



## **Solano Local Agency Formation Commission**

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June 23, 2017

The Honorable Governor Edmund G. Brown, Jr.  
State of California  
State Capitol Building  
Sacramento, CA 95814

### **RE: Request to Sign AB 464 (Gallagher) Local Government Reorganization**

Dear Governor Brown:

The Solano Local Agency Formation Commission (LAFCo) respectfully requests that you sign **Assembly Bill 464** (Gallagher) which is now before you for action. Solano LAFCo voted unanimously on April 10 to support **AB 464** which makes necessary technical changes to existing LAFCo law to solidify the current practice of LAFCos approving annexations of areas already being served by a local agency through an out of area service agreement (Government Code Section 56133).

As a result of a court decision in 2014 in the case of *City of Patterson v. Turlock Irrigation District*, all future annexations of an area receiving services through an approved out of area service agreement will not be valid. What began as a local issue has now become a critical statewide concern. This bill seeks to remedy that problem by ensuring that within certain conditions, LAFCos can continue to evaluate applications which include the annexation of territory where services are already being provided via an out of area service agreement. Further, it allows for common sense boundary alignments and more predictable growth planning.

By allowing the annexation of these areas, **AB 464** also ensures the people paying for and receiving the services, can participate in elections and potentially serve on the governing board of the service provider.

#### Commissioners

Nancy Shopay, Chair • Harry Price, Vice-Chair • Pete Sanchez • Jim Sperring • John Vasquez

#### Alternate Commissioners

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#### Staff

Roseanne Chamberlain, Interim Executive Officer • Michelle McIntyre, Analyst • P. Scott Browne, Legal Counsel

It is important to note that this bill does not change the current rights of a city or district to oppose an annexation, nor does it change any protest provisions in current law. It simply ensures the ability for LAFCOs to continue the practice of common sense boundary oversight for service providers. As there are many pending annexations throughout the state that are associated with previously approved out of area service extensions, this legislation is critical to the successful annexation of these areas.

The bill has had unanimous support in both the Assembly and Senate and makes necessary corrections to existing law to allow for the ongoing annexation of areas that may already be receiving services. As **AB 464** is good public policy, we respectfully urge you to sign **AB 464**.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Roseanne Chamberlain", with a long horizontal flourish extending to the right.

Roseanne Chamberlain  
Executive Officer

cc: Honorable James Gallagher, Assembly member  
Tom Dyer, Chief Deputy Legislative Secretary to the Governor  
Pamela Miller, California Association of Local Agency Formation Commissions