

SAN MATEO

**LOCAL AGENCY FORMATION COMMISSION**

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

June 23, 2015

The Honorable Mark Leno  
California State Senate  
State Capitol  
Sacramento, CA 95814

NOTE: Also sent to Senator Jerry Hill

**RE: AB 3 – OPPOSE UNLESS AMENDED**

Dear Senator Leno:

San Mateo Local Agency Formation Commission (LAFCo) has been following AB 3 (Williams), which was last amended on May 5, 2015, to establish the Isla Vista Community Services District (CSD). At this time, we must respectfully take an *Oppose Unless Amended* position.

We appreciate that the situation in Isla Vista is complicated and many community members want to form a CSD. However, as written, the bill fails to require the district be formed in accordance with the Cortese-Knox-Hertzberg Reorganization Act of 2000 (CKH). CKH provides that Local Agency Formation Commissions (LAFCos) have jurisdiction over a CSD and that the organization or reorganization of such a district be subject to LAFCo proceedings. Bypassing this critical process jeopardizes the long-term viability of the CSD in that there is no thorough analysis of the sustainability of the financial, governance and service delivery capacities of the CSD.

We believe that the LAFCo process should not be circumvented and request that the bill be amended to ensure the formation process is compliant with CKH. Specifically, we urge the author to consider AB 2453 (Achadjian) which was signed into law last year as an example of the process for formation. This language allowed the formation process for which LAFCo is responsible to remain intact while addressing the need for the creation of a special governing body based on local circumstances and conditions. This hybrid can easily be applied to the formation of the Isla Vista CSD.

We are asking that you Oppose AB 3 unless it is amended to require the district be formed in accordance with CKH. The bill passed out of the Assembly Floor on June 3, 2015 and has been referred to the Senate Governance and Finance Committee.

Sincerely,

Linda Craig  
Chair, San Mateo LAFCo

cc: Assemblymember Das Williams (fax: 916-319-2137)  
Brian Weinberger, Consultant, Senate Governance and Finance Committee (fax: 916-322-0298)  
Ryan Eisberg, Consultant, Senate Republican Caucus (fax: 916-445-3105)  
Pamela Miller, California Association of Local Agency Formation Commissions (fax: 916-442-6535)



June 12, 2015

The Honorable Jerry Hill  
California State Senate  
State Capitol  
Sacramento, CA 95814

NOTE: This letter was also sent to:

- Senator Mark Leno
- Assemblymember Phil Ting
- Assemblymember Kevin Mullin
- Assemblymember Richard S. Gordon

**RE: Water System Consolidation Budget Trailer Bill 825 – OPPOSE**

Dear Senator Hill:

San Mateo Local Agency Formation Commission (LAFCo) respectfully opposes Budget Trailer Bill (TB) 825.

TB 825 would grant the State unprecedented unilateral power to take ownership and operation of a water system from one entity and force it upon another. It does so with no guarantee the State will cover the costs and no protections for existing ratepayers.

This proposal represents a major change in law and public policy and yet is not being heard through the regular policy committee process. Instead, this proposal is being rapidly moved through the budget trailer bill process that does not provide adequate time for stakeholder comment or public input.

Although framed as a response to the drought, the new State powers under TB 825 have no sunset date and are in no way limited to the drought state of emergency. Solutions already exist for addressing water systems that fail to provide safe drinking water. Local Agency Formation Commissions (LAFCOs) already have the authority to respond to and remedy existing and pending threats to public health and safety through Government Code Section 56133, and the state has the authority to exercise receivership in Health & Safety Code, Section 116665.

Consolidation of essential local services, such as water systems, is a highly complex endeavor with a multitude of long-lasting health, fiscal and legal consequences. Ill-conceived alterations to this area of law could exacerbate, rather than resolve, the plight of communities. LAFCOs have existed for 52 years for the purpose of determining at the local level how to best organize local agencies. We believe that to completely transfer that responsibility to a state agency without that expertise and through a process that ignores the existing statutory structure for such reorganization would not be the best possible policy. For these reasons we respectfully request you reject TB 825.

Sincerely,

A handwritten signature in cursive script that reads 'Linda Craig'.

Linda Craig, Chair  
San Mateo LAFCo

cc: Office of Governor Edmund G. Brown, Jr. (fax: 916-558-3160)  
Catherine Freeman, Senate Budget and Fiscal Review Committee (fax: 916-668-7004)  
Rocel Bettencourt, Senate Republican Caucus (fax: 916-445-3105)  
Gabrielle Meindl, Assembly Budget Committee (fax: 916-319-2199)  
Chris Holtz, Assembly Republican Caucus (fax: 916-319-3902)  
California Association of Local Agency Formation Commissions (fax: 916-442-6535)

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# LOCAL AGENCY FORMATION COMMISSION

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July 8, 2015

The Honorable Edmund G. Brown, Jr.  
State of California  
State Capitol Building  
Sacramento, CA 95814

**RE: AB 1532: Assembly Local Government Committee Omnibus Bill – REQUEST TO SIGN**

Dear Governor Brown:

San Mateo Local Agency Formation Commission (LAFCo) respectfully requests that you **sign Assembly Bill 1532** (Assembly Local Government Committee) which is now before you for action. **AB 1532** makes changes and clarifications to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

This annual bill includes technical changes to the Act which governs the work of local agency formation commissions. 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 1532** makes several minor technical changes, corrects obsolete and incorrect code references, and makes minor updates to outdated sections. Without making any policy changes, the revised language greatly clarifies the laws and eliminates outdated and confusing language thereby creating a significant increase in the clarity of the Act for all stakeholders.

Because this legislation helps insure that the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state, and clearer to all who use the Act, we respectfully urge you to sign **AB 1532**.

Sincerely,

Linda Craig  
Chair, San Mateo LAFCo

cc: Honorable Brian Maienschein, Chair, Assembly Local Government Committee  
Misa Lennox, Associate Consultant, Assembly Local Government Committee  
Camille Wagner, Deputy Legislative Affairs Secretary to the Governor