

AMENDED IN SENATE AUGUST 26, 2002

AMENDED IN SENATE AUGUST 12, 2002

AMENDED IN SENATE JUNE 12, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2875**

**Introduced by Assembly Member Vargas  
(Principal coauthor: Assembly Member Wiggins)**

February 25, 2002

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An act to amend Section 7110 of, *and to add Section 7110.5 to*, the Government Code, relating to military bases.

LEGISLATIVE COUNSEL'S DIGEST

AB 2875, as amended, Vargas. Military bases: recovery: retention.

The existing Local Agency Military Base Recovery Area Act authorizes local agencies to propose to the Technology, Trade, and Commerce Agency specific geographic areas to receive regulatory, tax, and other governmental program incentives to offset federal military base closures by being designated local agency military base recovery areas. Under existing law, a designation as a local agency military base recovery area is binding for a period of 8 years.

This bill ~~would specify that the 8-year designation period commences in the year that is the later of either the first year when the former military base property is transferred to the governing body of the applicable local agency or the year when the first business located in the eligible area, but in no event earlier than the year the agency approves the governing body's application for designation~~ *instead would specify that the designation would be for an 8-year period that shall expire 8*

years after the Technology, Trade, and Commerce Agency has determined that the later of specified conditions has been met.

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

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

1 SECTION 1. Section 7110 of the Government Code is  
2 amended to read:

3 7110. (a) The governing body may, either by ordinance or  
4 resolution, propose an eligible area within its respective  
5 jurisdiction as the geographic area for a local agency military base  
6 recovery area. A county may propose an area within the  
7 unincorporated area as the geographic area for a local agency  
8 military base recovery area, but shall not propose an area within  
9 an incorporated area. A city may propose an area within the  
10 incorporated area as the geographic area for a local agency military  
11 base recovery area, but ~~shall~~ *may* not propose an area within an  
12 unincorporated area. A city and county may propose an area within  
13 the city and county for designation as a local agency military base  
14 recovery area. This proposed geographic area shall be based upon  
15 findings by the governing body that the area meets the criteria in  
16 Section 7111 and that the designation as a local agency military  
17 base recovery area is necessary in order to assist in attracting  
18 private sector investment in the area. The governing body shall  
19 establish definitive boundaries, not to exceed former base  
20 property, for the area to be included in the application for  
21 designation and, if designated by the agency, the designation shall  
22 ~~be binding for a period of eight years. The eight-year designation~~  
23 ~~period shall commence in the year that is the later of either the first~~  
24 ~~year when the former base property is transferred to the governing~~  
25 ~~body or the year when the first business located in the eligible area,~~  
26 ~~but in no event earlier than the year the agency approves the~~  
27 ~~governing body's application for designation. *be binding for the*~~  
28 ~~period described in Section 7110.5.~~

29 (b) Following the application for designation of a local agency  
30 military base recovery area, the governing body shall apply to the  
31 agency for designation. The agency shall adopt regulations and  
32 guidelines concerning the necessary contents of each application  
33 for designation.



1 (c) Any governing body with an eligible area within its  
2 jurisdiction may complete a preliminary application.

3 (d) In designating a local agency military base recovery area,  
4 the agency shall select from the applications submitted those  
5 proposed local agency military base recovery areas which, based  
6 on a comparison of those applications, propose the most effective,  
7 innovative, and comprehensive regulatory, tax, program, and  
8 other incentives to attract private sector investment in the proposed  
9 local agency military base recovery area. For purposes of this  
10 paragraph:

11 (1) “Regulatory incentives” include, but are not limited to, the  
12 elimination or reduction of fees for applications, permits, and local  
13 government facilities and services; and the establishment of a  
14 streamlined permit process.

15 (2) “Tax incentives” include, but are not limited to, the  
16 elimination or reduction of business license taxes and utility user  
17 taxes.

18 (3) “Program” and “other incentives” may include, but are  
19 not limited to the provision or expansion of infrastructure; the  
20 targeting of federal block grant moneys, including small cities,  
21 education, and health and welfare block grants; the targeting of  
22 economic development grants and loan moneys, including grant  
23 and loan moneys provided by the federal Urban Development  
24 Action Grant program and the federal Economic Development  
25 Administration; the targeting of state and federal job  
26 disadvantaged and vocational education grant moneys, including  
27 moneys provided by the federal Job Partnership Training Act of  
28 1982; the targeting of federal or state transportation grant moneys;  
29 and the targeting of federal or state low-income housing and rental  
30 assistance moneys.

31 (e) The agency shall also consider the following:

32 (1) The unemployment rate for the area under the jurisdiction  
33 of the local governing body.

34 (2) The number of civilian and military jobs lost as a result of  
35 the base closure when compared to the number of jobs available  
36 in the area.

37 (3) Whether the local agency has a comprehensive economic  
38 development plan that is consistent with the reuse plan.

39 (4) Whether the local agency has a prepared plan for  
40 appropriate hazardous waste management facilities as an integral



1 part of the base and shall give extra consideration for any plan  
2 which includes provisions for critically needed hazardous waste  
3 facilities.

4 (5) The governing body has resolved, as part of the reuse plan  
5 approval, to prepare a program environmental impact report that  
6 is in compliance with the California Environmental Quality  
7 Control Act and associated guidelines.

8 (f) In evaluating applications for designation, the agency shall  
9 ensure that applications are not disqualified solely because of  
10 technical deficiencies and shall provide applicants with an  
11 opportunity to correct the deficiencies. Applications shall be  
12 disqualified if the deficiencies are not corrected within two weeks.  
13 The agency shall provide technical assistance to applicants that  
14 request it.

15 *SEC. 2. Section 7110.5 is added to the Government Code, to*  
16 *read:*

17 *7110.5. A designation of a local agency military base recovery*  
18 *area pursuant to Section 7110 shall be for an eight-year period,*  
19 *that shall expire eight years after the agency has determined that*  
20 *the later of the following conditions has been met:*

21 (a) *The governing body has notified the agency that legal title*  
22 *to the economic development parcels at the former base has been*  
23 *transferred to the governing body and, in cases in which early*  
24 *transfer authority has been exercised, the terms and conditions*  
25 *necessary for satisfying the requirements of Section 9601 and*  
26 *following of Title 42 of the United States Code are met and*  
27 *regulatory closure has occurred.*

28 (b) *The governing body has notified the agency that vouchers*  
29 *have been issued to an employer that has entered into a lease or*  
30 *received title to property located within the local agency military*  
31 *base recovery area.*

