

Santa Barbara LAFCO

Assembly Bill 3 Status Report and Possible Action

April 2, 2015

Status Report on Assembly Bill 3 (Williams)

- At the March 5, 2015 Commission meeting, the staff was directed staff to place a business item on the next agenda regarding Assembly Bill 3 (AB 3).
- The bill was introduced on December 1, 2014 by Assemblyman Das Williams to form the Isla Vista Community Services District (CSD).
- Over the past few months, the Assembly Member and his staff have held a series of stakeholder and town hall meeting in Isla Vista in an attempt to reach a consensus on the contents of the bill.
- The Commission held a Special Meeting in February 19, 2015, to approve a “Letter of Concern” that identified 11 concerns with the process that is being followed in developing the proposed language in the bill and the fact that the LAFCO process is being bypassed.

LAFCO PROCESS IN THE FORMATION OF DISTRICTS

- The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides that Local Agency Formation Commissions (LAFCO) have jurisdiction over community services districts (CSD).
- In the case of the formation of a new CSD to serve Isla Vista, it appears that the proceedings to initiate the formation of this district would not go through the normal LAFCO review process which would be initiated by a petition signed by not less than 25 percent of the registered voters or by a resolution of an affected agency.
- The LAFCO process allows for a comprehensive review of the viability of the proposed district and services to be provided

2015 LEGISLATIVE CALENDAR

- January 30 - Last day to submit bill requests to Legislative Counsel
- February 27 – Last day for bills to be introduced
- May 1 – Last day for policy committees to hear and report fiscal bills for referral to fiscal committees
- May 15 – Last day for policy committees to hear and report to the Floor non-fiscal bills
- May 22 – Last day for policy committees to meet prior to June 8
- May 29 – Last day for fiscal committees to hear and report bills the Floor
- June 5 – Last day to pass bills out of the house of original

Current Status of Assembly Bill 3

- On March 9, 2015, the Assembly Member submitted language to Legislative Counsel to establish powers for the proposed Isla Vista CSD that would be added as Government Code Section 61105(k). Section 61105 (a) through (j) of this section of the Community Services District Law adds a number of exceptions to the traditional CSD powers contained in Section 61100. These exceptions are based on “unique circumstances that exist in certain communities that justify the enactment of special statutes for specific districts.”

Proposed Amendments to AB 3(Services)

- (1) Notwithstanding Chapter 2 (commencing with Section 61010) of Part 1, the Isla Vista Community Services District shall be established in accordance with all other provisions of this division, except as provided in this subdivision.
- (2) Section 61100 shall not apply to the Isla Vista Community Services District. The district may within its boundaries, do any of the following:
 - (A) Finance the operations of municipal advisory councils formed pursuant to Section 31010.
 - (B) Create a tenant mediation program.
 - (C) Finance the operations of area planning commissions formed pursuant to Section 65101.
 - (D) Exercise the powers of a parking district, in the same manner as a parking district formed pursuant to the Parking District Law of 1951 (Part 4 (commencing with Section 35100) of Division 18 of the Streets and Highways Code).

Proposed Amendments(continued)

(E) Contract with the County of Santa Barbara or the Regents of the University of California, or both, for additional police protection services above the level of police protection services already provided by either the County of Santa Barbara or the Regents of the University of California within the area of the district.

(F) Acquire, construct, improve, maintain, and operate community facilities including, but not limited to, community centers, libraries, theaters, museums, cultural facilities, and child care facilities.

(G) Acquire, construct, improve, and maintain sidewalks, lighting, gutters, and trees. The district shall not acquire, construct, improve, or maintain any work owned by another public agency unless that other public agency gives its written consent.

(H) Abate graffiti.

Proposed Amendments (Financing)

(3) The Isla Vista Community Services District shall not have the power to organize, promote, conduct, or advertise programs of community recreation in the same manner as the Isla Vista Recreation and Parks District.

(4) The Isla Vista Community Services District shall have the power to levy taxes through the following methods:

(A) The ability to levy a utility user tax on certain utilities and at a rate specified by the governing board of the District.

(B) The ability to levy additional sales taxes above and beyond the general Countywide sales tax rate to be collected by the District at a rate specified by the governing board of the District.

(C) The ability to levy addition transient occupancy tax above and beyond the general Countywide rate to be collected by the District at a rate specified by the governing board of the District.

Recommendation

Consider the Following Recommendations:

- a) Receive and file staff presentation
- b) Consider taking an advocacy positions of support, watch, or oppose on AB 3 (Williams); or
- c) Take no position on AB 3 (Williams) – Isla Vista Community Services District