

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: June 25, 2009
POSITION: Neutral

BILL NUMBER: SB 113
AUTHOR: Senate Local Government

BILL SUMMARY: Local Government Omnibus Act of 2009

This bill proposes 39 minor and noncontroversial changes to the state laws affecting local agencies' powers and duties.

FISCAL SUMMARY

Finance estimates this bill would have no state General Fund impact.

COMMENTS

Finance notes the following with regard to this bill:

- This bill would address multiple requests for technical, non-controversial amendments to current law in an efficient and relatively inexpensive manner by combining them in one omnibus bill.

Analyst/Principal (0762) C. Hill	Date	Program Budget Manager Mark Hill	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

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ANALYSIS**A. Programmatic Analysis**

This bill, the "Local Government Omnibus Act of 2009", proposes 39 noncontroversial changes to the state laws affecting local agencies' powers and duties. This bill would:

- Make various revisions to the provisions governing county law libraries and would increase the amount of the superior court filing fees for distribution to law libraries in specified counties.
- Clarify that county waterworks districts are required to follow public bidding procedures when awarding contracts for public works, but are allowed to let service contracts in the same manner as counties and other public agencies.
- Extend, until January 1, 2015, the alternative dispute resolution process which is used to resolve disputes between cities and counties unable to reach agreement on the terms of a property tax exchange agreement required under current law.
- Allow a county board of supervisors to use the school facilities improvement district statute either countywide or limit its use to particular school districts.
- Repeal obsolete provisions and correct cross-references in the statute which governs the method by which public agencies must adopt annual appropriations limits and voters must establish the initial appropriations limit for new local governments.
- Correct citations in the LAFCO statutes that govern the procedures for boundary changes, and in the County Service Area Law and the Community Services District Law that refer to special district spheres of influence.
- Allow Sonoma County to provide county services to private firms by contract, and expand the list of authorized services to include maintenance and construction services.
- Clarify that the statutory dollar limits on county purchasing agents are annual aggregate amounts rather than lifetime accruals.
- Implement changes recommended by the State Controller's Advisory Committee on County Accounting Procedures to the procedures that county officials must follow when adopting and administering their annual budgets.
- Repeal the authorization for a county property tax reduction fund. That provision of law was rendered obsolete by Proposition 13.
- Repeal the statute, rendered obsolete by Propositions 13 and 218, that allows Sonoma County to raise its transactions and use tax for public transit with majority-voter approval.
- Reformat the statute governing city council members' salaries for clarity, while retaining the current statutory schedule. Also clarify that city council members may waive their compensation.
- Correct an incorrect citation referring to certificates of deposit in the state law that allows for the investment of temporarily idle funds.
- Delete the obsolete requirement for local officials to send their quarterly investment reports to the California Debt and Investment Advisory Commission.
- Repeal the special municipal tax district statute that allows cities to set up special municipal tax districts. That statute was made obsolete by Proposition 13 and Proposition 218.
- Require a community services district (CSD) that changes its name to also notify the State Board of Equalization and the county auditor in each county where the CSD is located, in order to ensure the proper allocation of property tax revenues.

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- Exempt from the Subdivision Map Act leases and easements for biogas projects that use agricultural waste or byproducts from the land where the project is located, provided the project is subject to other local agency ordinances regarding design and improvement, or if the project is subject to local discretionary approval.
- Require cities and counties to approve or disapprove lot line adjustments pursuant to the Permit Streamlining Act, which sets deadlines for public officials to approve or disapprove development projects.
- Clarify provisions of the Subdivision Map Act by providing that the exterior boundary of the land shown on a final map or parcel map shall not include a designated remainder parcel or omitted parcel. The bill also requires standardized language on final maps and parcel maps regarding the dedication of property-in-fee or as easements.
- Define "interment right" within the Public Cemetery District Law, and require public cemetery districts to deposit the funds that they collect into the county treasury by the 10th day of the month following the month in which they collect the money.
- Revise laws governing public cemetery districts to clarify that districts can establish revolving funds that are the larger of \$1,000 or 110 percent of one-twelfth of the district's annual budget.
- Allow city selection committees and city councils to appoint alternates to their representatives on the governing boards of county air pollution control districts.
- Delete obsolete references to separate property tax rates.
- Clarify county recorders' authority to issue certified copies of federally issued vital records.
- Repeal obsolete mileage reimbursement rates for resort improvement districts and water storage districts, and require resort improvement districts to comply with statewide laws on compensation and ethics training.
- Revise the 125-year-old statutes that allow counties to establish special road maintenance districts and to levy associated ad valorem property taxes without voter approval. These statutes conflict with current law.
- Clarify existing law to allow local officials to use Improvement Act of 1911 benefit assessments to pay for channel improvements on tidelands for which a permit, license, or easement has been issued by the U.S. Army Corps of Engineers or the state.
- Allow local governments to publish summaries or display advertisements of their water conservation ordinances, both before and after their adoption, provided that the full text is available to the public.

B. Fiscal Analysis

Finance estimates this bill would have no state General Fund impact

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							Fund Code
	LA	(Dollars in Thousands)							
	CO	PROP	FC	2009-2010	FC	2010-2011	FC	2011-2012	
	RV	98	FC						
0001/Major Rev	LA	No		----- No/Minor Fiscal Impact -----					0001