

Santa Barbara LAFCO

Status Report Assembly Bill 3

September 10, 2015

Status Report on Assembly Bill 3 (Williams)

- Assembly Bill 3 was amended on September 4, 2015, where it was heard on the Senate Floor. The bill goes back to the Assembly for concurrence and then to the Governor's desk.

September 4, 2015 Amendments to Assembly Bill 3

- **PART 4. Isla Vista Community Services District**
- **Gov Code 61250.**
- (a) ~~(1)~~ Notwithstanding Chapter 2 (commencing with Section 61010) of Part 1, the Isla Vista Community Services District may be established in accordance with this part. All other provisions of this division shall apply to the Isla Vista Community Services District upon its establishment, except as provided in this part.
- ~~(2) Except as provided in this part, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Division 3 (commencing with Section 56000) of Title 5) shall govern any change of organization or reorganization of the district following the establishment of the district.~~
- (b) (1) On or before January 5, 2016, the Board of Supervisors of the County of Santa Barbara shall file a resolution of application with the Santa Barbara County Local Agency Formation Commission, pursuant to subdivision (a) of Section 56654, to initiate a comprehensive review and recommendation of the formation of the district by the Santa Barbara County Local Agency Formation Commission. The board of supervisors shall pay any fees associated with the resolution of application.
- (2) The Santa Barbara County Local Agency Formation Commission shall complete the review no later than ~~120~~ **150** days following receipt of the completed resolution of application. Notwithstanding any other law, the Santa Barbara County Local Agency Formation Commission shall not have the power to disapprove the resolution of application.

September 4, 2015 Amendments to Assembly Bill 3

- The Santa Barbara Local Agency Formation Commission shall direct the Santa Barbara County Board of Supervisors to direct county officials to conduct the necessary elections on behalf of the proposed district and place the items on the ballot including district approval, candidates for the district's board, and the utility user tax pursuant to subparagraph (A) of paragraph (2) at the next countywide election, as provided in subdivision (f) of Section 61014.
- (d) (1) The initial utility user tax imposed by the district shall only be used to fund the following services and powers of the district:
- (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).
- (E) Contract with the County of Santa Barbara or the Regents of the University of California, or both, for additional police protection services above to supplement 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 above to supplement the level of service already provided by either the County of Santa Barbara or County Service Area 31. 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.

September 4, 2015 Amendments to Assembly Bill 3

- The boundaries of the district shall be contiguous with the area known as County Service Area No. 31 within the County of Santa Barbara **Barbara and shall exclude any property owned by the Regents of the University of California within those boundaries.**
- ~~(g) The district shall have all the powers listed in Section 61100 except those powers specified in subdivision (e) and (f) the that section.~~
- ~~(h) In addition to the powers in subdivision (g), the~~ **(g) The** district may, within its boundaries, do any of the following:
 - (1) Create a tenant mediation program.
 - (2) 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).
 - (3) Contract with the County of Santa Barbara or the Regents of the University of California, or both, for additional police protection services **above to supplement** 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.
 - (4) Acquire, construct, improve, and maintain sidewalks, lighting, gutters, and trees **beyond to supplement** the level of service provided by either the County of Santa Barbara or County Service Area 31. 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.
 - (5) Levy a utility user tax proposed by resolution of the board of directors of the district and pursuant to approval by a two-thirds vote in accordance with Section 2 of Article XIII C of the California Constitution on the utilities of gas, water, electricity, sewer, or garbage disposal services. A utility user tax imposed by the district shall not apply to any utility provided by a telecommunications service provider.

September 4, 2015 Amendments to Assembly Bill 3

- (6) Contract with the County of Santa Barbara, the Santa Barbara County Department of Planning and Development's Code Enforcement Program, or both, to provide Code Enforcement services to supplement the level of service provided by either the County of Santa Barbara or the Santa Barbara County Department of Planning and Development's Code Enforcement Program, or both. This includes, but is not limited to, contracting for dedicated Zoning Enforcement services pursuant to Chapter 35 of the Santa Barbara County Code, or contracting for dedicated Building Enforcement services pursuant to Chapters 10 and 14 of the Santa Barbara County Code. These contracted services may be proactive or reactive in their enforcement, as specified by the individual contract.
- (h) Following the creation of the district, the district may petition the Santa Barbara Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Division 3 (commencing with Section 56000) of Title 5) to exercise new or different functions or classes of services listed in Section 61100, except those powers specified in subdivisions (e) and (f) of that section, in addition to those functions or services that were authorized at the time the district was created.
- (i) The services provided by the district shall not supplant the level of services provided by the County of Santa Barbara, the Isla Vista Recreation and Park District, the University of California, Santa Barbara, or any other service provider.

September 4, 2015 Amendments to Assembly Bill 3

- **(l) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Division 3 (commencing with Section 56000) of Title 5) shall not apply to the formation of the district pursuant to subdivisions (b) and (c), to the selection of functions or services that may be provided pursuant to subdivision (d), or to the selection of functions or services to be provided pursuant to subdivision (g) upon the establishment of the district, except as specified in this part. The act shall apply to any other change of organization or reorganization as defined in that act, following the establishment of the district, including, but not limited to, the exercise of new or different functions or classes of services authorized pursuant to subdivision (g) or (h) that were not selected upon establishment of the district.**

Recommendation

- Review the Staff Report and Provide Direction to Staff