



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 1/25/2021

Agenda Placement: 7A

Napa County Legislative Subcommittee Board Agenda Letter

TO: Napa County Legislative Subcommittee

FROM: Molly Rattigan for Minh Tran - County Executive Officer
County Executive Office

REPORT BY: Nelson Cortez, STAFF ASSISTANT II - BOS - 7072991478

SUBJECT: SB 13 (Dodd) Local agency services: contracts: Counties of Napa and San Bernardino

RECOMMENDATION

County Executive Officer seeks discussion and possible action on SB 13 (Dodd) that would extend the sunset on a pilot program that allows local agency formation commissions in the Counties of Napa and San Bernardino to authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence, as specified.

EXECUTIVE SUMMARY

SB 13 (Dodd) will extend the sunset date with regard to a pilot program (AB 402, Dodd, 2015) that authorized the local agency formation commissions (LAFCO) in Napa and San Bernardino Counties, upon making specified determinations at a noticed public hearing, to authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to support existing or planned uses involving public or private properties, as specified.

The County of Napa Board of Supervisors, and the Napa LAFCO, supported the legislation to create the pilot program in 2015 and again in 2020, when it was introduced as SB 799 (Dodd) but stalled due to COVID-19 restricting the number of bills moving through the legislature.

Staff is requesting the Legislative Subcommittee direct staff to write a letter of support, consistent with the State Legislative and Regulatory Platform, bypassing the Board of Supervisors, and submitting it directly to interested parties.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Synopsis and Background

Under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, a city or district may only provide new or extended services by contract or agreement outside its jurisdictional boundary if it requests and receives written approval from local agency formation commission (LAFCO) in the county in which the extension of service is proposed.

AB 402 in 2015 by, then, Assemblymember Dodd, established a pilot program for Napa and San Bernardino LAFCOs, until January 1, 2021, to allow service extensions outside spheres of influence and jurisdictional boundaries, beyond health and safety issues. Under the pilot, Napa and San Bernardino LAFCOs may authorize, if consistent with their adopted policies, a city or district to extend services to support existing or planned uses, as defined, involving public or private properties, if the approval is done at noticed public hearing where the LAFCO makes specified determinations.

SB 13 (Dodd) will extend the sunset to January 1, 2026.

Status

Introduced, pending referral to committee.

Support and Opposition

CSAC: No Action in 2020 (SB 799, Dodd)

NACo: N/A

Local: Napa County Board of Supervisors and the Napa LAFCO supported AB 402 (Dodd) in 2015 and SB 799 (Dodd) in 2020.

STAFF COMMENTS

Platform: Yes

Federal: N/A

State: Priority 1 - Local Agency Services, Page 16.

Recommendation

Direct staff to draft a letter of support and transmit it to the author, state representatives, and the County's lobbyists bypassing the Board of Supervisors, consistent with the County's State Legislative Platform.

SUPPORTING DOCUMENTS

A . Bill Text

Recommendation: Approve

Reviewed By: Molly Rattigan