions. For these reasons, Fresno LAFCo is pleased to support **AB 2258**.

Thank you for authoring this important piece of legislation. Please feel free to contact me should you have any questions about Fresno LAFCo's position.

Sincerely yours,


PP. Robert Silva
Chairman

cc: Members, Assembly Local Government Committee
Debbie Michel, Chief Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
Pamela Miller, Executive Director, CALAFCO



Fresno Local Agency Formation Commission

March 29, 2018

Honorable Cecilia Aguiar-Curry, Chair
Assembly Local Government Committee
California State Assembly
State Capitol, Room 5144
Sacramento, CA 95814

RE: SUPPORT of AB 3254: Local Government Committee Omnibus Bill

Dear Chair Aguiar-Curry:

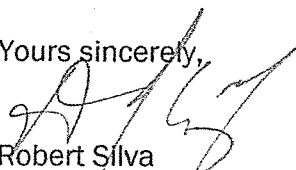
The Fresno Local Agency Formation Commission (LAFCo) is pleased to support the Assembly Local Government Committee Bill *AB 3254* which makes technical, non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act).

This annual bill includes technical changes to the Act which governs the work of LAFCos. These changes are necessary as Commissions implement the Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. *AB 3254* currently makes minor technical corrections to language used in the Act.

Fresno LAFCo is grateful to your Committee and staff, and the members of the California Association of Local Agency Formation Commissions (CALAFCO) Legislative Committee, all of whom worked diligently on this language to ensure there are no substantive changes while creating a significant increase in the clarity of the Act for all stakeholders.

This legislation helps insure the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state. We appreciate your Committee's authorship and your support of the mission of LAFCos. Please feel free to contact me should you have any questions about our support of *AB 3254*.

Yours sincerely,


Robert Silva
Chairman

cc: Members, Assembly Local Government Committee
Debbie Michel, Chief Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
Pamela Miller, Executive Director, CALAFCO



Fresno Local Agency Formation Commission

March 29, 2018

Assembly Member Ken Cooley
California State Assembly
State Capital Room 3013
Sacramento, CA 95814

Subject: **Support of AB 2491**

Dear Assembly Member Cooley:

The Fresno Local Agency Formation Commission (LAFCo) joins the California Association of Local Agency Formation Commissions (CALAFCO) in supporting **Assembly Bill AB 2491**, which would assist the fiscal viability of future city incorporations that meet all other state requirements.

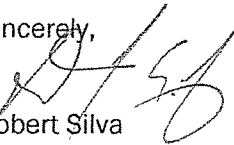
The VLF gap created by SB 89, one of the 2011 budget bills, created a financial disincentive for future city incorporations and annexations of inhabited territory. For the past seven years, no new cities have formed. Given the growing population in our state and the need for orderly growth and adequate service provision, this policy issue needs to be addressed.

AB 2491 by no means guarantees that a community wishing to incorporate will become a city. In order to incorporate, local communities have to overcome many hurdles, including compliance with state LAFCo policies, negotiations with counties, and ultimately a public vote. This bill simply gives communities considering incorporation the same opportunity to incorporate that other California cities have previously had.

Reinstating revenues for incorporations provides communities with local governance and efficient service delivery options, including the ability to incorporate. 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 2491** reinstates a critical funding component to cities incorporating after 2017, Fresno 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,


P.P. Robert Silva
Chairman

Cc: Chair and Members, Assembly Local Government Committee
Debbie Michel, Chief Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
Pamela Miller, Executive Director, CALAFCO