

Policy: Legislation and Legislative Positions

Policy

The Sonoma Local Agency Formation Commission (“Sonoma LAFCO” or “Commission”) recognizes that the California Association of Local Agency Formation Commissions (“CALAFCO”) has established a powerful voice at the State level to represent all LAFCOs in the pursuit and support of legislation that advances the mission of LAFCO, in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended. To that end, the Commission endorses, as its own, the CALAFCO Legislative Policies (“Policies”), the most current version of which is attached.

The Policies shall be reviewed annually by the Commission’s Policy Committee, with any recommendations for change provided to the Commission, subsequent to adoption of the Policies by the CALAFCO Board of Directors. The Commission reserves the right to amend the Policies to be consistent with local initiatives or needs.

When proposed legislation affects LAFCOs generally and/or Sonoma LAFCO specifically, the Commission has the ultimate authority to determine its support or opposition. Staff shall keep the Commission informed about the progress of legislation and make recommendations to the Commission. In its deliberations, the Commission shall consider legislative positions taken by CALAFCO. The Commission shall direct staff to appropriately communicate with those at the State level. All legislative correspondence shall be provided to Commissioners at regular Commission meetings.

While the Commission’s consideration of positions on pending legislation generally occurs at regular Commission meetings, when an immediate or quick response is requested or needed to convey the Commission’s position (e.g., a legislative committee is hearing a bill prior to the Commission meeting), the Executive Officer is authorized to provide a letter or email comments communicating the Commission’s position after consultation with and agreement from the Chair and Vice Chair, and as long as the position is consistent with the Commission’s Legislative Policies. A written or oral report and any legislative correspondence shall be provided to the Commission at the next Commission meeting.

Legal Authority

Section 56300 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the “Act”) directs the Commission to:

“establish written policies and procedures and exercise its powers pursuant to this part in a manner consistent with those policies and procedures and that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns.”

The powers of the Commission are broad and comprehensive. The Commission has determined that this Policy regarding legislative affairs is consistent with its mandate and the mandate of the State for LAFCOs.

Background and Discussion

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code section 56000 et seq.) (“the Act”) is LAFCOs’ “bible.” This part of the Government Code provides both mandates and direction to LAFCOs as they implement the intention of the State of California regarding encouraging efficient and effective governance and provision of services, promoting orderly growth and discouraging urban sprawl, and preserving agricultural and open-space lands.

The Act has been amended consistently since its inception, sometimes at LAFCOs’ request and other times when legislators or interest groups gain sufficient support to add to, delete from, or amend its provisions.

The California Association of Local Agency Formation Commissions, or CALAFCO, represents member LAFCOs at the state level. As a 501(c)(3) organization, CALAFCO exists as an educational and informational entity, with political lobbying substantially limited. However, the Association plays an important role in Sacramento as it tracks proposed legislation each year and, through its Legislative Committee, comprised of some members of the CALAFCO Board of Directors and staff from throughout the State, works with legislators and their staffs to help them understand LAFCO’s role as well as the impact of legislation on LAFCO’s responsibilities. The Association takes positions on bills and encourages individual LAFCOs to consider legislation and also take positions. The Association’s Legislative Policies guide its positions.

The Commission supports the Policies and uses them to guide its positions on proposed legislation. In that any legislation could become law, if passed by the California Senate and Assembly and signed by the Governor and therefore could potentially affect Sonoma LAFCO, the Commission has determined that it wishes to be kept informed about such legislation, so as to support or oppose, as appropriate and in accordance with Legislative Policies.

Attachment: CALAFCO Legislative Policies (as adopted annually)

Adopted: June 1, 2016

Revised: October 10, 2018