San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

SPECIAL MEETING AGENDA
SPECIAL DISTRICTS ADVISORY COMMITTEE

Friday, July 18, 2025
9:30 A.M. to 11:30 A.M.

In-Person Participation
Rancho Santa Fe Fire Protection District
18027 Calle Ambiente, Suite 101, Cielo Boardroom
Rancho Santa Fe, California 92067

Ann Baldridge RCD of Greater SDC	James Gordon Deer Springs FPD	Dave McQuead Rancho Santa Fe FPD	Mike Sims Bonita-Sunnyside FPD
Jack Bebee Fallbrook PUD	Albert Lau Santa Fe ID	Marty Miller Vista ID	Oliver Smith Valley Center MWD
Paul Bushee Leucadia WWD	Hector Martinez South Bay ID	Mark Robak Otay WD	Kimberly Thorner Olivenhain MWD
Jeff Egkan North County FPD	Rachel Mason Fallbrook Regional HD	Joel Scalzitti Helix WD	

The Special Districts Advisory Committee is responsible for helping to inform the Commission on all germane items relating to San Diego LAFCO's regulatory and planning responsibilities affecting special districts.

The Committee will hold the July 18, 2025 meeting in person at the Rancho Santa Fe Fire Protection District, Cielo Boardroom (18027 Calle Ambiente, Suite 101, Rancho Santa Fe, California 92067). In person attendance by the public is welcomed. The public may also watch, listen, and otherwise participate in the meeting remotely by any of the following options.

1. The public may watch and listen to the meeting live on YouTube using the link provided on our website homepage (www.sdlafco.org).

2. The public may watch, listen, and participate in the meeting by Zoom (https://zoom.us/) or by telephone at (669) 900-9128 using Meeting/Webinar ID: 895 6767 7168 and Passcode 508649. Please use the "raise your hand" function in Zoom or push *9 by telephone if/when you wish to speak. Then wait until your name is called before speaking.

   a) The public may provide eComments on any item by emailing erica.sellen@sdcounty.ca.gov
      - eComments received before 4:00 P.M. on Thursday, July 17, 2025, will be forwarded to the Committee and posted online before the meeting. They will also be referenced during the meeting.
      - eComments received during the meeting and before the subject item is concluded will be referenced and later posted online.

The Committee may proceed with the meeting, even where there is a disruption that prevents the Committee from broadcasting the meeting to members of the public or from receiving public comment from members of the public using a call-in option or internet-based service option, unless such disruption prevents a member of the Committee is participating under Government Code Section 54953, subdivision (e) or (f).

1. **9:30 A.M. – CALL TO ORDER BY CHAIR**
   a) **Roll Call**
   b) **Pledge Of Allegiance**

2. **AGENDA REVIEW BY CHAIR**

3. **OPEN EXPRESSION**
   This time is reserved for any member of the public to address the Committee on germane topics that are not directly part of the agenda. This includes requests for future Committee topics. Individuals are limited to three minutes.

4. **CONSENT ITEMS**

   a) **Approval of Meeting Minutes for April 18, 2025 (action)**
   The Committee will consider draft summary minutes prepared for the last meeting held on April 18, 2025. Staff recommends approval as presented. (Pages 5-12)

   b) **Progress Report on 2025-2026 Workplan (information)**
   The Committee will receive an update on the adopted workplan and activities related to the 30 special projects scheduled for 2025-2026. Information only. (Pages 13-24)

   c) **Policy Amendments |**
   Commission Approved Special Districts Advisory Committee Rules (information)
   The Committee will receive an update on the recently approved amendments to its formal rules. These amendments were presented to the Commission at its June 2, 2025 meeting – following the Committee's approval in April – and received approval with a few modifications. Information only. (Pages 25-34)

5. **BUSINESS ITEMS**

   a) **Legislative Report (information)**
   The Committee will receive a report summarizing legislative items of interest related to LAFCO's regulatory and planning responsibilities. The report specifically highlights seven bills with potential material implications for LAFCOs, including two measures – AB 356 (Patel) and AB 448 (Patel) – that directly involve the Palomar Healthcare District. During the June 2, 2025 LAFCO meeting, the Commission formally voted to adopt a support position for AB 356, if amended, and AB 448. Information only. (Pages 35-104)

   Contact: Joelle Burila, Analyst I

   b) **Current Workplan Update on High Priority Project |**
   Municipal Service Review on Healthcare Districts in San Diego County (information)
   The Committee will receive an update on the current adopted workplan focusing on one of San Diego LAFCO's highest placed priorities involving a Municipal Service Review (MSR) on the four healthcare districts in San Diego County including: Fallbrook, Palomar, Grossmont, and Tri-City. The review will be divided into two parts and will encompass: an overarching analysis of the district's services (macro report), followed by a detailed examination (micro report). The update is provided for information with an opportunity for Committee members to provide feedback to staff on interests and/or priorities on behalf of special districts in San Diego County. (Pages 105-108)

   Contact: Michaela Peters, Analyst II

BUSINESS ITEMS CONTINUED …

c) **Current Workplan Update on High Priority Project | Municipal Service Review on Wholesale Water Agencies in San Diego County (information)**
The Committee will receive an update on the current adopted workplan, with a focus on San Diego LAFCO's highest-priority project involving a Municipal Service Review (MSR) of wholesale water agencies operating within San Diego County. This MSR includes a comprehensive review of the San Diego County Water Authority (CWA) and a proportional review of the Metropolitan Water District of Southern California (MET). The update is provided for information with an opportunity for Committee members to provide feedback to staff on interests and/or priorities on behalf of special districts in San Diego County. (Pages 109-112)

Contact: Priscilla Mumpower, Assistant Executive Officer

d) **Special Governance Study on the Oceanside Small Craft Harbor District (discussion)**
The Committee will review a preliminary scope of work involving a special governance study on the Oceanside Small Craft Harbor District (SCHD). This study ties to the Commission's adopted workplan and a formal recommendation adopted as part of the Municipal Service Review (MSR) on the Oceanside region. This item is presented to the Committee for discussion with an opportunity to offer input prior to staff finalizing the scope of work. (Pages 113-126)

Contact: Michaela Peters, Analyst II

6. COMMITTEE MEMBER REPORTS

7. EXECUTIVE OFFICER REPORT

8. ADJOURNMENT

Attest to Posting:

Erica A. Sellen

Erica Sellen
Committee Secretary

Any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or a copy of all the documents constituting the agenda packet for a meeting upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting.

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San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

4a

AGENDA REPORT
Consent | Action

July 18, 2025

TO: Special Districts Advisory Committee

FROM: Erica Sellen, Commission Clerk

SUBJECT: **Approval of Meeting Minutes for April 18, 2025**

SUMMARY

The Special Districts Advisory Committee ("Committee") will receive action minutes prepared for the last meeting held on Friday, April 18, 2025. The minutes are in draft-form and being presented for formal approval with any corrections identified by the Committee.

BACKGROUND

The Ralph M. Brown Act was enacted in 1953 and establishes standards for the public to attend and participate in meetings of local government bodies. The "Brown Act" requires – and among other items – public agencies to maintain written minutes for qualifying meetings.

DISCUSSION

This item is for the Committee to consider approving action minutes prepared by the Committee Secretary for the April 18, 2025 meeting consistent with the Brown Act.

ANALYSIS

The attached action minutes for the April 18, 2025 meeting accurately reflect the Committee's deliberations as recorded by the Committee Secretary. A video recording of the meeting has also been posted online at www.sdlafco.org/meetings.

Administration
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Vacant, Alt., County of San Diego
Kristi Becker, City of Solana Beach
Dane White, City of Escondido
John McCann, Alt., City of Chula Vista
Chair Stephen Whitburn, City of San Diego
Marni von Wilpert, Alt., City of San Diego
Vice Chair Barry Willis, Alpine Fire Protection
Jo MacKenzie, Vista Irrigation
David A. Drake, Alt., Rincon del Diablo
Vacant, General Public
Brigette Browning, Alt., General Public

RECOMMENDATION

It is recommended the Committee approve the draft action minutes prepared for the April 18, 2025 special meeting as presented and consistent with Alternative One in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternatives are available to the Committee through a single motion:

Alternative One (recommended):
Approve the draft action minutes prepared for the April 18, 2025 meeting with any desired corrections or clarifications.

Alternative Two:
Continue to the next regular meeting and provide direction to staff as needed.

PROCEDURES

This item has been placed on the Committee's agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation as provided unless otherwise specified by the Committee.

Respectfully,

Erica A. Sellen

Erica Sellen
Commission Clerk

Attachment: as stated

DRAFT
SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION
SPECIAL DISTRICTS ADVISORY COMMITTEE
SPECIAL MEETING
April 18, 2025

Bonita-Sunnyside Fire Protection District
4900 Bonita Road, Boardroom
Bonita, California 91902

1. 9:30 A.M. – CALL TO ORDER BY CHAIR

Chair Kimberly Thorner called the meeting to order at 9:31 a.m.

Item 1a
ROLL CALL

Chair Kimberly Thorner requested a roll call from the Committee Secretary.

Members Present:
Chair Kimberly Thorner (Olivenhain MWD)
Vice Chair Jack Bebee (Fallbrook PUD)
Paul Bushee (Leucadia WWD)
Jeff Egkan (North County FPD)
Albert Lau (Santa Fe ID)
Rachel Mason (Fallbrook Regional HD)
Dave McQuead (Rancho Santa Fe FPD)
Marty Miller (Vista ID)
Mark Robak (Otay WD) (arrived at 10:21 a.m.)
Mike Sims (Bonita-Sunnyside FPD)

Members Absent:
Ann Baldridge (RCD Greater San Diego County)
James Gordon (Deer Springs FPD)
Hector Martinez (South Bay ID)
Joel Scalzitti (Helix WD)
Oliver Smith (Valley Center MWD)

The Committee Secretary confirmed a quorum with ten members present. The following members of San Diego LAFCO staff were present at roll call: Executive Officer Keene Simonds; Assistant Executive Officer Priscilla Mumpower; Commission Counsel Holly Whatley; Local Government Analyst II Michaela Peters; Local Government Analyst I Joelle Burila; Local Government Analyst I Meghan Traynor; Communications Associate Aiden Velasquez; GIS Analyst Dieu Ngu; and Commission Clerk Erica Sellen serving as Committee Secretary. LAFCO Consultants Chris Cate and Tom Kennedy were also present.

Item 1b
PLEDGE OF ALLEGIANCE

Mike Sims (Bonita-Sunnyside FPD) led the Pledge of Allegiance.

2. AGENDA REVIEW BY CHAIR

Chair Kimberly Thorner asked the Executive Officer if there were requests to remove or rearrange items on the agenda. The Executive Officer stated no changes were needed to the agenda.

Chair Thorner introduced new Committee member Rachel Mason (Fallbrook Regional HD). Executive Officer Keene Simonds had LAFCO staff proceed with self-introductions.

3. OPEN EXPRESSION

Chair Kimberly Thorner asked if there were any members of the public who wished to address the Committee on a germane topic that is not directly part of the agenda. The Chair invited comments from the following registered speaker:

- Alisha Morrison

The Committee Secretary confirmed there were no other registered speakers and no live email comments.

4. CONSENT ITEMS

a) Approval of Meeting Minutes for December 20, 2024 (action)
The Committee considered draft summary minutes prepared for the last meeting held on December 20, 2024. Recommendation to approve as presented.

b) Progress Report on 2024-2025 Workplan (information)
The Committee received an update on the adopted workplan and activities related to the 30 special projects scheduled for 2024-2025. Information only.

c) Approved Policy on Public Member Appointments (information)
The Committee received an update on a new policy that establishes rules and procedures for appointing regular and alternate public members to the Commission. The policy ties to the adopted workplan and aims to create a standardized process for public member appointments as well as setting related consideration priorities. Notable provisions in the policy includes requiring one member—whether regular or alternate—be selected from the unincorporated community and another from an incorporated community. Another late revision added to the approved policy allows the Commission to draw from a pool of candidates from a previous recruitment under certain conditions. The Commission also considered a recommendation by the Committee to establish term limits but deferred any action for future consideration. Information only.

Chair Thorner asked if requiring one member from an unincorporated community and another from an incorporated community affects the current policy. In response, Assistant Executive Officer Mumpower stated the policy goes into effect in May 2025.

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On motion by Paul Bushee (Leucadia WWD) and seconded by Dave McQuead (Rancho Santa Fe FPD), the Committee unanimously approved the Consent Calendar.

[…]

5. BUSINESS ITEMS

a) Adopted Draft Workplan and Budget for 2025-2026 (discussion + possible action)

The Committee reviewed a draft workplan and budget for 2025-2026, which were adopted by the Commission at its March 3, 2025 meeting. Both drafts largely represent the status quo with respect to continuing existing project activities and funding levels with targeted enhancements. The workplan identifies 30 special projects in priority order and headlined by forwarding active municipal service reviews on wholesale water service providers, healthcare districts, and local agencies within the Carlsbad-Encinitas region. New additions include commencing a municipal service review on the San Diego Unified Port District and establishing a pilot grant program to help fund special LAFCO projects. The budget draws on the workplan and totals $3.164 million in matching expenses and revenues and reflects an overall increase of 8.6% or $0.251 million. The budgeted increase in revenues to match expenses mostly involves raising local agency apportionments by 7.6% or $0.156 million with the balance covered by drawing from additional reserves. Recommendation to review and provide feedback to staff as well as any formal recommendations and/or requests to the Commission.

Staff presentation provided by Assistant Executive Officer Priscilla Mumpower.

Chair Thorner proceeded to invite questions and/or comments from the Committee.

General discussion followed. No action.

b) Update on Implementing Policy on Out-of-Agency Services (discussion)

The Committee received an update on the implementation of a new LAFCO policy governing out-of-agency services in San Diego County. The policy was established in May 2024 and provides rules for administering Government Code Section 56133 and its provisions requiring cities and special districts to obtain LAFCOs approval before providing out-of-agency services. LAFCO has processed several requests under the new policy and implemented related provisions including delegating authority to the Executive Officer for no-cost determinations on exemption eligibility. Discussion only.

Staff presentation provided by Local Government Analyst II Michaela Peters.

Chair Thorner proceeded to invite questions and/or comments from the Committee.

General discussion followed. No action.

c) Implementing Report Recommendations from University of California Berkeley to Expand LAFCOs' Effectiveness (information)

The Committee received a presentation on recent staff activities to advance critical recommendations involving LAFCOs' effectiveness in meeting statutory objectives from a report published by the University of California, Berkeley. The report outlines strategies to strengthen the relationship between State regulators, LAFCOs, and local communities in addressing the delivery of safe drinking water, with a focus on elevating municipal service reviews (MSRs) and facilitating water system consolidations. Consistent with feedback from the Commission, staff has been collaborating with the U.C. Berkeley author and other stakeholders in developing legislative amendments addressing the report's

BUSINESS ITEMS CONTINUED…

Item 5d Continued

recommendations. This includes exploring legislation to expand LAFCOs authority to initiate annexations under certain circumstances to address public health considerations involving water and wastewater services. Information only.

Staff presentation provided by Local Government Analyst I Joelle Burila.

Chair Thorner proceeded to invite questions and/or comments from the Committee.

General discussion followed. No action.

d) Policy Review | Draft Special Districts Advisory Committee Rules Update (discussion)
The Committee received an update from staff regarding the review and update to modernize its formal Committee rules as part of the Commission's FY 24-25 adopted workplan. This item involves a comprehensive review of the Committee's rules, focusing on its purpose and core focuses, composition and elections, and place and time of meetings. The Ad Hoc Committee, which was formed during the September 2024 Committee meeting, has convened twice to review the Committee's rules to ensure their continued relevance and effectiveness. Recommendation to review and provide feedback to staff as well as any formal recommendations and/or requests to the Commission.

Staff presentation provided by Local Government Analyst I Joelle Burila.

Chair Thorner proceeded to invite questions and/or comments from the Committee.

General discussion followed.

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On motion by Mike Sims (Bonita-Sunnyside FPD) and seconded by Albert Lau (Santa Fe ID), the Committee unanimously approved the amendments to the Special Districts Advisory Committee Rules.

e) Development of Weighted Water Rate Comparison Formula (discussion)
The Committee received a verbal report on LAFCO staff's intent to develop a weighted water rate comparison formula with consultant Tom Kennedy. This formula will be used in Municipal Service Reviews (MSRs). LAFCO staff seeks the Committee's input on best practices for evaluating agencies' water rates, considering the unique characteristics of each agency, such as topography and infrastructure. This item is presented for discussion and feedback.

Staff presentation provided by LAFCO Consultant Tom Kennedy.

Chair Thorner proceeded to invite questions and/or comments from the Committee.

General discussion followed. Chair Thorner invited members to form a subcommittee for further analysis and assist Tom Kennedy in the development. The following members volunteered: Kimberly Thorner, Paul Bushee, Albert Lau, and Jack Bebee.

6. COMMITTEE MEMBER REPORTS

- Chair Thorner presented at a Senate hearing in Sacramento for SB496.
- Mark Robak took a tour of Olivenhain MWD's facilities and was impressed with the efficiency.
- Paul Bushee noted Leucadia WWD was recognized by the California Water Environment Association for the Statewide Budget System of the Year.

7. EXECUTIVE OFFICER REPORT

Executive Officer Keene Simonds noted the following items:

- The passing of Public Member, Commissioner Harry Mathis.
- Recruitment of the Public Member seat on the Commission.
- Update on the status of the petitions filed to incorporate La Jolla.
- No Commission meeting in September 2025 but invited Chair Thorner to give a Committee update to the Commission before the end of the calendar year.

8. ADJOURNMENT

With no further business, the Special Districts Advisory Committee meeting was adjourned at 11:08 a.m.

Attest:

Erica Sellen
Committee Secretary

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San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

4c

AGENDA REPORT
Consent | Information

July 18, 2025

TO: Special Districts Advisory Committee

FROM: Priscilla Mumpower, Assistant Executive Officer
Joelle Burila, Local Government Analyst I

SUBJECT: **Policy Amendments |**
Commission Approved Special Districts Advisory Committee Rules

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SUMMARY

The Special Districts Advisory Committee ("Committee") will receive an update on the recently approved amendments to its formal rules. These amendments were presented to the LAFCO Commission at its June 2, 2025 meeting – following the Committee's approval in April – and received approval with a few modifications. Notably, clarifying language was added to specify that Committee elections must be conducted by November 2025, with newly elected members taking office in January 2026. Additionally, a friendly amendment was adopted to encourage collaboration with the California Special Districts Association (CSDA) San Diego Chapter to facilitate input on issues of mutual interest. The amendments also now explicitly state that changes to the rules require a simple majority vote of the Committee, and the term "affirmative" has been removed for clarity. This item is being presented for information with the opportunity to pull for discussion at its discretion.

BACKGROUND

Special Districts Advisory Committee

San Diego LAFCO established the Committee in 1971 as a resource to support the Commission in its expanding responsibilities related to overseeing local agency jurisdictional boundaries.

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Dane White, City of Escondido
John McCann, Alt., City of Chula Vista
Chair Stephen Whitburn, City of San Diego
Marni von Wilpert, Alt., City of San Diego
Vice Chair Barry Willis, Alpine Fire Protection
Jo MacKenzie, Vista Irrigation
David Drake, Alt., Rincon del Diablo
Vacant, General Public
Brigette Browning, Alt., General Public

The Committee's formation - notably - preceded the 1975 legislation that authorized formal special district representation on LAFCOs. Following a brief hiatus associated with the establishment of special district seats on the Commission, the Committee was reconvened by the late 1970s and resumed regular meetings to deliberate on matters of particular relevance to special districts. Under its current governing rules, the Committee is composed of 16 elected representatives from independent special districts with eligibility extended to both board members and general managers.

Adopted Workplan & Review of the Committee Rules

San Diego LAFCO's 2024–25 fiscal year workplan included 30 projects, organized into two categories - statutory and administrative - with priority levels assigned by the Commission. Among the administrative projects is a partnership with the Committee to review and identify appropriate amendments to its governing rules.

Formation of an Ad Hoc Subcommittee

At its September 2024 meeting, the Committee approved the formation of an Ad Hoc Subcommittee to lead the review of its governing rules and identify proposed amendments with support from LAFCO staff. The Ad Hoc was composed of the following six members.

- Chair Kimberly Thorner (Olivenhain Municipal Water District)
- Paul Bushee (Leucadia Wastewater District)
- Al Lau (Sante Fe Irrigation District)
- Dave McQuead (Rancho Sante Fe Fire Protection District)
- Mark Robak (Otay Water District)
- Oliver Smith (Valley Center Municipal Water District)

The Ad Hoc subsequently held meetings on December 12, 2024 and January 14, 2025. The Ad Hoc presented its proposed amendments to the full Committee on April 18, 2025 and received approval. The Committee Rules were then presented to the LAFCO Commission on June 2, 2025, and were formally adopted with the inclusion of three additional amendments, as detailed in the proceeding section.

DISCUSSION

This item is presented for the Committee to receive an update on its formal rules, as approved by the LAFCO Commission at its June 2, 2025 meeting. Three additional modifications were proposed and approved, as follows.

- **Section I.B. – Statement of Purpose**
  Expanded to include a provision stating that the Special Districts Advisory Committee shall collaborate with the California Special Districts Association (CSDA) San Diego Chapter to solicit input on matters of mutual interest.

- **Section II.B. – Selection Procedure**
  Clarified to state that Committee elections shall be conducted by November 2025, with newly elected members seated in January 2026.

- **Section VIII – Amendment**
  Revised to explicitly state that amendments to the Rules require a simple majority vote of the Committee, and to remove the word "affirmative" for clarity.

LAFCO staff has updated the Committee's Rules to incorporate these Commission-approved changes. The revised version, with tracked changes, is provided as Attachment One.

ANALYSIS

None.

RECOMMENDATION

This item is presented to the Committee for information.

ALTERNATIVES FOR ACTION

None.

PROCEDURES FOR CONSIDERATION

This item has been placed on the Committee's agenda for information as part of the consent calendar.

Respectfully,

Joelle Burila

Joelle Burila
Analyst I

Attachment:

1) Special District Advisory Committee Rules (track-changes) – June 2, 2025 Version

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SAN DIEGO
LOCAL AGENCY FORMATION COMMISSION
SPECIAL DISTRICTS ADVISORY COMMITTEE
RULES

SECTION I
FORMATION AND PURPOSE

A. Authorization for Formation

The Special Districts Advisory Committee was formed on August 2, 1971 to review the "Rules and Regulations Affecting the Functions of Special Districts and for Representation of Independent Special Districts" on San Diego LAFCO. Instead of disbanding the Committee after district representatives were seated, the Commission retained the Committee to serve as both a forum for discussion and a method of channeling information to LAFCO on pending projects/issues.

B. Statement of Purpose

The LAFCO Special Districts Advisory Committee serves at the discretion of the Commission for all purposes set forth in these Rules. Recognizing the diversity of special districts and the need for technical advice on pending LAFCO projects/issues, the Commission hereby continues the San Diego LAFCO Special Districts Advisory Committee. The purposes of the Committee are to:

1. Assist LAFCO in the performance of its duties by (1) reviewing, before consideration by the Commission, those proposed boundary changes, municipal service reviews, spheres of influence actions, or other special studies that affect special districts and require technical insight and expertise, and (2) making recommendations to the Commission.

2. Identify areas of potential conflict between cities, county service areas, and special districts and facilitate voluntary resolution of those conflicts rather than by formal action of LAFCO.

3. Identify districts that are no longer functioning efficiently and/or cost-effectively and make appropriate recommendations.

4. Assist districts that desire reorganization as a means of providing better service.

5. Assist LAFCO in coordinating its decisions with other agencies.

6. Collaborate with the California Special Districts Association (CSDA) San Diego Chapter to solicit input on matters of mutual interest.

7~~6~~. Review, study, and recommend changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

SECTION II
MEMBERSHIP

A. Composition

The San Diego LAFCO Special Districts Advisory Committee shall consist of fifteen (15) members. They shall represent as many different types of special districts as possible. The committee's goal is to ensure diverse representation by including a wide variety of special districts and covering as many geographic areas in San Diego County as possible. This approach aims to reflect the unique needs, regional perspectives and types of special districts within the County. Members may be either a special district elected board member or a staff person. Members of the Committee may not also be Commissioners of LAFCO. The number of candidates and members of the Advisory Committee representing the same agency shall be limited to one. In addition, candidates for the Advisory Committee shall not also be candidates for LAFCO.

Membership is restricted to those independent special districts located entirely within the County of San Diego, or for which the County of San Diego is its principal county. The County of San Diego shall be permitted a nonvoting representative, who shall be appointed by the County Chief Administrative Officer.

B. Selection Procedure

Members of the Special Districts Advisory Committee shall be selected by the Independent Special District Selection Committee of San Diego County, as constituted in Government Code Section 56332 of the Cortese-Knox-Hertzberg Act (CKH). A biennial election shall be conducted, in accordance with the adopted "San Diego County Independent Special District Selection Committee Rules," to fill all existing vacancies in the committee membership. If a vacancy occurs subsequent to a regular election, and more than sixty (60) days prior to the next regular election, a list of candidates for consideration to an interim appointment shall be presented for committee discussion at the next available committee meeting after the vacancy occurs. The Committee Chairperson may make an interim appointment, with recommendations from the full advisory committee, until the next regular election.

Following the approved amendments to these Rules in 2025, and pursuant to the established election schedule, the Committee election shall occur by November 2025 with newly elected members seated in January 2026 for the initial cohort of eight (8) members, who shall be selected based on the longest-expired terms. The subsequent election, to be held in 2028 in accordance with the biennial cycle, shall include the remaining seven (7) members, selected based on the most recently expired terms.

C. Term of Membership

Members shall serve four-year terms that will expire on October 31 or until certification of the election results. Members may serve more than one term. As outlined in CKH Government Code Section 56334, Committee members may continue to serve beyond

their expired term until a successor is appointed.

D. Termination of Membership

Any member may be removed at any time and without cause by a simple affirmative majority vote of the Independent Special District Selection Committee.

A member may be removed if he or she is absent from four (4) consecutive regular meetings.

A member shall be ineligible to continue as a member if he or she ceases to be a board member or staff person of his or her special district, or is appointed to either a regular or alternate position on LAFCO.

SECTION III
OFFICERS

A. Number and Selection

The officers of the Committee shall be Chairperson and Vice Chairperson. The Committee may create and appoint such additional officers as may be necessary to carry out the work of the Committee.

The officers shall be chosen annually at the first regular January meeting, or the next regular meeting held thereafter. Each officer shall hold office until resignation, removal, other disqualification to serve, or until a successor has been chosen.

B. Duties of the Chairperson

The Chairperson shall preside at all meetings of the Committee, and appoint members and provide instructions to all subcommittees. The Chairperson, the Vice Chairperson, or other designated committee member may attend and represent the Committee at any meeting of LAFCO.

C. Duties of the Vice Chairperson

In the absence of the Chairperson, the Vice Chairperson shall perform all of the duties of the Chairperson. The Vice Chairperson shall also preside as the Chairperson of all subcommittees and shall report to the Chairperson on the progress of a subcommittee's activities.

D. Duties of the Secretary

LAFCO shall designate one or more staff members to act as the Secretary for the Committee. Staff member(s) shall (1) prepare and mail agendas and other notices to the Committee, (2) take, transcribe, and distribute minutes of committee meetings, and (3)

perform such other tasks as are necessary to conduct the business of the Committee.

SECTION IV
MEETINGS

A. Compliance with Ralph M. Brown Act

All meetings of the Special Districts Advisory Committee shall be posted, noticed, and conducted in compliance with the Ralph M. Brown Act.

B. Schedule of Meetings

Regular meetings of the Special Districts Advisory Committee shall be scheduled on the third (3rd) Friday of the first month of each quarter. If the regular meeting date of the Local Agency Formation Commission (LAFCO) on the first (1st) Monday of the following month is a holiday, the regular meeting of the Special Districts Advisory Committee shall be on the fourth (4th) Friday.

Special meetings may be called at any time by the Executive Officer or Chairperson, or by eight (8) committee members. Notice of such special meetings shall be mailed or delivered to each member, and must be received at least twenty-four (24) hours before the time set for said meeting.

C. Time and Place of Meeting/Agendas

Meetings of the Committee shall be scheduled to occur at the San Diego County Administration Center located at 1600 Pacific Highway, San Diego, California 92101. Any meeting may, however, be held at a site at the discretion of the Chairperson and/or Executive Officer. The meeting dates and locations for the following calendar year shall be determined at the prior last regular October meeting. The meeting location of all meetings shall be indicated on the agenda distributed and posted for that meeting. Meetings shall be scheduled to commence at 9:30 a.m., and when a quorum is present. The specific meeting room and time will be determined monthly, prior to preparation, distribution, and posting of that month's agenda, and will depend on availability of meeting rooms. All committee members will be sent either an agenda or cancellation notice at least one week prior to each scheduled meeting.

D. Conduct of Meetings

LAFCO staff shall serve as the designated facilitators of Committee meetings.

A member unable to attend a meeting shall notify the LAFCO office at least twenty-four (24) hours prior to the meeting.

The Chairperson may alter the sequence in which agenda items will be considered.

Except as permitted by Section 54954.2 of the Ralph M. Brown Act, the Committee shall not discuss, or take action on, any item not included on the agenda for that meeting.
A member may briefly respond to statements or questions from members of the public during the Public Comment period.

A member may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities.

A member, or the Committee itself, may request LAFCO staff to provide information at a future meeting or to place an item on a future agenda.

SECTION V
VOTING

A. Vote Entitlement

Each committee member shall be entitled to one vote, even though that member may be a board member or staff person of more than one special district.

B. Quorum

The presence of eight (8) or more members shall constitute a quorum for the transaction of business at any regular or special meeting of the Committee.

C. Number of Votes Required to Carry Action

Adoption of any recommendation or other action shall require a simple majority affirmative vote.

D. Disqualification

When a committee member is a board member or staff person of a special district that is a subject district of a proposal (as defined by Government Code Section 56077), that member may participate in the discussion of, but may not vote on the Committee's action regarding that proposal.

SECTION VI
SUBCOMMITTEES

The Advisory Committee may create such subcommittees as the business of the Committee may require, each of which shall exist for such period and have such authority and perform such duties as the Committee from time to time determines.

SECTION VII
PLACE OF BUSINESS

The principal business office of the Special Districts Advisory Committee is in the San Diego LAFCO office, 2550 Fifth Avenue, Suite 725 San Diego, California 92103-6624.

SECTION VIII
AMENDMENT

The Special Districts Advisory Committee Rules may be amended by simple majority ~~affirmative~~ vote by the Committee at any regular or special meeting followed by final approval by the Commission at the next available meeting. The Executive Officer may make technical changes as necessary, after consulting with all Committee members, to ensure compliance of these Rules with current law and Committee policy.

These Rules shall be reviewed every five years or as needed to ensure their continued relevance and effectiveness. Amendments may be made in accordance with the procedures set forth herein.

Adopted: September 23, 1971

Amended: December 1972
December 18, 1973
December 21, 1976
July 26, 1994
June 19, 1992
December 20, 1996
December 19, 1997
March 20, 1998
December 17, 2004
July 31, 2014
March 9, 2018
June 2, 2025

San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

5a

AGENDA REPORT
Business | Information

July 18, 2025

TO: Special Districts Advisory Committee

FROM: Priscilla Mumpower, Assistant Executive Officer
Joelle Burila, Analyst I

SUBJECT: **Legislative Report**

SUMMARY

The Special Districts Advisory Committee ("Committee") will receive a report summarizing legislative items of interest related to the San Diego County Local Agency Formation Commission's (LAFCO) regulatory and planning responsibilities. The report specifically highlights seven bills with potential material implications for LAFCOs, including two measures – AB 356 (Patel) and AB 448 (Patel) – that directly involve the Palomar Healthcare District. During the June 2, 2025 LAFCO meeting, the Commission formally voted to adopt a support position for AB 356, if amended, and AB 448. This item is presented for informational purposes with an opportunity to provide input on staff activities going forward.

BACKGROUND

Legislative Resources and Current Legislative Deadlines

San Diego LAFCO actively engages CALAFCO, the Southern Region Association of LAFCOs, and the California Special Districts Association in monitoring and responding to legislative developments that may impact the LAFCO's ability to fulfill its regulatory and planning responsibilities. The current two-year legislative session reconvened in January with February

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Marni von Wilpert, Alt., City of San Diego
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Jo MacKenzie, Vista Irrigation
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Brigette Browning, Alt., General Public

21, 2025 serving as the deadline to introduce new bills. All measures must pass their house of origin by June 6, 2025 and receive approval from the second house by September 12, 2025.

DISCUSSION

This item is presented for the Committee to receive a report summarizing legislative proposals under consideration during the current legislative session that may directly or indirectly impact LAFCO's regulatory and planning responsibilities. The highlighted bills relate to local governance and transparency, healthcare service delivery, and regional coordination efforts—both statewide and within San Diego County.

At its June 2, 2025 meeting, the Commission took action on two key measures—AB 356 (Patel) and AB 448 (Patel)—both of which directly involve the Palomar Healthcare District. The Commission voted to adopt a support position on AB 448 and to support AB 356, if amended. This report is provided for informational purposes only, with an opportunity for the Committee to offer feedback on LAFCO staff's legislative tracking and related activities moving forward.

Highlighted Bills

- **AB 259 (Rubio, Blanca)**
  Open Meetings and Continued Access to Teleconferences
  This bill would extend the authorization for legislative bodies of local agencies – including LAFCOs – to use modified teleconferencing procedures during declared emergencies through January 1, 2030. It preserves existing requirements related to public notice and agenda posting while allowing remote participation under defined emergency conditions. San Diego LAFCO adopted a support position on March 2, 2025. The bill was scheduled for a hearing at the Senate Local Government Committee on July 15, 2025.

- **AB 351 (McKinnor, Tina)**
  Campaign Contributions Involving Agency Officers
  This bill proposes to raise the contribution limit for agency officers involved in permit or license proceedings under the Political Reform Act from $500 to $1,500. It also provides for future adjustments tied to inflation, based on changes in the Consumer Price Index. Although not the target of the bill, it is possible certain LAFCO actions - such as out-of-agency service approvals - could apply. The bill failed to pass out of committee on April 30, 2025; however, a motion for reconsideration was granted.

- **SB 489 (Arreguín, Jesse Gabriel)**
  LAFCO Public Records and Online Access
  This bill would require all LAFCOs to post specified documents online, including boundary change application materials, hearing notices, and associated supporting documentation. The bill seeks to improve public access to government records at LAFCO in digital formats and expands procedural obligations by mandating the

adoption and online posting of written policies and procedures. San Diego LAFCO is already compliant with most of the proposed requirements and anticipates minimal operational impact. However, it is known CALAFCO is actively monitoring the bill for amendments that could affect implementation timelines or create additional fiscal burdens - particularly for smaller or rural LAFCOs. The bill passed the Senate on May 27, 2025, and was re-referred to the Assembly on June 18, 2025. It is currently pending review by the Assembly Housing and Community Development Committee.

- **SB 740 (Rubio, Susan)**
  Municipal Wastewater Filings with LAFCOs
  This bill proposes extending the deadline for municipal wastewater agencies to notify LAFCOs of new or amended agreements related to stormwater management services from 30 days to 40 days. The intent is to provide agencies with additional administrative flexibility in meeting statutory reporting requirements. The bill was approved by the Senate Local Government Committee on April 3, 2025, and is currently awaiting review by the Senate Environmental Quality Committee.

- **SB 777 (Richardson, Laura)**
  Expanding LAFCOs Role to Include Endowment-Funded Cemeteries
  This bill proposes to require LAFCOs to identify a local agency to assume ownership and ongoing maintenance for abandoned endowment-funded cemeteries in step with proposed noticing requirements of the Cemetery and Funeral Bureau. The designated local agency would acquire title to the cemetery as well as assume control of any existing endowment care funds. The bill raises concerns for LAFCOs due to the lack of jurisdiction over privately owned cemeteries and the absence of procedural guidance. Several LAFCOs have raised objections including Los Angeles LAFCO recently adopting an oppose position. On June 16, 2025 the bill was read a second time, amended, and rereferred to the Assembly Business and Professions Committee.

- **AB 356 (Patel, Darshana)**
  Health Care Districts in Northern San Diego County
  This bill would establish a state-directed working group to evaluate healthcare access in northern San Diego County, with a particular focus on the service area of the Palomar Healthcare District. The working group would include representatives from select healthcare districts and other stakeholders; however, San Diego LAFCO was initially excluded. The group is required to report its findings to the Legislature by June 1, 2026, and the bill's provisions are set to sunset in 2030. Palomar submitted formal opposition, citing concerns that the bill duplicates LAFCO's ongoing municipal service review and could create unnecessary administrative burdens. LAFCO staff expressed similar concerns in discussions with the author's office and conveyed interest in participating in the working group. At its June 2nd meeting, the Commission voted to adopt a support, if amended position, and requesting the inclusion of San Diego LAFCO in the working group. On June 26th the bill was read a second time and amended to include—among other changes—San Diego LAFCO as a member of the working group. The bill has been re-referred to the Senate Health Committee.

- **AB 448 (Patel, Darshana)**
  Extend Loan Repayments for Palomar Healthcare District
  This bill would authorize the State Treasurer's Office to extend - and if necessary, restructure - a previously issued bridge loan to the Palomar Healthcare District for cashflow purposes. The proposed extension is intended to provide Palomar with additional administrative flexibility to fulfill its repayment obligations to the State of California while continuing to provide essential healthcare services to the surrounding community. In consultation with the Executive Officer and at the request of the author, Chair Whitburn submitted a letter of support in his capacity as Commission Chair. On April 30, 2025 the bill passed out of the Health Committee and is currently on hold in the Assembly Appropriations Committee. At its June 2nd meeting, the Commission voted to adopt a support position, citing interest in ensuring Palomar Health's long-term viability and service continuity.

ANALYSIS

All seven bills outlined in the preceding section warrant monitoring by San Diego LAFCO. Staff believes two bills – AB 356 and AB 448, both authored by local Assemblymember Patel (District 76) – stand out in terms of significance and merited formal positions. Notably, both bills address operational matters related to the Palomar Healthcare District, albeit through different approaches. AB 448 seeks to provide added flexibility to Palomar Health by authorizing the State Treasurer's Office to extend and, if needed, restructure an existing bridge loan. This provision is intended to support Palomar Health's financial stability and ongoing ability to deliver essential healthcare services. The Commission took a formal support position for AB 448 given its consistency with the Commission's interest in ensuring Palomar Health's long-term viability and service continuity.

AB 356, by contrast, proposes the creation of a state-convened working group to evaluate healthcare access within Palomar's jurisdiction. While the bill aligns with regional planning priorities, the proposed structure initially excluded LAFCO despite the Commission's statutory role in overseeing healthcare districts' service areas and performance. The Commission took a formal support position for AB 356 if amended to encourage inclusion of San Diego LAFCO in the working group. This amendment would promote alignment with the Commission's ongoing municipal service review (MSR) and ensure the effort complements rather than duplicates existing statutory planning responsibilities. On June 26th the bill was read a second time and amended to include—among other changes—San Diego LAFCO as a member of the working group. A revised letter of support was submitted following the amendment.

The letters of support for AB 448 and AB 356 are provided as Attachments Two and Three.

RECOMMENDATION

Information only.

ALTERNATIVES FOR ACTION

No action proposed, information only with the opportunity to provide feedback on LAFCO staff activities proceeding forward.

PROCEDURES FOR CONSIDERATION

This item has been placed on the Committee's agenda for information as part of the business calendar. Staff will provide a verbal presentation, followed by an opportunity for the Committee to engage in discussion and offer feedback at its discretion.

On behalf of staff,

Joelle Burila

Joelle Burila
Analyst I

Attachments:

1) Highlighted Assembly and Senate Bill Texts (California Legislature 2025-2026 Regular Session)
2) Letter of Support for AB 448
3) Letters of Support for AB 356

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AMENDED IN ASSEMBLY APRIL 21, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL No. 259

Introduced by Assembly Member Blanca Rubio

January 16, 2025

An act to amend and repeal Sections 54953 and 54954.2 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 259, as amended, Blanca Rubio. Open meetings: local agencies: teleconferences.

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act authorizes the legislative body of a local agency to use teleconferencing, as specified, and requires a legislative body of a local agency that elects to use teleconferencing to comply with specified requirements, including that the local agency post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public.

Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Existing law requires a member to satisfy specified

requirements to participate in a meeting remotely pursuant to these alternative teleconferencing provisions, including that specified circumstances apply. Existing law establishes limits on the number of meetings a member may participate in solely by teleconference from a remote location pursuant to these alternative teleconferencing provisions, including prohibiting such participation for more than 2 meetings per year if the legislative body regularly meets once per month or less.

This bill would ~~remove the January 1, 2026, date from those provisions, thereby extending~~ *extend* the alternative teleconferencing procedures ~~indefinitely.~~ *until January 1, 2030.*

Existing law authorizes a member to participate remotely pursuant to the alternative teleconferencing provisions described above under specified circumstances, including participating due to emergency circumstances. Under existing law, the emergency circumstances basis for remote participation is contingent on a request to, and action by, the legislative body, as prescribed.

Existing law generally requires the legislative body of the local agency or its designee, at least 72 hours before a regular meeting, to post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session, as specified. Existing law, until January 1, 2026, authorizes a legislative body, notwithstanding that provision, to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made, as specified.

This bill would ~~remove the January 1, 2026, date from that provision, thereby extending~~ *extend* the authorization for a legislative body of a local agency to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances as described above ~~indefinitely.~~ *until January 1, 2030.*

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory

enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 54953 of the Government Code, as amended by Section 1 of Chapter 389 of the Statutes of 2024, is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

(C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity

for members of the public to address the legislative body directly pursuant to Section 54954.3.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e).

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at

a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) The legislative body of a local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in either of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(B) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (A), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.

(B) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(C) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

(D) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(E) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (D), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (D), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (D), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 45 days after teleconferencing for the first time pursuant to subparagraph (A) or (B) of paragraph (1), and every 45 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(4) This subdivision shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(f) (1) The legislative body of a local agency may use teleconferencing without complying with paragraph (3) of subdivision (b) if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction and the legislative body complies with all of the following:

(A) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:

(i) A two-way audiovisual platform.

(ii) A two-way telephonic service and a live webcasting of the meeting.

(B) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment.

(C) The agenda shall identify and include an opportunity for all persons to attend and address the legislative body directly pursuant to Section 54954.3 via a call-in option, via an internet-based service option, and at the in-person location of the meeting.

(D) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the

call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(2) A member of the legislative body shall only participate in the meeting remotely pursuant to this subdivision, if all of the following requirements are met:

(A) One of the following circumstances applies:

(i) The member notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. The provisions of this clause shall not be used by any member of the legislative body for more than two meetings per calendar year.

(ii) The member requests the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. The legislative body shall request a general description of the circumstances relating to their need to appear remotely at the given meeting. A general description of an item generally need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality

of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code). For the purposes of this clause, the following requirements apply:

(I) A member shall make a request to participate remotely at a meeting pursuant to this clause as soon as possible. The member shall make a separate request for each meeting in which they seek to participate remotely.

(II) The legislative body may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the legislative body may take action at the beginning of the meeting in accordance with paragraph (4) of subdivision (b) of Section 54954.2.

(B) The member shall publicly disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.

(C) The member shall participate through both audio and visual technology.

(3) (A) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for more than the following number of meetings, as applicable:

(i) Two meetings per year, if the legislative body regularly meets once per month or less.

(ii) Five meetings per year, if the legislative body regularly meets twice per month.

(iii) Seven meetings per year, if the legislative body regularly meets three or more times per month.

(B) For the purpose of counting meetings attended by teleconference under this paragraph, a "meeting" shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

(g) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C.

Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(h) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(i) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(j) For the purposes of this section, the following definitions shall apply:

(1) "Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person.

(2) "Just cause" means any of the following:

(A) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. "Child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms do in Section 12945.2.

(B) A contagious illness that prevents a member from attending in person.

(C) A need related to a physical or mental disability as defined in Sections 12926 and 12926.1 not otherwise accommodated by subdivision (g).

(D) Travel while on official business of the legislative body or another state or local agency.

(3) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to subdivision (f), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

(4) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting. Watching or

listening to a meeting via webcasting or another similar electronic medium that does not permit members to interactively hear, discuss, or deliberate on matters, does not constitute remote participation.

(5) "State of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(6) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(7) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic function.

(8) "Two-way telephonic service" means a telephone service that does not require internet access, is not provided as part of a two-way audiovisual platform, and allows participants to dial a telephone number to listen and verbally participate.

(9) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

(k) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

~~SEC. 2. Section 54953 of the Government Code, as amended by Section 2 of Chapter 534 of the Statutes of 2023, is repealed.~~

SEC. 2. Section 54953 of the Government Code, as amended by Section 2 of Chapter 534 of the Statutes of 2023, is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise

applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

(C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e).

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Division

10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) The legislative body of a local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in either of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority

vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(B) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (A), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.

(B) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(C) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

(D) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(E) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment

period for the agenda item, or the opportunity to register, pursuant to subparagraph (D), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (D), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (D), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 45 days after teleconferencing for the first time pursuant to subparagraph (A) or (B) of paragraph (1), and every 45 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(4) This subdivision shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(f) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(g) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(h) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(i) For the purposes of this section, the following definitions shall apply:

(1) "State of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(2) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(j) This section shall become operative January 1, ~~2026.~~ *2030.*

SEC. 3. Section 54954.2 of the Government Code, as amended by Section 91 of Chapter 131 of the Statutes of 2023, is amended to read:

54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's internet website, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district,

school district, or political subdivision established by the state that has an internet website, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda, including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an internet website with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(i) "Integrated agenda management platform" means an internet website of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(ii) "Legislative body" has the same meaning as that term is used in subdivision (a) of Section 54952.

(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any

item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(4) To consider action on a request from a member to participate in a meeting remotely due to emergency circumstances, pursuant to Section 54953, if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made. The legislative body may approve such a request by a majority vote of the legislative body.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's internet website, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

(e) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

~~SEC. 4. Section 54954.2 of the Government Code, as amended by Section 92 of Chapter 131 of the Statutes of 2023, is repealed.~~

SEC. 4. Section 54954.2 of the Government Code, as amended by Section 92 of Chapter 131 of the Statutes of 2023, is amended to read:

54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's internet website, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda, including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an internet website with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(i) "Integrated agenda management platform" means an internet website of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district,

school district, or political subdivision established by the state to the public.

(ii) "Legislative body" has the same meaning as that term is used in subdivision (a) of Section 54952.

(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at

the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's internet website, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

(e) This section shall become operative January 1, ~~2026.~~ *2030.*

SEC. 5. The Legislature finds and declares that Sections 1 and 2 of this act, which amend and repeal Section 54953 of the Government Code, and Sections 3 and 4 of this act, which amend and repeal Section 54954.2 of the Government Code, impose a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

By extending the alternative teleconferencing procedure provisions and provisions relating to requests from members to participate in those meetings remotely due to emergency ~~circumstances indefinitely,~~ *circumstances*, this act allows for greater accessibility to, and public participation in, teleconference meetings while preserving the public's right to access information concerning the conduct of the people's business.

SEC. 6. The Legislature finds and declares that Sections 1 and 2 of this act, which amend and repeal Section 54953 of the Government Code, and Sections 3 and 4 of this act, which amend and repeal Section 54954.2 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that

constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure greater accessibility to, and public participation in, teleconference meetings.

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ASSEMBLY BILL No. 351

Introduced by Assembly Member McKinnor

January 30, 2025

An act to amend Section 84308 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 351, as introduced, McKinnor. Campaign contributions: agency officers.

The Political Reform Act of 1974 prohibits an officer of an agency from accepting, soliciting, or directing a contribution of more than $500 from any party, participant, or a party or participant's agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 12 months following the date a final decision is rendered in the proceeding, if the officer knows or has reason to know that the participant has a financial interest, as defined. The act also prohibits an officer of an agency from making, participating in making, or in any way attempting to use the officer's official position to influence the decision in a proceeding involving a license, permit, or other entitlement for use pending before the agency if the officer has willfully or knowingly received a contribution of more than $500 within the preceding 12 months from a party or a party's agent, or from any participant or a participant's agent, if the officer knows or has reason to know that the participant has a financial interest in the decision, as defined.

This bill would increase the contribution thresholds described above from $500 to $1500. The bill would require the commission to adjust these contribution thresholds to reflect any increase or decrease in the

Consumer Price Index beginning January, 2027, and in January of each odd-numbered year thereafter, as specified.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a ⅔ vote of each house of the Legislature and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: ⅔. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 84308 of the Government Code is amended to read:

84308. (a) The definitions set forth in this subdivision shall govern the interpretation of this section.

(1) "Party" means any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.

(2) "Participant" means any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision, as described in Article 1 (commencing with Section 87100) of Chapter 7. A person actively supports or opposes a particular decision in a proceeding if that person lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency. A person is not a "participant" under this paragraph if their financial interest in the decision results solely from an increase or decrease in membership dues.

(3) "Agency" means an agency as defined in Section 82003 except that it does not include the courts or any agency in the judicial branch of government, the Legislature, the Board of Equalization, or constitutional officers. However, this section applies to any person who is a member of an exempted agency but is acting as a voting member of another agency.

(4) "Officer" means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency, other than a city attorney or county counsel providing legal advice to

the agency who does not have the authority to make a final decision in the proceeding.

(5) (A) Except as provided in subparagraph (B), "license, permit, or other entitlement for use" means all business, professional, trade, and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts, and all franchises.

(B) "License, permit, or other entitlement for use" does not include any of the following:

(i) Competitively bid contracts that are required by law, agency policy, or agency rule to be awarded pursuant to a competitive process.

(ii) Labor contracts.

(iii) Personal employment contracts.

(iv) Contracts valued under fifty thousand dollars ($50,000).

(v) Contracts where no party receives financial compensation.

(vi) Contracts between two or more agencies.

(vii) The periodic review or renewal of development agreements unless there is a material modification or amendment proposed to the agreement. Non-material modifications or amendments may be approved by agency staff.

(viii) The periodic review or renewal of competitively bid contracts unless there are material modifications or amendments proposed to the agreement that are valued at more than 10 percent of the value of the contract or fifty thousand dollars ($50,000), whichever is less. Non-material modifications or amendments may be approved by agency staff.

(ix) Modification of or amendments to contracts that are exempt under this subparagraph, other than competitively bid contracts.

(6) "Contribution" includes contributions to candidates and committees in federal, state, or local elections.

(7) "Pending" in a proceeding involving a license, permit, or other entitlement for use means either of the following:

(A) For an officer, when either of the following occurs:

(i) An item involving the license, permit, or other entitlement for use is placed on the agenda for discussion or decision at a public meeting of the body of which the officer is a member.

(ii) The officer knows a proceeding involving a license, permit, or other entitlement for use is within the jurisdiction of the officer's agency for its decision or other action, and it is reasonably

foreseeable that the decision will come before the officer in the officer's decisionmaking capacity.

(B) For a party or party's agent, or a participant or participant's agent, when an application is filed with an agency, or, if the proceeding process does not require an application, when the proceeding is before the agency for its decision or other action.

(b) (1) While a proceeding involving a license, permit, or other entitlement for use is pending, and for 12 months following the date a final decision is rendered in the proceeding, an officer of an agency shall not accept, solicit, or direct a contribution of more than ~~five hundred dollars ($500)~~ *one thousand five hundred dollars ($1,500)* from any party or a party's agent, or from any participant or a participant's agent if the officer knows or has reason to know that the participant has a financial interest, as that term is used in Article 1 (commencing with Section 87100) of Chapter 7. This prohibition applies regardless of whether the officer accepts, solicits, or directs the contribution on the officer's own behalf, or on behalf of any other officer, or on behalf of any candidate for office or on behalf of any committee.

(2) With respect to elected officers, paragraph (1) applies only if the elected officer or the body of which they are a member has the authority to make any decision or recommendation in the proceeding.

(c) (1) Before rendering any decision in a proceeding involving a license, permit, or other entitlement for use, each officer of the agency who received a contribution within the preceding 12 months in an amount of more than ~~five hundred dollars ($500)~~ *one thousand five hundred dollars ($1,500)* from a party or from any participant shall disclose that fact on the record of the proceeding. An officer of an agency shall not make, participate in making, or in any way attempt to use the officer's official position to influence the decision in a proceeding involving a license, permit, or other entitlement for use if the officer has willfully or knowingly received a contribution in an amount of more than ~~five hundred dollars ($500)~~ *one thousand five hundred dollars ($1,500)* within the preceding 12 months from a party or a party's agent, or from any participant or a participant's agent if the officer knows or has reason to know that the participant has a financial interest in the decision, as that term is described with respect to public officials in Article 1 (commencing with Section 87100) of Chapter 7.

(2) With respect to elected officers, paragraph (1) applies only if the elected officer or the body of which they are a member has the authority to make any decision or recommendation in the proceeding.

(d) (1) If an officer receives a contribution that would otherwise require disqualification under this section, and returns the contribution within 30 days from the time the officer makes any decision, or knows, or should have known, about the contribution and the proceeding involving a license, permit, or other entitlement for use, whichever comes last, the officer shall be permitted to participate in the proceeding.

(2) (A) Subject to subparagraph (B), if an officer accepts, solicits, or directs a contribution of more than ~~five hundred dollars ($500)~~ *one thousand five hundred dollars ($1,500)* during the 12 months after the date the final decision is rendered in violation of subdivision (b), the officer may cure the violation by returning the contribution, or the portion of the contribution in excess of ~~five hundred dollars ($500),~~ *one thousand five hundred dollars ($1,500),* within 30 days of accepting, soliciting, or directing the contribution, whichever comes latest.

(B) An officer may cure a violation as specified in subparagraph (A) only if the officer did not knowingly and willfully accept, solicit, or direct the prohibited contribution.

(C) An officer's controlled committee, or the officer if no controlled committee exists, shall maintain records of curing any violation pursuant to this paragraph.

(e) (1) A party to a proceeding before an agency involving a license, permit, or other entitlement for use shall disclose on the record of the proceeding any contribution in an amount of more than ~~five hundred dollars ($500)~~ *one thousand five hundred dollars ($1,500)* made within the preceding 12 months before the date that any decision is rendered by the agency by the party or the party's agent.

(2) A party to a proceeding involving a license, permit, or other entitlement for use pending before any agency or a participant in the proceeding shall not make a contribution of more than ~~five hundred dollars ($500)~~ *one thousand five hundred dollars ($1,500)* to any officer of that agency during the proceeding and for 12 months following the date the final decision is rendered by the agency in the proceeding.

(3) An agent to a party or participant shall not make a contribution in any amount to an officer during the time periods described in paragraph (2).

(4) When a closed corporation is a party to, or a participant in, a proceeding involving a license, permit, or other entitlement for use pending before an agency, the majority shareholder is subject to the disclosure and prohibition requirements specified in this section.

(f) This section shall not be construed to imply that any contribution subject to being reported under this title shall not be so reported.

(g) For the purposes of this section, in determining whether a contribution has exceeded ~~five hundred dollars ($500),~~ *one thousand five hundred dollars ($1,500),* the contributions of an agent shall not be aggregated with contributions from a party or participant.

(h) Beginning on January, 2027, and in January of every odd-numbered year thereafter, the commission shall adjust the contribution limitations in this section to reflect any increase or decrease in the Consumer Price Index, rounded to the nearest ten dollars ($10).

~~(h)~~

(i) (1) A person is the "agent" of a party to, or a participant in, a pending proceeding involving a license, permit, or other entitlement for use only if the person represents that party or participant for compensation and appears before or otherwise communicates with an agency for the purpose of influencing the proceeding on behalf of a party or participant.

(2) If an individual acting as an agent is also acting as an employee or member of a law, architectural, engineering, or consulting firm, or a similar entity or corporation, both the entity or corporation and the individual are "agents."

(3) "Agent" includes a lobbyist registered to lobby the agency and who otherwise meets the requirements of paragraph (1).

(4) "Communicate with the agency for the purpose of influencing the proceeding" does not include either of the following:

(A) Preparing drawings or submissions of an architectural, engineering, or similar nature for a client to submit in a proceeding before the agency if both of the following conditions are met:

(i) The work is performed pursuant to the person's profession.

(ii) The person does not make any contact with the agency other than contact with agency staff concerning the process or evaluation of the documents prepared by the person.

(B) Providing technical data or analysis to an agency if the person does not otherwise engage in direct communication for the purpose of influencing the proceeding.

~~(i)~~

(j) (1) Except as provided in paragraph (2), the provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(2) Subdivision (g) is not severable from paragraph (3) of subdivision (e) if paragraph (3) of subdivision (e) is held invalid in a final decision of a court of competent jurisdiction. If that occurs, subdivision (g) shall become inoperative on the date of that final decision.

SEC. 2. The Legislature finds and declares that this bill furthers the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.

O

AMENDED IN SENATE APRIL 21, 2025

AMENDED IN SENATE MARCH 25, 2025

SENATE BILL No. 489

Introduced by Senator Arreguín

February 19, 2025

An act to amend Sections ~~65940, 65950, and 65953~~ *56300, 65928, and 65940* of the Government Code, relating to ~~housing.~~ *local government.*

LEGISLATIVE COUNSEL'S DIGEST

SB 489, as amended, Arreguín. *Local agency formation commissions: written policies and procedures:* Permit Streamlining Act: housing development projects.

(1) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation and change of organization of cities and special districts and establishes a local agency formation commission in each county consisting of members appointed as provided. The act expresses the intent of the Legislature that each local agency formation commission, by January 1, 2002, establish written policies and procedures and exercise its powers in a way that encourages and provides planned, well-ordered, efficient urban development patterns, as specified. The act requires these written policies and procedures to include forms to be used for various submittals to the commission, as provided. The act requires each commission to provide access to notices and other information to the public on an internet website, as specified, including notice of all public hearings and commission meetings.

This bill would require that each local agency formation commission establish the written policies and procedures described above. The bill

would require that the written policies and procedures include any forms necessary for a complete application to the commission concerning a proposed change of organization or reorganization. The bill would require each commission to provide access to its written policies and procedures to the public, including any forms necessary for a complete application for a change of organization or reorganization, through its internet website.

~~The~~

(2) The Permit Streamlining Act requires a public agency to compile a list of the information required from an applicant for a development project, as provided, and, until January 1, 2030, specifies that a development project for purposes of this requirement includes a housing development project, as defined. The act defines various terms for its purposes, including, among others, a "development project," which is generally defined as any project undertaken for the purpose of ~~development.~~ *development, excluding ministerial projects proposed to be carried out or approved by public agencies.*

This *bill would revise the definition of "development project" for purposes of the act to include a housing development project, as defined by specified other law that includes in that definition, notwithstanding the above-described exclusion for ministerial projects, projects that involve no discretionary approvals and projects that involve both discretionary and nondiscretionary approvals. The bill would make a conforming change in the above-described requirement to compile the above-described list by deleting the specification that a development project includes a housing development project. The* bill, until January 1, 2030, would *also* require a public agency, for each approval issued in connection with a housing development project, to publish online the above-described list, including the criteria that the public agency will apply in order to determine the completeness of the development application and the name of the approval, as provided. ~~The bill would revise the definition of "housing development project" for these purposes to include (1) an approval in connection with a housing development project, other than a postentitlement phase permit, as defined, or specified applications from a housing development project described in certain provisions governing applications made to a special district and (2) a change of organization or reorganization, as those terms are defined for purposes of specified law governing the initiation, conduct, and completion of changes of organization and reorganization for cities and districts.~~

~~The Permit Streamlining Act requires a public agency that is a lead agency to approve or disapprove a project within specified time periods. Among these time periods, until January 1, 2030, the act requires a public agency to approve a development project, defined for these purposes as a housing development project, defined by cross-reference to specified law, within 90 days from the date of certification by the lead agency of the environmental impact report, or 60 days from the date of certification by the lead agency of the environmental impact report if certain conditions are met, as provided.~~

~~This bill, until January 1, 2030, would revise the definition of "housing development project" for purposes of these time periods to include an approval in connection with a housing development project, other than a postentitlement phase permit, as defined, or specified applications from a housing development project described in certain provisions governing applications made to a special district.~~

~~The Permit Streamlining Act specifies that the time limits specified under its provisions are maximum time limits for approving or disapproving development projects, and requires all public agencies, if possible, to approve or disapprove development projects in shorter periods of time.~~

~~This bill would define "development project" for purposes of these provisions to include a housing development project. The bill would define a "housing development project" for these purposes to mean a use consisting of residential units only; mixed-use developments consisting of residential and nonresidential uses that meet specified conditions; transitional housing or supportive housing; or farmworker housing, as defined.~~

~~By~~

(3) By increasing the duties of *local agency formation commissions in establishing and publishing written policies and procedures and of* local planning officials in reviewing permit applications for housing development projects, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 56300 of the Government Code is amended to read:

56300. (a) ~~It is the intent of the Legislature that each commission, not later than January 1, 2002,~~ *Each commission* shall 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.

(b) Each commission with a proposal pending on January 1, 2001, shall, by March 31, 2001, hold a public hearing to discuss the adoption of policies and procedures to require the disclosure of contributions, expenditures, and independent expenditures authorized by Section 56100.1. Reporting requirements adopted pursuant to this section shall be effective upon the date of adoption or a later date specified in the resolution. Any commission that does not have a proposal pending on January 1, 2001, shall hold a public hearing to discuss the adoption of those policies and procedures within 90 days of submission of a proposal or at any time prior to submission of a proposal. Once a hearing has taken place under this subdivision, no subsequent hearing shall be required except by petition of 100 or more registered voters residing in the county in which the commission is located.

(c) A commission may require, through the adoption of written policies and procedures, lobbying disclosure and reporting requirements for persons who attempt to influence pending decisions by commission members, staff, or consultants. Disclosure shall be made either to the commission's executive officer, in which case it shall be posted on the ~~commission Web site,~~ *commission's internet website*, if applicable, or to the recorder, registrar of voters, or clerk of the board of supervisors of the county in which the commission is located. Each commission that on January 1, 2001, has a pending proposal, as defined in Section 56069 shall, by March 31, 2001, hold a public hearing to discuss the adoption of policies and procedures governing lobbying disclosure authorized by this subdivision. Reporting requirements adopted pursuant to this section shall be effective upon the date

of adoption or on a later date specified in the resolution. Any commission that does not have a proposal pending on January 1, 2001, shall hold a public hearing to discuss the adoption of those policies and procedures within 90 days of submission of a proposal, or at any time prior to submission of a proposal.

(d) Any public hearings required by this section may be held concurrently.

(e) The written policies and procedures adopted by the commission shall include forms to be used for various submittals to the commission including at a minimum a form for any protests to be filed with the commission *and any forms necessary for a complete application to the commission* concerning any proposed ~~organization change.~~ *change of organization or reorganization.*

(f) (1) ~~On or before January 1, 2002, the~~ *Each* commission shall establish and maintain, or otherwise provide access to ~~notices~~ *notices, written policies and procedures,* and other commission information for the public through an ~~Internet Web site.~~ *internet website.*

(2) The written policies and procedures adopted by the commission shall require ~~that, to the extent that the commission maintains an Internet Web site,~~ *that* notice of all ~~public hearings and commission meetings~~ *public hearings, commission meetings, and any forms necessary for a complete application for a change of organization or reorganization* shall be made available in electronic format on ~~that site.~~ *the commission's internet website.*

SEC. 2. Section 65928 of the Government Code is amended to read:

65928. *(a)* "Development project" means any project undertaken for the purpose of development. ~~"Development~~

(b) "Development project" includes a project involving the issuance of a permit for construction or reconstruction but not a permit to operate. ~~"Development~~

(c) Except as provided in subdivision (d), "development project" does not include any ministerial projects proposed to be carried out or approved by public agencies.

(d) "Development project" includes a housing development project, as that term is defined in paragraph (3) of subdivision (b) of Section 65905.5.

~~SECTION 1.~~

SEC. 3. Section 65940 of the Government Code, as amended by Section 3 of Chapter 754 of the Statutes of 2023, is amended to read:

65940. (a) (1) Each public agency shall compile one or more lists that shall specify in detail the information that will be required from any applicant for a development project. Each public agency shall revise the list of information required from an applicant to include a certification of compliance with Section 65962.5, and the statement of application required by Section 65943. Copies of the information, including the statement of application required by Section 65943, shall be made available to all applicants for development projects and to any person who requests the information.

(2) An affected city or affected county, as defined in Section 66300, shall include the information necessary to determine compliance with the requirements of Article 2 (commencing with Section 66300.5) of Chapter 12 in the list compiled pursuant to paragraph (1).

(b) The list of information required from any applicant shall include, where applicable, identification of whether the proposed project is located within 1,000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined in Section 65944.

(c) (1) A public agency that is not beneath a low-level flight path or not within special use airspace and does not contain a military installation is not required to change its list of information required from applicants to comply with subdivision (b).

(2) A public agency that is entirely urbanized, as defined in subdivision (e) of Section 65944, with the exception of a jurisdiction that contains a military installation, is not required to change its list of information required from applicants to comply with subdivision (b).

(d) For each approval issued by a public agency in connection with a housing development project, the list required to be compiled by this section, including the criteria which the public agency will apply in order to determine the completeness of an application described in Section 65941, and the name of the approval, shall be published online.

~~(e) For purposes of this section:~~

~~(1) "Development project" includes a housing development project as defined in paragraph (3) of subdivision (b) of Section 65905.5.~~

~~(2) "Housing development project" includes, but is not limited to, both of the following:~~

~~(A) An approval issued in connection with a housing development project, including any necessary permit, review, statement, action, authorization, determination, inspection, report, clearance, agreement that is required as a condition of approval, or similar provision, except an approval that is a postentitlement phase permit, as defined in Section 65913.3, or an application from a housing development project as described in subdivision (a) of Section 65913.3.1.~~

~~(B) A "change of organization," as defined in Section 56021, or a "reorganization," as defined in Section 56073.~~

~~(f)~~

(e) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

~~SEC. 2. Section 65950 of the Government Code, as amended by Section 9 of Chapter 161 of the Statutes of 2021, is amended to read:~~

~~65950. (a) A public agency that is the lead agency for a development project shall approve or disapprove the project within whichever of the following periods is applicable:~~

~~(1) One hundred eighty days from the date of certification by the lead agency of the environmental impact report, if an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code for the development project.~~

~~(2) Ninety days from the date of certification by the lead agency of the environmental impact report, if an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code for a development project defined in subdivision (c).~~

~~(3) Sixty days from the date of certification by the lead agency of the environmental impact report, if an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code for a development project defined in subdivision (c) and all of the following conditions are met:~~

~~(A) At least 49 percent of the units in the development project are affordable to very low or low-income households, as defined by Sections 50105 and 50079.5 of the Health and Safety Code, respectively. Rents for the lower income units shall be set at an affordable rent, as that term is defined in Section 50053 of the Health and Safety Code, for at least 30 years. Owner-occupied units shall be available at an affordable housing cost, as that term is defined in Section 50052.5 of the Health and Safety Code.~~

~~(B) Prior to the application being deemed complete for the development project pursuant to Article 3 (commencing with Section 65940), the lead agency received written notice from the project applicant that an application has been made or will be made for an allocation or commitment of financing, tax credits, bond authority, or other financial assistance from a public agency or federal agency, and the notice specifies the financial assistance that has been applied for or will be applied for and the deadline for application for that assistance, the requirement that one of the approvals of the development project by the lead agency is a prerequisite to the application for or approval of the application for financial assistance, and that the financial assistance is necessary for the project to be affordable as required pursuant to subparagraph (A).~~

~~(C) There is confirmation that the application has been made to the public agency or federal agency prior to certification of the environmental impact report.~~

~~(4) Sixty days from the date of adoption by the lead agency of the negative declaration, if a negative declaration is completed and adopted for the development project.~~

~~(5) Sixty days from the determination by the lead agency that the project is exempt from the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), if the project is exempt from that act.~~

~~(b) This section does not preclude a project applicant and a public agency from mutually agreeing in writing to an extension of any time limit provided by this section pursuant to Section 65957.~~

~~(c) For purposes of paragraphs (2) and (3) of subdivision (a) and Section 65952, "development project" means a housing development project, as defined in paragraph (3) of subdivision (b) of Section 65905.5.~~

~~(d) For purposes of this section:~~

~~(1) "Housing development project" includes, but is not limited to, an approval issued in connection with a housing development project, including any necessary permit, review, statement, action, authorization, determination, inspection, report, clearance, agreement that is required as a condition of approval, or similar provision, except an approval that is a postentitlement phase permit, as defined in Section 65913.3, or an application from a housing development project as described in subdivision (a) of Section 65913.3.1.~~

~~(2) "Lead agency" and "negative declaration" have the same meaning as defined in Sections 21067 and 21064 of the Public Resources Code, respectively.~~

~~(e) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.~~

~~SEC. 3. Section 65953 of the Government Code is amended to read:~~

~~65953. (a) All time limits specified in this article are maximum time limits for approving or disapproving development projects. All public agencies shall, if possible, approve or disapprove development projects in shorter periods of time.~~

~~(b) For the purposes of this section:~~

~~(1) "Development project" includes, but is not limited to, a housing development project.~~

~~(2) "Housing development project" means a use consisting of any of the following:~~

~~(A) Residential units only.~~

~~(B) Mixed-use developments consisting of residential and nonresidential uses that meet any of the following conditions:~~

~~(i) At least two-thirds of the new or converted square footage is designated for residential use.~~

~~(ii) At least 50 percent of the new or converted square footage is designated for residential use and the project meets both of the following:~~

~~(I) The project includes at least 500 net new residential units.~~

~~(II) No portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging, except a portion of the project may be designated for use as a residential hotel, as defined in Section 50519 of the Health and Safety Code.~~

~~(iii) At least 50 percent of the net new or converted square footage is designated for residential use and the project meets all of the following:~~

~~(I) The project includes at least 500 net new residential units.~~

~~(II) The project involves the demolition or conversion of at least 100,000 square feet of nonresidential use.~~

~~(III) The project demolishes at least 50 percent of the existing nonresidential uses on the site.~~

~~(IV) No portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging, except a portion of the project may be designated for use as a residential hotel, as defined in Section 50519 of the Health and Safety Code.~~

~~(C) Transitional housing or supportive housing.~~

~~(D) Farmworker housing, as defined in subdivision (h) of Section 50199.7 of the Health and Safety Code.~~

~~(3) "Housing development project" includes, but is not limited to, all of the following:~~

~~(A) An approval issued in connection with a housing development project, including any necessary permit, review, statement, action, authorization, determination, inspection, report, clearance, agreement that is required as a condition of approval, or similar provision, except an approval that is a "postentitlement phase permit," as defined in Section 65913.3, or an application from a housing development project, as described in subdivision (a) of Section 65913.3.1.~~

~~(B) Projects that involve no discretionary approvals and projects that involve both discretionary and nondiscretionary approvals.~~

~~(C) A proposal to construct a single dwelling unit. This clause shall not affect the interpretation of the scope of paragraph (2) of subdivision (h) of Section 65589.5.~~

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIIIB of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

O

SENATE BILL No. 740

Introduced by Senator Rubio

February 21, 2025

An act to amend Section 13912 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 740, as introduced, Rubio. Municipal wastewater agency: new agreement or amendment.

Existing law authorizes a municipal wastewater agency to enter into agreements with entities responsible for stormwater management, including, but not limited to, municipal, industrial, and commercial stormwater dischargers, for the purpose of managing stormwater and dry weather runoff. Existing law requires a municipal wastewater agency, if the agency enters into a new agreement or amends an agreement pursuant to those provisions, to file a copy of the agreement or amendment with the local agency formation commission in each county where any part of the municipal wastewater agency's territory is located within 30 days after the effective date of the new agreement or amendment.

This bill would extend that filing requirement timeline to 40 days.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 13912 of the Water Code is amended to read:

13912. (a) A municipal wastewater agency may do any of the following:

(1) To the extent permitted by federal law, authorize the discharge of stormwater or dry weather runoff captured at industrial and commercial sites to the wastewater collection or treatment system subject to any requirements that may be imposed by the municipal wastewater agency or public agency that owns and operates the tributary collection system.

(2) In order to carry out the powers granted, and the purposes established, under this chapter, exercise any of the powers otherwise granted to it by law, including, but not limited to, enforcing compliance with local, state, and federal water quality requirements through the implementation of the municipal wastewater agency's industrial pretreatment programs and ensuring that the project or program is consistent with local watershed priorities, obligations, and circumstances.

(3) Levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to this chapter.

(b) The exercise of any new authority granted under this chapter is subject to and shall comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Division 3 (commencing with Section 56000) of Title 5 of the Government Code).

(c) (1) ~~If, after January 1, 2022,~~ *If* a municipal wastewater agency enters into a new agreement or amends an agreement pursuant to this chapter, the agency shall, within ~~30~~ *40* days after the effective date of the new agreement or amendment, file a copy of the agreement or amendment with the local agency formation commission in each county where any part of the municipal wastewater agency's territory is located.

(2) The local agency formation commission's approval of an agreement or an amendment to an agreement as described in paragraph (1) shall not be required, except as required by subdivision (b).

O

AMENDED IN SENATE MARCH 26, 2025

SENATE BILL No. 777

Introduced by Senator Richardson

February 21, 2025

An act to amend the heading of Chapter 7 (commencing with Section 8825) of *Part 3 of* Division 8 of, ~~to add Section 8749 to,~~ and to add Chapter 6 (commencing with Section 8800) to Part 3 of Division 8 of, the Health and Safety Code, relating to cemeteries.

LEGISLATIVE COUNSEL'S DIGEST

SB 777, as amended, Richardson. Abandoned endowment care cemeteries: ~~county~~ *local agency* possession and responsibility.

Existing law, the Cemetery and Funeral Act, establishes the Cemetery and Funeral Bureau within the Department of Consumer Affairs and sets forth its powers and duties relating to the licensure and regulation of, among others, cemeteries and cemetery authorities, which includes cemetery associations, corporations sole, limited liability companies, and other persons owning or controlling cemetery lands or property. Existing law authorizes a cemetery authority that maintains a cemetery to place its cemetery under endowment care and to establish, maintain, and operate an endowment care fund. Ninety days following the cancellation, surrender, or revocation of a certificate of authority, existing law gives the bureau title to any endowment care funds of a cemetery authority and possession of all necessary books, records, property, real and personal, and assets, and requires the bureau to act as conservator over the management of the endowment care funds.

This bill would ~~make the~~ *require a local agency formation commission for the* county in which an abandoned endowment care cemetery is located *to identify a local agency to be* responsible for the care,

maintenance, and embellishment of the ~~cemetery.~~ *cemetery, as specified.* The bill would vest fee title of the cemetery in the ~~county,~~ *local agency and* would restrict the ~~county's~~ *local agency's* use of the property to *uses consistent with* cemetery ~~purposes, and would exempt the county from various provisions related to the care of active cemeteries.~~ *purposes.* The bill would give the ~~county~~ *local agency* title to any endowment care funds of the prior cemetery authority held by the bureau, and would require the ~~county~~ *local agency* to take possession of all necessary books, records, real property, personal property, and assets of the fund. The bill would require the assets to be liquidated, and the proceeds placed in a special fund ~~within the county treasury~~ to be expended on care, maintenance, or embellishment of the abandoned endowment care cemetery. The bill would define an abandoned endowment care cemetery and would make conforming changes. *By imposing additional duties on local agencies, this bill would impose a state-mandated local program.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

~~SECTION 1. Section 8749 is added to the Health and Safety Code, to read:~~

~~8749. This article shall not apply to a county that takes title to an abandoned endowment care cemetery pursuant to Chapter 6 (commencing with Section 8800).~~

~~SEC. 2.~~

SECTION 1. Chapter 6 (commencing with Section 8800) is added to Part 3 of Division 8 of the Health and Safety Code, to read:

CHAPTER 6. ABANDONMENT OF ENDOWMENT CARE CEMETERIES

8800. For purposes of this chapter, "abandoned endowment care cemetery" means a cemetery for which an endowment care fund was maintained, that was formerly licensed by the bureau, and for which the certificate of authority has been canceled, surrendered, or revoked and ownership has not been transferred pursuant to Section 8585 within one year of the cancellation, surrender, or revocation.

8801. (a) Upon the expiration of the one-year period described in Section 8800, ~~fee title of an abandoned care cemetery shall vest in the county in which the cemetery is located and shall be recorded with the county.~~ *the bureau shall notify the local agency formation commission for the county in which the abandoned endowment care cemetery is located that there is an abandoned endowment care cemetery in that county.*

(b) No later than 30 days following the notification from the bureau described in subdivision (a), the local agency formation commission shall commence proceedings to identify a local agency take over the care, maintenance, and embellishment of the abandoned endowment care cemetery. The local agency formation commission shall complete its proceedings and identify the receiving local agency within six months of receiving the notification from the bureau.

(c) Upon completion of the proceeding described in subdivision (b), fee title of an abandoned endowment care cemetery shall vest in, and be recorded with, the local agency identified by the local agency formation commission.

~~(b)~~

(d) Any ~~county~~ *local agency* acquiring fee title to a cemetery pursuant to this section shall be responsible for the care, maintenance, and embellishment of the abandoned endowment care cemetery, and shall only use the property for *uses consistent with* cemetery purposes.

8802. (a) Upon the transfer of title described in Section 8801, the ~~county~~ *local agency* shall also take title of any endowment care funds of the prior cemetery authority held by the bureau pursuant to Section 7613.11 of the Business and Professions Code, and shall take possession of all necessary books, records, real property, personal property, and assets of the fund.

(b) The assets of the fund described in subdivision (a) shall be liquidated, and the proceeds shall be placed in a special ~~fund within the county treasury.~~ *fund.* The moneys within the special fund shall only be expended on care, maintenance, or embellishment of the abandoned endowment care ~~cemetery.~~ *cemetery acquired by the local agency pursuant to this chapter and for which the endowment care funds were maintained.*

8803. A ~~county~~ *local agency* that acquires title to an abandoned endowment care cemetery shall keep a record of, and honor, all remaining contracts for burial executed by the prior cemetery authority.

~~SEC. 3.~~

SEC. 2. The heading of Chapter 7 (commencing with Section 8825) of Part 3 of Division 8 of the Health and Safety Code is amended to read:

CHAPTER 7. ABANDONED NONENDOWMENT CARE CEMETERIES

~~SEC. 4.~~

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

O

AMENDED IN ASSEMBLY APRIL 9, 2025

AMENDED IN ASSEMBLY MARCH 17, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL No. 356

Introduced by Assembly Member Patel

January 30, 2025

An act to add ~~Section 1272.2 to the Health and Safety Code, relating to health facilities.~~ *and repeal Chapter 3 (commencing with Section 127575) to Part 2 of Division 107 of the Health and Safety Code, relating to health care.*

LEGISLATIVE COUNSEL'S DIGEST

AB 356, as amended, Patel. ~~Facility fees.~~ *Health care districts: County of San Diego.*

Existing law, The Local Health Care District Law, authorizes the organization, incorporation, and management of local health care districts. Existing law establishes the Department of Health Care Access and Information to oversee and administer various health programs related to health care infrastructure, such as health policy and planning, health professions development, and facilities design review and construction, among others.

This bill would require the department to convene a working group to study and make recommendations regarding the provision of health care services in the northern San Diego region. The bill would require that the working group include representatives of certain health care districts and that it issue a report to the Legislature, on or before June 1, 2026, with its findings and recommendations. The bill would repeal these provisions on June 1, 2030.

This bill would make legislative findings and declarations as to the necessity of a special statute for the northern region of the County of San Diego.

~~Existing law provides for the licensure and regulation of health facilities, including general acute care hospitals, by the State Department of Public Health. Under existing law, a violation of those provisions is a misdemeanor.~~

~~This bill would require the department to conduct a study on the practice of general acute care hospitals, health systems, and licensed health care providers that are billing or seeking payment from patients for a facility fee that is not covered by the patient's health insurance carrier. The bill would require the department to prepare a report with the findings of the study and to submit that report to the Legislature.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 3 (commencing with Section 127575) is added to Part 2 of Division 107 of the Health and Safety Code, to read:

CHAPTER 3. HEALTH CARE DISTRICTS: COUNTY OF SAN DIEGO

127575. This act shall be known, and may be cited, as the Health Care Districts: County of San Diego Act.

127576. (a) The Department of Health Care Access and Information shall convene a working group to study and make recommendations regarding the provision of health care services in health care districts in the northern region of the County of San Diego.

(b) The working group shall include representatives of each of the following areas:

(1) The Palomar Health Care District.

(2) The Fallbrook Health Care District.

(3) The Tri-City Health Care District.

(4) The San Diego Delegation of the California Legislature.

(5) The University of California hospitals.

(6) Trade associations representing health care districts.

(7) Trade associations representing hospitals.

(8) Trade associations representing special districts.

(9) Any other relevant stakeholder interests, as determined by the department.

(c) This chapter does not affect or limit any other statutory, regulatory, or contractual obligations of public health care providers or health care districts operating in the San Diego region.

127577. The working group established pursuant to Section 127576 shall do both of the following:

(a) Review and discuss the statutory or other responsibilities of each health care district to provide health care services to the communities they serve and evaluate their capacity to meet those responsibilities.

(b) Examine whether current resources, funding, and organizational structures in the northern region of the County of San Diego can fulfill the goal of providing adequate health care access to all residents, including underserved and vulnerable communities.

127578. (a) The working group shall convene as soon as practicable following the operative date of this chapter.

(b) On or before June 1, 2026, the working group shall submit its findings and recommendations to the California Legislature, and shall make these findings available to any relevant county or state agencies upon request.

(c) (1) A report to be submitted pursuant to subdivision (b) shall be submitted in compliance with Section 9795 of the Government Code.

(2) Pursuant to Section 10231.5 of the Government Code, this chapter is repealed on June 1, 2030.

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the uniquely integrated services provided by the local health districts of the northern region of the County of San Diego.

~~SECTION 1. Section 1272.2 is added to the Health and Safety Code, to read:~~

~~1272.2. (a) The department shall conduct a study on the practice of general acute care hospitals, health systems, and licensed health care providers that are billing or seeking payment~~

~~from patients for a facility fee that is not covered by the patient's health insurance carrier.~~

~~(b) The department shall prepare a report with the findings of the study conducted pursuant to subdivision (a), and shall submit that report to the Legislature, in accordance with Section 9795 of the Government Code.~~

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AMENDED IN ASSEMBLY APRIL 21, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL No. 448

Introduced by Assembly Member Patel
(Coauthor: Assembly Member Jeff Gonzalez)
(Coauthors: Senators Jones, Padilla, and Weber Pierson)

February 6, 2025

~~An act to add Section 1562.015 to the Health and Safety Code, relating to public social services.~~ *An act to add Chapter 5 (commencing with Section 129400) to Part 6 of Division 107 of the Health and Safety Code, relating to health facilities financing, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 448, as amended, Patel. ~~Short-term residential therapeutic program: requirements.~~ *California Health Facilities Financing Authority Act: nondesignated hospitals: loan repayment.*

Under existing law, the California Health Facilities Financing Authority Act (act) authorizes the California Health Facilities Financing Authority to, among other things, make loans from the continuously appropriated California Health Facilities Financing Authority Fund to participating health institutions, as defined, for financing or refinancing the acquisition, construction, or remodeling of health facilities. Under the act, the authority is authorized to issue revenue bonds to provide the funds for achieving these purposes. Existing law appropriates $40,000,000 to provide cashflow loans to nondesignated public hospitals, as needed, due to the financial impacts of the COVID-19 public health emergency. Existing law requires the

nondesignated public hospitals participating in this loan program to repay and discharge the loan within 24 months of the date of the loan.

This bill would extend the repayment requirements for nondesignated public hospitals participating in the loan program that had received a loan approval from, and entered into a loan and security agreement with, the authority by requiring those hospitals to begin monthly repayments on the loan 32 months after the date of the loan, and discharge the loan within 60 months of the date of the loan, as prescribed. The bill would require the monthly payments to be amortized over the term of the loan, at 0% interest. By removing restrictions limiting the expenditure of moneys appropriated for purposes of these loans, the bill would make an appropriation.

~~Existing law, the California Community Care Facilities Act, provides for the licensure and regulation of community care and residential facilities, including short-term residential therapeutic programs, by the State Department of Social Services. A violation of the act is a misdemeanor. Existing law defines "short-term residential therapeutic program" as a residential facility licensed by the department and operated by any public agency or private organization that provides an integrated program of specialized and intensive care and supervision, services and supports, treatment, and short-term, 24-hour care and supervision to children, including foster children. Existing law requires a short-term residential therapeutic program to follow the requirements applicable to group homes, and to have national accreditation from an entity identified by the department pursuant to a specified process. Existing law requires a short-term residential therapeutic program to prepare and maintain a current, written plan of operation including, among other things, a statement of purposes and goals and a detailed program statement.~~

~~This bill additionally would require a short-term residential therapeutic program to ensure that at least one parent, or a legal guardian, will be residing at single, physical address within the state for the duration of the child's or youth's treatment. The bill also would require the short-term residential therapeutic program to ensure that a child or youth residing in the program facility is at all times able to make confidential telephone calls to their parent or legal guardian, as specified, and has access at all times to appropriate footwear that is suitable to be worn outdoors. The bill would require the short-term residential therapeutic program to post these requirements on its internet website. The bill would subject the short-term residential therapeutic program to civil~~

~~penalties for violating those requirements, or license suspension or revocation if the violation causes harm to a child's or youth's health or safety. The bill would require the department to adopt regulations to implement, interpret, or make specific the bill's requirements. Because a violation of the bill's requirements by a short-term residential therapeutic program would be a crime, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: ~~majority~~ *2/3*. Appropriation: ~~no~~ *yes*. Fiscal committee: yes. State-mandated local program: ~~yes~~ *no*.

The people of the State of California do enact as follows:

SECTION 1. Chapter 5 (commencing with Section 129400) is added to Part 6 of Division 107 of the Health and Safety Code, to read:

CHAPTER 5. HEALTH FACILITY GRANTS AND LOANS

129400. The following definitions apply for purposes of this section:

(a) "Authority" means the California Health Facilities Financing Authority.

(b) "Nondesignated public hospital" means a public hospital as that term is defined in subdivision (l) of Section 14165.55 of the Welfare and Institutions Code, excluding those affiliated with county health systems.

129401. (a) The authority shall extend the repayment period as described in subdivision (b) for nondesignated public hospitals participating in the loan program authorized under Provision (1) of Item 0977-101-0001 of Section 2.00 of the Budget Act of 2022 (Chapter 45 of the Statutes of 2022) that had received a loan approval from, and entered into a loan and security agreement with, the authority, and that the authority has determined were unable to repay their loan by the time required under the loan and security agreement.

(b) Notwithstanding Provision (1)(e) of Item 0977-101-0001 of Section 2.00 of the Budget Act of 2022 (Chapter 45 of the Statutes of 2022) and any other law to the contrary, a nondesignated public hospital participating in the loan program described in subdivision (a) that had received a loan approval from, and entered into a loan and security agreement with, the authority shall be required to begin monthly repayments on the loan 36 months after the date of that loan, and shall discharge the loan within 60 months of the date of that loan. The monthly payments shall be amortized over the term of the loan, at 0 percent interest. There shall be no prepayment penalty.

(c) Except as provided in subdivision (b), this section shall not be construed to amend or otherwise affect the requirements of, or the authorities conferred to implement, the loan program pursuant to Provision (1) of Item 0977-101-0001 of Section 2.00 of the Budget Act of 2022 (Chapter 45 of the Statutes of 2022).

~~SECTION 1. Section 1562.015 is added to the Health and Safety Code, to read:~~

~~1562.015. (a) In addition to the requirements of Section 1562.01, a short-term residential therapeutic program shall do all of the following:~~

~~(1) Prior to accepting a child or youth for treatment, ensure that at least one parent, or a legal guardian, will be residing at single, physical address within the state for the duration of the child's or youth's treatment.~~

~~(2) Ensure that a child or youth residing in the program facility is at all times able to make confidential telephone calls to their parent or legal guardian. This requirement is subject to waiver by the department, the short-term residential therapeutic program, or the parent or guardian.~~

~~(3) Ensure that a child or youth residing in the program facility has access at all times to appropriate footwear that is suitable to be worn outdoors.~~

~~(b) The short-term residential therapeutic program shall prominently post the requirements described in subdivision (a) on its internet website.~~

~~(c) A short-term residential therapeutic program that violates the requirements described in subdivision (a) shall be subject to civil penalties in an amount not to exceed ____ dollars ($____) per violation per day. The total civil penalty shall not exceed ____~~

~~dollars ($____). If a violation causes harm to a child's or youth's health or safety, the department may also suspend or revoke the short-term residential therapeutic program's license.~~

~~(d) The department shall adopt regulations necessary to implement, interpret, or make specific the requirements of this section.~~

~~SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.~~

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AMENDED IN SENATE JUNE 26, 2025
AMENDED IN ASSEMBLY MAY 28, 2025
AMENDED IN ASSEMBLY APRIL 09, 2025
AMENDED IN ASSEMBLY MARCH 17, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL **NO. 356**

Introduced by Assembly Member Patel
(Coauthor: Assembly Member Boerner)

January 30, 2025

An act to add and repeal Chapter 3 (commencing with Section 127575) of Part 2 of Division 107 of the Health and Safety Code, relating to health care.

LEGISLATIVE COUNSEL'S DIGEST

AB 356, as amended, Patel. Health care districts: County of San Diego.

Existing law, The Local Health Care District Law, authorizes the organization, incorporation, and management of local health care districts. Existing law establishes the Department of Health Care Access and Information to oversee and administer various health programs related to health care infrastructure, such as health policy and planning, health professions development, and facilities design review and construction, among others.

This bill would require the department to convene a working group to study and make recommendations regarding the provision of health care services in the northern San Diego region. The bill would require that the working group include representatives of certain health care districts, among other entities, and that it issue a report to the Legislature, on or before June 1, 2026, with its findings and recommendations. The bill would repeal these provisions on June 1, 2030.

This bill would make legislative findings and declarations as to the necessity of a special statute for the northern region of the County of San Diego.

Digest Key

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

Bill Text

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 3 (commencing with Section 127575) is added to Part 2 of Division 107 of the Health and Safety Code, to read:

CHAPTER 3. Health Care Districts: County of San Diego

127575. This act shall be known, and may be cited, as the Health Care Districts: County of San Diego Act.

127576. (a) The Department of Health Care Access and Information shall convene a working group to study and make recommendations regarding the provision of health care services in health care districts in the northern region of the County of San Diego.

(b) The working group shall include representatives of each of the following areas:

(1) The Palomar Health Care District.

(2) The Fallbrook Health Care District.

(3) The Tri-City Health Care District.

(4) The San Diego Local Agency Formation Commission.

~~(4)~~

(5) The San Diego Delegation of the California Legislature.

~~(5)~~

(6) Hospitals operating in the County of San Diego.

~~(6)~~

(7) Trade associations representing health care districts.

~~(7)~~

(8) Trade associations representing hospitals.

~~(8)~~

(9) Trade associations representing special districts.

~~(9)~~

(10) Those representing labor interests engaged in health care in the northern region of the County of San Diego and any other relevant stakeholder interests, as determined by the department.

(c) This chapter does not affect or limit any other statutory, regulatory, or contractual obligations of public health care providers or health care districts operating in the San Diego region.

127577. The working group established pursuant to Section 127576 shall do both of the following:

(a) Review and discuss the statutory or other responsibilities of each health care district to provide health care services to the communities they serve and evaluate their capacity to meet those responsibilities.

(b) Examine whether current resources, funding, and organizational structures in the northern region of the County of San Diego can fulfill the goal of providing adequate health care access to all residents, including underserved and vulnerable communities.

127578. (a) The working group shall convene as soon as practicable following the operative date of this chapter.

(b) On or before June 1, 2026, the working group shall submit its findings and recommendations to the California Legislature, and shall make these findings available to any relevant county or state agencies upon request.

(c) (1) A report to be submitted pursuant to subdivision (b) shall be submitted in compliance with Section 9795 of the Government Code.

(2) Pursuant to Section 10231.5 of the Government Code, this chapter is repealed on June 1, 2030.

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the uniquely integrated services provided by the local health districts of the northern region of the County of San Diego.

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San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

June 26, 2025

The Honorable Buffy Wicks, Chair
Assembly Committee on Appropriations
California State Assembly
1021 O Street, Suite 8220
Sacramento, CA 95814

Re: ***Support for AB 448*** *(Patel) – California Health Facilities Financing Authority Act: nondesignated hospitals: loan repayment.*

Dear Chair Wicks and Members of the Committee:

The San Diego County Local Agency Formation Commission (LAFCO) respectfully submits this letter in support of AB 448, a measure authored by Assemblymember Darshana Patel (District 76), that would authorize the State Treasurer's Office to extend – and if necessary, restructure – a previously issued bridge loan to the Palomar Healthcare District, located in San Diego County, to support its continued financial stability.

AB 448 represents a practical and timely step toward reinforcing Palomar Health's financial stability and safeguarding its long-term role as a key provider of healthcare in the region. Ensuring the District's viability and continuity of service is of direct interest to our Commission—particularly as broader regional planning efforts are underway. This includes LAFCO's ongoing Municipal Service Review, evaluating Palomar Health alongside the three other special districts providing healthcare services in San Diego County.

For these reasons, San Diego LAFCO supports AB 448 and respectfully urges your favorable consideration of the bill. We appreciate your most positive consideration of AB 448 when it comes before you for action.

Sincerely,

Keene Simonds
Executive Officer

cc: The Honorable Darshana Patel, Assemblymember, District 76
Jeff Gonzalez, Assemblymember, District 36
Brian Jones, Senator, District 40
Steve Padilla, Senator, District 18
Akilah Weber Pierson, Senator, District 39
Members, Assembly Committee on Appropriations
José Henriquez, Interim Executive Director, CALAFCO

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Jo MacKenzie, Vista Irrigation
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Vacant, General Public
Brigette Browning, Alt., General Public

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San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

June 26, 2025

The Honorable Caroline Menjivar, Chair
Senate Committee on Health, California State Senate
1021 O Street, Room 3310
Sacramento, CA 95814

Re: ***Support for AB 356, if amended*** *(Patel) – Health care districts: County of San Diego.*

Dear Chair Menjivar and Members of the Committee:

The San Diego County Local Agency Formation Commission (LAFCO) respectfully submits this letter **in support of AB 356, if amended**, a measure authored by Assemblymember Darshana Patel (District 76). The bill aims to address healthcare access in northern San Diego County by establishing a state-directed working group to report on current healthcare service needs with particular focus within the service area of the Palomar Health District.

San Diego LAFCO supports the bill's intent to bring together state, regional, and local stakeholders to explore long-term strategies for effective and equitable healthcare service delivery in north county. However, to avoid duplication and to strengthen local coordination, LAFCO respectfully requests the bill be amended to explicitly include a LAFCO representative as a member of the working group. Most notably, this amendment would readily sync with LAFCO's existing responsibility to prepare Municipal Service Reviews (MSR) on all local agencies, which offer independent, data-driven evaluations of the level, range, and adequacy of municipal services provided by subject agencies as well as related accountability issues.

San Diego LAFCO's current workplan includes completing an active MSR of the four healthcare districts in San Diego County, including Palomar Health. A complete MSR draft is expected to be released for public review by October 2025. Proceeding with the requested amendment will – among other benefits – provide a legislative bridge for LAFCO to connect the MSR and its recommendations to the working group, and in doing so provide stakeholders with relevant and timely information in proceeding in greater detail as it sees fit.

With appreciation,

Keene Simonds
Executive Officer

cc: The Honorable Darshana Patel, Assemblymember, District 76
Tasha Boerner, Assemblymember, District 77
Members, Senate Committee on Health
José Henriquez, Interim Executive Director, CALAFCO

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Brigette Browning, Alt., General Public

San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

July 7, 2025

The Honorable Caroline Menjivar, Chair
Senate Committee on Health, California State Senate
1021 O Street, Room 3310
Sacramento, CA 95814

Re: ***Support for AB 356*** *(Patel) – Health care districts: County of San Diego.*

Dear Chair Menjivar and Members of the Committee:

The San Diego County Local Agency Formation Commission (LAFCO) respectfully submits this letter **in support of AB 356** authored by Assemblymember Darshana Patel (District 76). The bill aims to address healthcare access in northern San Diego County by establishing a state-directed working group to report on current healthcare service needs with particular focus within the service area of the Palomar Health District.

San Diego LAFCO supports the bill's intent to bring together state, regional, and local stakeholders to explore long-term strategies for effective and equitable healthcare service delivery in northern San Diego County. Most notably, to avoid duplication and strengthen local coordination, we strongly support the recent amendment to include San Diego LAFCO as a member of the working group, which readily syncs with LAFCO's existing responsibility to prepare Municipal Service Reviews (MSR) on all local agencies, which offer independent, data-driven evaluations of the level, range, and adequacy of municipal services provided by subject agencies as well as related accountability issues.

San Diego LAFCO's current workplan includes completing an active MSR of the four healthcare districts in San Diego County, including Palomar Health. A complete MSR draft is expected to be released for public review by October 2025. Formally integrating LAFCO into the working group provides a legislative bridge for LAFCO to connect the MSR and its recommendations to the working group, and in doing so provides stakeholders with relevant and timely information to proceed in greater detail as it sees fit.

With appreciation,

Keene Simonds
Executive Officer

cc: The Honorable Darshana Patel, Assemblymember, District 76
Tasha Boerner, Assemblymember, District 77
Members, Senate Committee on Health
José Henriquez, Interim Executive Director, CALAFCO

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San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

5b

AGENDA REPORT
Business | Information

July 18, 2025

TO: Special Districts Advisory Committee

FROM: Michaela Peters, Analyst II
Adam Wilson, LAFCO Consultant

SUBJECT: **Current Workplan Update on High Priority Project | Municipal Service Review on Healthcare Districts in San Diego County**

SUMMARY

The Special Districts Advisory Committee ("Committee") will receive an update on the current adopted workplan focusing on one of San Diego LAFCO's highest placed priorities involving a Municipal Service Review (MSR) on healthcare districts in San Diego County. The MSR will cover the four healthcare districts in San Diego County including: Fallbrook, Palomar, Grossmont, and Tri-City. The review will be divided into two parts and will encompass: an overarching analysis of the district's services (macro report), followed by a detailed examination (micro report). The update is provided for information with an opportunity for Committee members to provide feedback to staff on interests and/or priorities on behalf of special districts in San Diego County.

BACKGROUND

2025-2026 Adopted Workplan & MSR on Healthcare Districts

San Diego LAFCO's current fiscal year workplan includes 30 projects and is divided into two distinct categories – statutory and administrative – along with priority assignments set by the Commission. A scheduled MSR on the four healthcare districts in San Diego County comes in

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Brigette Browning, Alt., General Public

as priority number two (1b) – returning from the prior fiscal year workplan – and covers LAFCO's statutory responsibility to perform an independent review of each. The MSR will highlight Fallbrook; Palomar; Grossmont; and Tri-City. LAFCO retains discretion in determining the appropriate scope of each MSR by policy delegation to the Executive Officer. Nonetheless, all MSRs must meaningfully address the following statutory factors:

- Growth and Population Projections
- Present and Planned Service Capacities
- Adequacy of Services Relative to Community Needs
- Financial Standing
- Opportunities for Shared Facilities
- Accountability of Governmental Structure and Alternatives
- Any Other Factors Required by Local Policy
    - Environmental Justice (San Diego)

DISCUSSION

This item is for the Committee to receive an update on one of San Diego LAFCO's highest placed priorities involving an MSR on the four healthcare districts in San Diego County. It follows Commission action in August 2023 to direct staff to regularly provide updates on the MSRs and in doing so provide opportunities in real-time for Commissioners, Committees, and the public to provide feedback on current and pending activities. The Committee will receive a verbal report by LAFCO staff analyst Michaela Peters.

Healthcare Districts MSR
Project Manager Michaela Peters
LAFCO Consultant Adam Wilson

The MSR is service-specific, covering all four healthcare districts in San Diego County—Fallbrook, Grossmont, Palomar, and Tri-City—and is organized into two phases. The first, currently underway, is a macro-level assessment of each district's core services, including capacity, demand, performance, and alignment with industry standards. This phase follows LAFCO's standard MSR format, with profiles detailing each district's background, boundaries, demographics, governance, services, and finances. LAFCO staff is responsible for preparing the majority of the report, with the exception of contracted technical work performed by Progressive Healthcare and specifically to provide expert analysis on service delivery.

Since the Committee last received an update, Progressive Healthcare has finalized its report with findings and recommendations. The report is currently under internal review by LAFCO staff for incorporation into the draft MSR. Preliminary findings highlight financial constraints for certain districts—particularly in maintaining competitiveness with private healthcare providers. Completion of the draft macro report is tentatively scheduled for October 2025. Following Commission review and adoption, a second phase—involving a micro-level review—will follow as an addendum, focusing on local community needs and the evolving role of each healthcare district in meeting those needs.

Notably, and in parallel with the MSR process, Assembly Bill 356 – introduced by Assemblymember Patel – proposes the formation of a State-led working group to address healthcare challenges specific to North County. The working group is required to report its findings to the Legislature by June 1, 2026. Palomar has formally opposed the bill, citing overlap with LAFCO's MSR. At its June 2025 meeting, the LAFCO Commission voted to support the bill, while formally requesting an amendment to include San Diego LAFCO in the working group. The bill has since been amended to include San Diego LAFCO.

ANALYSIS

None.

RECOMMENDATION

This item is presented to the Committee for information and possible discussion.

ALTERNATIVES FOR ACTION

None.

PROCEDURES FOR CONSIDERATION

This item has been placed on the Committee's agenda for information as part of the business calendar. The following procedures are recommended:

1) Receive verbal presentation from staff unless waived.
2) Invite comments from interested audience members if any.
3) Discuss and provide general feedback as needed.

On behalf of staff,

Michaela Peters

Michaela Peters
Analyst II

Attachments: None

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San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

5c

AGENDA REPORT
Business | Information

July 18, 2025

TO: Special Districts Advisory Committee

FROM: Priscilla Mumpower, Assistant Executive Officer

SUBJECT: **Current Workplan Update on High Priority Project | Municipal Service Review on Wholesale Water Agencies in San Diego County**

SUMMARY

The Special Districts Advisory Committee ("Committee") will receive an update on the current adopted workplan, with a focus on San Diego LAFCO's highest-priority project involving a Municipal Service Review (MSR) of wholesale water agencies operating within San Diego County. This MSR includes a comprehensive review of the San Diego County Water Authority (CWA) and a proportional review of the Metropolitan Water District of Southern California (MET). This item is presented for information with an opportunity for Committee members to provide input on specific interests or priorities related to wholesale water services on behalf of special districts in San Diego County.

BACKGROUND

2025-2026 Adopted Workplan & MSR on Wholesale Water Agencies

San Diego LAFCO's current fiscal year workplan includes 30 projects and is divided into two distinct categories – statutory and administrative – along with priority assignments set by the Commission. A scheduled MSR on the two wholesale water agencies operating in San Diego County comes in as priority number one (1a) and covers LAFCO's statutory responsibility to perform an independent review of the CWA and MET.

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Chair Stephen Whitburn, City of San Diego
Marni von Wilpert, Alt., City of San Diego
Vice Chair Barry Willis, Alpine Fire Protection
Jo MacKenzie, Vista Irrigation
David Drake, Alt., Rincon del Diablo
Vacant, General Public
Brigette Browning, Alt., General Public

LAFCO retains discretion in determining the appropriate scope of each MSR and does so by policy delegation to the Executive Officer. For this review, a comprehensive assessment will be conducted on the CWA, while a limited review will be prepared for MET. Regardless of scope, all MSRs are required by statute to meaningfully address the following core factors:

- Growth and Population Projections
- Present and Planned Service Capacities
- Adequacy of Services Relative to Community Needs
- Financial Standing
- Opportunities for Shared Facilities
- Accountability of Governmental Structure and Alternatives
- Any Other Factors Required by Local Policy
    - Environmental Justice (San Diego)

DISCUSSION

This item provides the Committee with an update on San Diego LAFCO's highest-priority workplan item: an MSR of the two wholesale water agencies serving San Diego County—the San Diego County Water Authority and the Metropolitan Water District of Southern California.

This update follows the Commission's August 2023 directive for staff to provide regular progress reports on MSRs and, in doing so, create opportunities for Commissioners, Committees, and the public to offer real-time input on current and pending activities. The Committee will receive a verbal report from LAFCO Assistant Executive Officer Priscilla Mumpower. The report will also include an introduction to LAFCO's newest consultant, Patrick Bouteller, who will be taking over the responsibilities previously held by Chris Cate—including work on the CWA and MET MSR.

Wholesale Water Agencies MSR

Project Manager Priscilla Mumpower
LAFCO Consultant Patrick Bouteller

The MSR is service-specific and focuses exclusively on the two wholesale water agencies operating in San Diego County. The San Diego CWA is undergoing a comprehensive review, while MET is being evaluated through a proportional, limited-scope review. LAFCO staff is leading the preparation of the MSR, with the exception of a contracted expert component involving the evaluation of the agencies core municipal function – wholesale water service. Dr. Michael Hanemann, retained for this purpose, is nearing completion of his analysis. Concurrently, staff is finalizing detailed agency profiles prepared in LAFCO's standard MSR format, covering each district's background, boundaries, demographics, governance, services, and finances.

A draft MSR report is expected to be shared with the subject agencies by late Summer 2025, initiating a 60-day review and comment period consistent with Commission Legislative Policy L-106. Following the review period, LAFCO staff will reconvene the ad-hoc working group—

made up of representatives from 11 agencies, including the County Water Authority—to solicit additional feedback on the full draft report.[1]

ANALYSIS

None.

RECOMMENDATION

This item is presented to the Committee for information and feedback.

ALTERNATIVES FOR ACTION

None.

PROCEDURES FOR CONSIDERATION

This item has been placed on the Committee's agenda for information as part of the business calendar. The following procedures are recommended:

1) Receive verbal presentation from staff unless waived.
2) Invite comments from interested audience members if any.
3) Discuss and provide general feedback as needed.

On behalf of the Executive Officer,



Priscilla Mumpower
Assistant Executive Officer

[1] The Ad-Hoc Working Group is comprised of representatives from the following 11 agencies: City of Oceanside, City of San Diego, Helix Water District, Olivenhain Municipal Water District, Otay Water District, Padre Dam Municipal Water District, Ramona Municipal Water District, San Diego County Water Authority, Santa Fe Irrigation District, Valley Center Municipal Water District, Yuima Municipal Water District

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AGENDA REPORT
Business | Information

July 18, 2025

TO: Special Districts Advisory Committee

FROM: Michaela Peters, Analyst II
Keene Simonds, Executive Officer

SUBJECT: **Special Governance Study on the Oceanside Small Craft Harbor District**

SUMMARY

The Special Districts Advisory Committee ("Committee") will review a preliminary scope of work involving a special governance study on the Oceanside Small Craft Harbor District (SCHD). This study ties to the Commission's adopted workplan and a formal recommendation adopted as part of the Municipal Service Review (MSR) on the Oceanside region. This item is presented to the Committee for discussion with an opportunity to offer input prior to staff finalizing the scope of work.

BACKGROUND

MSR on the Oceanside Region

San Diego LAFCO completed a scheduled municipal service review on the Oceanside region at its November 4, 2024 Commission meeting. The MSR provided an independent evaluation of the availability, need, and performance of the three affected agencies' core service functions relative to community needs. The MSR covered the City of Oceanside, Oceanside Small Craft Harbor District (SCHD), and Morro Hills Community Services District (CSD).

As a result of community input received during the MSR process, a key recommendation was developed and focused on a proposed special governance study on the SCHD.

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Recommendation No. 12 follows:

> *"LAFCO is aware there is community interest in exploring the reorganization of Oceanside SCHD into an independent agency to provide direct constituent influence on decision-making, specifically regarding public safety and financial management. It would be appropriate for the Commission to consider authorizing a future governance study to assess alternatives (functional and political) for the benefit of both agencies and their shared constituents with the understanding any actual change to the governance structure would be subject to protest proceedings and potentially an election."*

A prospectus summarizing the MSR's key conclusions, recommendations, and related determinations is provided for reference as Attachment One.

2025-2026 Adopted Workplan & Governance Study on the Oceanside SCHD

San Diego LAFCO's current fiscal year workplan includes 30 projects and is divided into two distinct categories – statutory and administrative – along with priority assignments set by the Commission. A scheduled governance study covering the Oceanside SCHD comes in as priority number 15 and ties to community input and a recommendation adopted as part of the MSR on the Oceanside region, as detailed. The project was initially introduced as a low-priority item (no. 26) in the draft FY2025–2026 workplan. During the Commission's initial review of the draft workplan—and in response to community input received during the public comment period—staff was directed to develop and return with a preliminary scope of work to inform the Commission's consideration of whether to elevate the project's priority level. Based on this input and direction, the Commission subsequently elevated the project to a medium-priority item (no. 15) in the final workplan, adopted on May 5, 2025.

DISCUSSION

This item is presented for the Committee to review a preliminary scope of work involving a special governance study on the Oceanside SCHD. The project ties to the Commission's adopted workplan and a formal recommendation adopted as part of the MSR on the Oceanside region. The recommendation acknowledged ongoing community interest in exploring the reorganization of the District in response to concerns about decision-making, particularly related to public safety and financial management. It also called for further analysis of governance alternatives as part of a future study.

The governance study – through the scope of work – has been scaled to evaluate the feasibility and merits of reorganizing the SCHD from its current dependent status under the City of Oceanside to an independent special district with a directly elected board, assuming full administrative and operational responsibilities. LAFCO staff will lead the project with technical assistance from an outside consultant.

A preliminary scope of work for the governance study is included as Attachment Two for Committee review with the invitation to provide feedback.

ANALYSIS

None.

RECOMMENDATION

This item is presented to the Committee for discussion and feedback only.

ALTERNATIVES FOR ACTION

None.

PROCEDURES FOR CONSIDERATION

This item has been placed on the Committee's agenda for discussion as part of the business calendar. The following procedures are suggested:

1) Receive verbal presentation from staff unless waived.
2) Invite comments from interested audience members if any.
3) Discuss and provide general feedback as needed.

On behalf of staff,

Michaela Peters

Michaela Peters
Analyst II

Attachments:

1) Final Prospectus | Oceanside Region MSR
2) Preliminary Scope of Work for Special Study on Oceanside SCHD

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Municipal Service Review

OCEANSIDE REGION

PROSPECTUS | NOVEMBER 2024

General Themes and Conclusions

The Oceanside region serves as a historical flagship community anchoring northern San Diego County with a current estimated population approaching 180,000 – making it the third largest municipal footprint behind only San Diego and Chula Vista. The City of Oceanside – both as a municipality and at-large community – is the economic and social epicenter. It accounts for nearly all residents and jobs in the region. This also includes serving as a daily host to an additional 70,000 residents, workers, and visitors associated with Marine Corps Base Camp Pendelton to the immediate north. Oceanside Small craft Harbor district (SCHD) overlaps all of Oceanside with service functions focused on the approximate 100-acre Oceanside Harbor and its role as a micro hub for marine and pleasure activities serving locals and tourists.

The physical setting of the Oceanside region largely reflects a traditional suburban layout. Smaller single-family and multi-family residential lots dominate the older neighborhoods in the City of Oceanside west of I-5 paired with local serving commercial corridors and headlined by Old Coast Highway. Densities gradually decrease eastward towards increasingly larger single-family residences via a series of subdivisions constructed between the 1950s and 2000s. The suburban layout cedes at South Morro Hills, which serves as Oceanside's unofficial greenbelt and remains – at least to date – largely agricultural with rural single-family residential uses. Morro Hills Community Services District (CSD) lies immediately to the east of Oceanside's unofficial greenbelt and has already experienced its own transition away from largely commercial agricultural uses and ancillary residences to now mostly upscale residential estates paired with ancillary small husbandry (crop and animal production) activities.

A review of the Oceanside region relative to San Diego LAFCO's growth management tasks and interests produces eight central themes or conclusions. These conclusions collectively address core policy considerations and related growth and development factors present in the region. The conclusions also address potential sphere of influence changes among the three affected local agencies. The conclusions are independently drawn and sourced to information collected and analyzed by the Commission between 2018 and 2022 with limited exceptions and detailed within each of the agency profiles provided in the next chapter.



The Oceanside Pier

The Oceanside Pier, first built in 1888 (and now in its sixth incarnation), is the longest wooden pier on the western United States coastline, at 1,954 feet (596m).

No. 1
Introductory Municipal Service Review

This report represents the first comprehensive municipal service review dedicated to the Oceanside region and three affected local agencies under LAFCO oversight – City of Oceanside, Oceanside Small Craft Harbor District (SCHD), and Morro Hills Community Services District (CSD). (Earlier municipal service reviews covering one or more of the affected agencies were part of countywide reports prepared in 2007 and 2009). The report consequently serves as a dual introduction. This is marked by introducing the affected agencies and their constituents in real-time to an otherwise unfamiliar and relatively detailed outside planning process. The introduction similarly introduces the Commission to the affected agencies and their service functions at depths previously unvisited with the underlying goal of establishing baseline information to track and measure going forward.

No. 2
Adjusting Growth: Changes in Demographics, Market Conditions, and Community Empowerment

The City of Oceanside – as an at-large community and as the epicenter of the region's economic and social well-being – has experienced a significant adjustment in growth starting in 2000 with the annual population change averaging 0.4% through the end of the five-year report period – or the net addition of two persons each day. This period change marks a five-fold decrease over the prior 20-year span (1980-2020) in which Oceanside averaged the net addition of 12 persons each day. This relatively seismic adjustment appears largely attributed to changing resident demographics (e.g., older residents with higher incomes), market conditions (including decreasing infill opportunities), and the accompanying community empowerment to more directly influence development decisions. The latter was reflected in a successful 2020 ballot referendum overturning the City Council's 2019 approval of a 585-unit residential project in South Morro Hills (North River Farms). Although the referendum was subsequently overturned and a smaller project approval followed, the referendum marks a new level of community empowerment not previously exercised over land use decisions. [1]

1 With respect to this conclusion, the City of Oceanside asserts the primary reasons for the adjustment in growth ties to the City largely being built-out and rising interest rates. Oceanside also disagrees with the significance of the North River Farms referendum as an indicator of an overall change in community engagement as presented by LAFCO staff.

No. 3
Adjusting Growth: Effects on Housing Affordability

The adjusting growth within the City of Oceanside starting in 2000 has contributed to a sizable acceleration in housing prices over the last 20 years and through the end of the five-year report period with the median home sale increasing from $195,800 to $784,800 – an average annual change of 14%. This period change marks a 50% rise over the prior 20-year span (1980 to 2020) in which median home sales experienced an average annual rise of 10%. The acceleration of home prices in Oceanside – among other outcomes – has noticeably impacted the private market's ability to construct new affordable workforce housing at the traditional entry levels (i.e., starter homes). This dynamic ties to multiple factors (including supply constraints and homeowners not upsizing) and is reflected in the most recently completed housing element cycle (2013 to 2021) where only 23% of Oceanside's assigned housing share at moderate or lower levels received building permits. Permits issued through the first quarter of the current housing cycle (2021-2029) suggest housing affordability at the moderate or lower categories will similarly fall substantively short of goals, albeit at improved levels with current projections showing the attainment level reaching 36%.


Oceanside Harbor

No. 4
Variations in Fiscal Health + Navigating Related Stresses

A prominent schism exists among the three affected agencies in the Oceanside region involving their fiscal well-being and navigating financial stresses. The City of Oceanside has steadied its financial position after several years of operating shortfalls in the General Fund in large part to successfully making the case to voters in 2018 to approve a seven-year one-half cent sales tax. Measure X reset Oceanside's overall sales tax rate to 8.25% with the additional revenue broadly earmarked to improve City infrastructure and public safety. Measure X has been a clear success; it has reversed shortfalls into surpluses and underlies a significant two-thirds increase in General Fund reserves ($66.5 to $112.5 million) over the reporting period. Nonetheless, the extension of the one-half cent sale tax beyond its current sunset date in 2026 remains a pronounced variable in Oceanside's near-term health and is expected to be taken up by voters in late 2024. While Oceanside's fiscal health largely ties to the present and near-term status of Measure X, the other two agencies' standing is comparatively more opaque, although for entirely different reasons. Oceanside SCHD, similar to its parent governing body, has steadied its actual expense-to-revenue relationship through incremental budgeting true-ups. These budgeting actions have contributed to a helpful increase of nearly one-fourth in SCHD's unassigned fund balance ($3.7 to $4.6 million) over the reporting period. However, the budgeting true-ups have not addressed decades of deferred or otherwise neglected maintenance. This qualifier is illustrated in capital assets (docks, pilings, piers, etc.) having surpassed their expected useful lives by more than two-fold and serves as a critical stress test for SCHD going forward. Unlike the other two agencies in the region, Morro Hills CSD has maintained a positive actual revenue-to-expense relationship through the reporting period without any obvious hardships; at least that are known. The CSD operates entirely within the confines of the annual collection of its 1% property tax share, which netted $0.090 million at the end of the reporting period. Although CSD has been effective in keeping expenses in line with annual revenues – which is also reflected in an unassigned fund balance increasing by more than four-fifths ($0.142 to $0.267 million) during the period – less is known regarding pending costs. Specifically, no pavement rating has been performed on CSD's 6.0-mile roadway system nor has a capital improvement plan been prepared. These factors directly contribute to a subtle – but real and emerging – stress test.

No. 5
Adequate Municipal Service Capacities with a Qualifier...

All three affected agencies in the Oceanside region have established sufficient and excess capacities involving their core municipal functions to meet both current and anticipated demands through the report's timeframe – at least on a macro level and irrespective of any micro limitations for specific areas. This overall sufficiency is reflected with the region's principal service provider – City of Oceanside – and its available resources involving water and wastewater, which traditionally represent the services most closely affiliated with either supporting or hindering new development. Markedly, and based on current demand-to-capacity ratios for the reporting period, it estimated by LAFCO the water and wastewater systems can accommodate buildout populations of 970,000 and 275,000, respectively.

A material qualifier applies, nevertheless, to Oceanside's other services that are dependent on General Fund monies and the uncertain status of Measure X and its critical revenue enhancement beyond the current sunset date in 2026. This latter variable suggests added caution in the interim for LAFCO in considering boundary actions and their potential impact – advantageous and disadvantageous – on the Oceanside General Fund.

No. 6
City of Oceanside's Role as an Urban Center + LAFCO Support

The City of Oceanside is favorably positioned to plan and accommodate additional growth and become a focal urban center for North County. This opportunity ties to Oceanside's role as a full-service municipality and the controls it provides paired with its physical location along existing major transportation corridors as well as planned expansions – including the modernization of rail (Metrolink and Amtrak) linking Oceanside throughout Southern California. This opportunity further ties and can be supported by LAFCO's own interests and duties to facilitate orderly and city-centered growth in step with providing housing for families at all income levels.

No. 7
Unease within the Oceanside Small Craft Harbor District

The Oceanside Small Craft Habor District's core constituency – nearly 1,000 boat slip users collectively generating more than four-fifths of all yearly revenues collected during the five-year report period – is increasingly communicating their unease with decision-making most notably regarding public safety and financial management. While the origins of the unease predate the reporting period and the current SCHD administration, it has amplified and may be approaching a tipping point where a majority of the core contingency feels disenfranchised in District decision-making. This unease merits LAFCO attention and may warrant future resources to help inform decision-making.

No. 8
Proceeding with Limited Sphere Updates + Telegraphing Potential Changes with Special Study Areas

It would be appropriate for LAFCO to proceed with limited sphere of influence updates for all three affected regions in the Oceanside region and defer consideration of more comprehensive actions to the next municipal service cycle. The approach would involve proceeding with affirming all three agencies' current designations without changes. This approach, however, would also incorporate the establishment of one or more special study areas to all three agencies to memorialize areas the Commission would allow to come forward over the next five-year period without requiring a new municipal service review. A key example includes establishing dual study areas for Oceanside and Oceanside SCHD (and their matching spheres) to include an approximate 250-acre area immediately to the southwest near Sunset Drive and Melrose Way that includes two qualifying disadvantaged unincorporated communities (DUCs) totaling 121 acres under local policy. The addition of these dual study areas, notably, and merited through further outreach, would provide municipal flexibility and would memorialize LAFCO's environmental justice interest in statue to help ensure equitable service levels are available to DUC residents consistent with neighboring lands. [2]

2 With respect to this conclusion, the City of Oceanside opposes the establishment of a special study area for the Sunset Drive/Melrose Way area and – among other items – asserts "the City does not need this area to meet any of its housing obligations as evidenced by our Certified Housing Element." The City of Vista separately opposes the establishment of the proposed study area and states the City is "unclear of the benefits for either city."

Recommendations

The following recommendations call for specific action either from San Diego LAFCO and/or one or more of the three affected agencies in the Oceanside region based on information generated as part of this report. The recommendations are ordered in sequence to their placement in Section 5.0 (Written Determinations). Recommendations for LAFCO action are dependent on a subsequent directive from the Commission and through the annually adopted work plan.

1. As a long-term principle, LAFCO should prioritize and direct growth in the region to the City of Oceanside – including development that would otherwise occur in the surrounding unincorporated areas – and its appropriate role to serve as an urban center in San Diego County. LAFCO should pair this long-term policy principle with continued coordination – and deference whenever appropriate – in support of the Oceanside General Plan. [3]
2. LAFCO, for its own benefit under statute, should coordinate with SANDAG to develop current buildout estimates within the Oceanside region. This should include potential lot-splitting as allowed under Senate Bill 9 (Weiner) and incorporate the information into the next scheduled municipal service review.
3. LAFCO should coordinate with the County of San Diego to identify and map active wells and septic systems within the Oceanside region and incorporate the information into the next scheduled municipal service review.
4. Should Measure X's ½ cent sales tax expire during the timeframe of the report, all jurisdictional changes involving the City of Oceanside shall demonstrate de minimis impacts on the City General Fund unless overriding policy considerations are made by the Commission on a case-by-case basis.
5. It is appropriate for LAFCO to defer the identification and evaluation of mutual water companies in the Oceanside region as otherwise prompted in the LAFCO statute to a future informational report.
6. The City of Oceanside should revisit its arrangement with Oceanside SCHD involving the payment plan associated with the SCHD patrol vessel to account for the City's usage of the capital asset outside of the Oceanside Harbor.
7. Morro Hills CSD should explore options to contract with the City of Oceanside or the County of San Diego to provide road maintenance services at a pre-agreed hourly rate to help protect the CSD from variables – costs and availability – associated with the current practice to utilize private contractors as needed.
8. As the City of Oceanside proceeds to implement the initial phases of its novel Re-Beach program, it would be pragmatic to explore opportunities to enlist other local agencies in consolidating efforts - functional or political - given inescapable impacts and interests in beach restorations along the greater coastline. LAFCO should assist if Oceanside and/or other stakeholders wish to explore a political model to organize sand nourishment on a larger scale.



Coaster Commuter Train at Oceanside Transportation Center

3 With respect to the recommendation, the City of Oceanside states it has been "... offered without consultation with Oceanside staff or its elected officials. Such a statement and recommendation is contrary to the ideals of local control."



Oceanside Lighthouse at Harbor Village

Recommendations

9. Efforts should be taken by Oceanside SCHD to publicly distinguish its role as a stand-alone governmental entity separate from the City of Oceanside.

10. Oceanside SCHD should formalize its existing relationship with the City of Oceanside through an official memorandum of understanding to clearly outline roles and responsibilities and associated costs in utilizing City staff, supplies, and resources in carrying out District duties.

11. It appears Oceanside SCHD informally deactivated its previously authorized and active patrol and rescue municipal function in 2009 in step with these responsibilities being directly assumed by the City of Oceanside. SCHD's legal authorization to provide patrol and rescue, however, remains active under State law absent LAFCO action. To clarify decision-making and service expectations as well as mitigate potential liabilities, SCHD should make a formal determination on whether it is responsible for patrol and rescue and, if applicable, formally request divestiture approval under Government Code 56824.10.

12. LAFCO is aware there is community interest in exploring the reorganization of Oceanside SCHD into an independent agency to provide direct constituent influence on decision-making, specifically regarding public safety and financial management. It would be appropriate for the Commission to consider authorizing a future governance study to assess alternatives (functional and political) for the benefit of both agencies and their shared constituents with the understanding any actual change to the governance structure would be subject to protest proceedings and potentially an election.

13. It appears appropriate for LAFCO to proceed with limited sphere of influence updates for both the City of Oceanside and Oceanside SCHD and to affirm the existing designations with one or more common special study areas – subject to analyses of community needs.

(a) One special study area has been identified to date and spans nearly 250 acres located immediately southwest of the agencies near Sunset Drive and Melrose Way. This proposed study area currently lies within the Vista sphere and includes two non-contiguous DUCs under local adopted policy. Establishing this special study area would help facilitate the extension of urban-supporting services via annexation and/or out-of-agency service agreements by Vista and/or Oceanside without the burden of preparing a new municipal service review. It would also – materially – memorialize LAFCO's interest in environmental justice by removing barriers to advancing service equity to DUC lands and their residents.

(b) Relatedly, the City of Oceanside and City of Vista should revisit an existing wastewater agreement from October 1984 providing for the transfer of up to 2.15 million gallons of sewage daily between the two agencies to allow for additional flows at designated collection points – including flows from Vista to Oceanside involving the Sunset Drive/ Melrose Way special study area. This would – among other benefits – help eliminate an existing impediment to developing and/or connecting lands within the proposed special study area identified under (a).

(c) Deferring a more comprehensive sphere of influence update to a future cycle concurrently provides LAFCO the benefit to incorporate information associated with the City of Oceanside's active General Plan Update.

14. It appears merited for LAFCO to partner with the Morro Hills CSD in sponsoring or otherwise supporting a legislative change to the principal act to reduce the number of Board members from five to three consistent with existing special provisions in State law. Although the current board has expressed disinterest, pursuing this change remains an appropriate option going forward in minimizing turnover and facilitating competitive elections.



Mission San Luis Rey, Oceanside

» Recommendations

15. The Morro Hills CSD Board should revisit conditions on Sleeping Indian Road and its most recent traffic assessments and the analysis therein that appears to support a significant increase in the speed limit. This includes assessing whether the Board's ability to retain a speed under the 85th percentile standard under the recent passage of AB 43 is either available or appropriate. [4]

16. It would be advantageous for Morro Hills CSD to explore interest among adjacent landowners that presumably benefit and use the road system to annex and have direct participation in Board decision-making while concurrently expanding the CSD property tax base. [5]

17. LAFCO should help coordinate discussions with Morro Hills CSD and County of San Diego Sherriff's Office to identify enhancement opportunities to enhance traffic enforcement within the CSD jurisdictional boundary relative to available resources. This includes, but not necessarily limited to, activating CSD's police protection power to fund enhanced enforcement – directly or by contract.

18. It appears appropriate for LAFCO to proceed with a limited sphere of influence update for Morro Hills CSD to affirm the existing designation with the addition of a special study area. The special study area represents the notional expansion of the CSD to capture adjacent lands that presumably use and benefit from the roadway system.

19. LAFCO should prioritize proposals in the Oceanside region going forward that promote environmental justice and provide benefits (direct and indirect) to marginalized communities. Among other resources, LAFCO shall draw on information available through the California Environmental Protection Agency as well as climate action plans adopted by Oceanside and the County of San Diego in considering the promotion of environmental justice.

4 In response to this recommendation, Morro Hills CSD has stated "...the District has received overwhelming support and seen a significant reduction in severe violations as seen on the previous traffic study that was performed at the height of COVID-19 pandemic during which, nationwide, there was a significant reduction in traffic volume and an inverse in speed. The study period and data is an aberration."

5 With respect to this recommendation, Morro Hills CSD states "the Board considered that by expanding the district boundaries, there is an increased burden on the Board even with five volunteer, unpaid members, to maintain more road. It is not a recommendation the Board wished to pursue, currently."

About Us

Local Agency Formation Commissions – or LAFCOs – are boundary makers that oversee the creation and expansion of cities and special districts in all 58 counties of California. LAFCOs exercise regulatory and planning powers to coordinate publicly provided services, such as water or fire protection, and match them with community needs. **The goal of every LAFCO is to facilitate smart growth while avoiding urban sprawl.**

San Diego LAFCO operates within the second largest county in California as measured by population and currently tasked with overseeing over 100 local governmental agencies.

A summary of San Diego LAFCO's adopted final workplan and budget for 2024–2025 follows.

San Diego LAFCO's Commission

San Diego LAFCO is governed by a 13–member "Commission" comprising county, city, special district, and public members. All Commissioners are appointed elected officials with the exception of the two public members. Commissioners serve four–year terms and divided between "regulars" and "alternates" and must exercise their independent judgment on behalf of the interests of residents, landowners, and the public as a whole. Commissioners are subject to standard disclosure requirements and must file annual statements of economic interests. The Commission has sole authority in administering its legislative responsibilities and decisions therein are not subject to an outside appeal process.



Stephen Whitburn
Chair
City of San Diego



Baron Willis
Vice Chair
Alpine Fire Protection



Jim Desmond
Past Chair
County of San Diego



Joel Anderson
Commissioner
County of San Diego



Kristi Becker
Commissioner
City of Solana Beach



Jo MacKenzie
Commissioner
Vista Irrigation



Dane White
Commissioner
City of Escondido



Harry Mathis
Commissioner
Public Member



Brigette Browning
Alternate
Public Member



David Drake
Alternate
Special District Member



John McCann
Alternate
City of Chula Vista



Nora Vargas
Alternate
County of San Diego



Marni von Wilpert
Alternate
City of San Diego

SPECIAL GOVERNANCE STUDY ON THE OCEANSIDE SMALL CRAFT HARBOR DISTRICT (SCHD)

PRELIMINARY SCOPE OF WORK

Description | The proposed project ties to a formal recommendation included in the recently completed municipal service review on the Oceanside Region to proceed with additional analyses to assess available governance alternatives to the current organization of Oceanside Small Craft Harbor District. The project has been scaled to consider only the merits of reorganizing the District from its dependent role under the City of Oceanside to an independent role with a directly elected board and assuming all related responsibilities (i.e., administration and operations). The project will be performed by LAFCO staff with technical assistance provided by an outside consultant.

Objective | Produce an independent study of the merits of reorganizing the Oceanside Small Craft Harbor District into an independent agency and whether this alternative would be more effective in addressing community service needs relative to financial resources and in doing so assist future decision-making.

Estimated Timeline | 14-18 months.

Project Tasks + Target Dates

1. Establish Stakeholder Group
   LAFCO staff establishes an appropriately sized stakeholder group to include users or representatives of the Oceanside Harbor (slip permittees, commercial tenants, etc.), Oceanside Habor and Beaches Committee, and City of Oceanside.

   September 2025

2. Retain Outside Consultant
   LAFCO staff with input from the Oceanside City Manager and Stakeholder Group to use an industry expert with experience in advising on matters concerning the operation and governance of publicly operated harbors. The costs of the outside consultant will be funded by LAFCO and subject to staff's procurement authority.

   October 2025

3. Financial Analysis + Benchmarking
   LAFCO staff and consultant will expand on the financial analysis performed in the municipal service review and assess direct District revenue and expense sources over a 10-year period. Analysis will also benchmark current financial structure against comparable harbor districts and distinctions therein between dependent and independent agencies. Incorporate input from Stakeholder Group.

   March 2026

DRAFT

4. Governance + Benchmarking
   LAFCO staff and consultant will expand on governance analysis performed in the municipal service review and assess the relationship between the District and constitutions specific to community needs – existing and emerging. This includes drawing from existing inputs and evaluating public safety services (e.g., police, fire, lifeguard, security) and related cost options with strategic surveying. Incorporate input from Stakeholder Group.

   July 2026

5. Administrative Report + Follow Up
   LAFCO staff will draw on the analysis generated during the preceding steps and prepare an administrative report with draft conclusions and share with the City of Oceanside for review and comment before sharing with the full Stakeholder Group. LAFCO staff and consultant will perform related follow-up work on the document as appropriate in line with preparing a complete draft report.

   October 2026

6. Draft and Final Reports
   LAFCO staff will proceed with preparing draft and final reports for presentations to the Commission and separated by a public review and comment period. Formal filing by the Commission will complete the project.

   December 2026

DRAFT

SAN DIEGO LAFCO

SPECIAL DISTRICTS ADVISORY COMMITTEE MEETING

JULY 18, 2025

SAN DIEGO LAFCO

Agenda Item No.5a
Legislative Report

7/18/2025

Key Proposed Bills

AB 259 (Rubio) Open Meetings and Continued Access to Teleconferences

AB 351 (McKinnor) Campaign Contributions Involving Agency Officers

AB 489 (Arreguín) LAFCO Public Records and Online Access

AB 740 (Rubio) Municipal Wastewater Filings with LAFCOs

AB 777 (Richardson) Expanding LAFCOs Role to Include Endowment-Funded Cemeteries

AB 356 (Patel) Working Group for Healthcare Districts in Northern San Diego County

AB 448 (Patel) Extend Loan Repayments for Palomar Healthcare District

Commission Support Positions

- **AB 356 (Patel)** Working Group for Healthcare Districts in Northern San Diego County

  Supported

- **AB 448 (Patel)** Extend Loan Repayments for Palomar Healthcare District

  Supported

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Agenda Item No.5a
Comments/Questions?

7/18/2025

SAN DIEGO LAFCO

SPECIAL DISTRICTS ADVISORY COMMITTEE MEETING

JULY 18, 2025

SAN DIEGO LAFCO

Agenda Item No.5b

Current Workplan Update on High Priority Project | Municipal Service Review on Healthcare Districts in San Diego County

7/18/2025

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Agenda Item No.5b
Comments/Questions?

7/18/2025

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SPECIAL DISTRICTS ADVISORY COMMITTEE MEETING

JULY 18, 2025

SAN DIEGO LAFCO

Agenda Item No.5c

Current Workplan Update on High Priority Project | Municipal Service Review on Wholesale Water Agencies in San Diego County

7/18/2025

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Agenda Item No.5c
Comments/Questions?

7/18/2025

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SPECIAL DISTRICTS ADVISORY COMMITTEE MEETING

JULY 18, 2025

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Agenda Item No.5d
Special Governance Study
Oceanside Small Craft Harbor District

7/18/2025

Project Overview

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Project: Evaluate possibility of independent governance of Oceanside SCHD

Origin: Follow-up to MSR Recommendation (2024) based on community input

Commission Request: Create preliminary scope of work for staff/consultant for review

Context & Need for Study

- Oceanside SCHD shares governance and finances w/City
  - Constituents raised concerns over public safety & financial management of the Harbor
- Community interest in a self-governed independent district

Study Objectives

Primary Goal: Analyze feasibility & benefits of SCHD becoming independent

Focus Areas:

- Governance structure
- Administrative & operational autonomy

Study Scope & Timeline

Task	Completion Date *tentative*
Stakeholder Group Formation	September 2025
Consultant Retention	October 2025
Financial Analysis & Benchmarking	March 2026
Governance Assessment & Survey	July 2026
Admin Draft & Follow-Up	October 2026
Public Review & Final Report	December 2026

Next Steps

- Collect committee input
- Finalize scope ⟶ present finalized SOW to Commission
- Begin engagement w/harbor stakeholders

Questions

- What trade-offs might occur with autonomy?

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Agenda Item No.5d
Comments/Questions?

7/18/2025

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SPECIAL DISTRICTS ADVISORY COMMITTEE MEETING

JULY 18, 2025