

ASSEMBLY BILL

No. 1836

Introduced by Assembly Member Feuer
(Principal coauthor: Senator Negrete McLeod)

January 24, 2008

An act to amend Sections 53395.5, 53395.6, 53395.7, 53395.8, 53395.14, 53395.19, 53395.20, 53396, 53397.1 and 53397.2 of, and repeal Sections 53395.21, 53395.22, 53395.23, 53395.24, 53395.25, 53397.4, 53397.5, 53397.6, and 53397.7 of, the Government Code, relating to infrastructure financing districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1836, as introduced, Feuer. Infrastructure Financing Districts: voter approval: repeal.

Existing law allows a legislative body, as defined, to create an infrastructure financing district, adopt an infrastructure financing plan, and issue bonds, for which only the district is liable, to finance specified public facilities, upon voter approval.

This bill would eliminate the requirement of voter approval and allow the legislative body to create the district, adopt the plan, and issue the bonds by resolutions.

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 53395.5 of the Government Code is
2 amended to read:

1 53395.5. It is the intent of the Legislature that ~~the area of the~~
2 ~~districts created be substantially undeveloped, and~~ the
3 establishment of a district should not ordinarily lead to the removal
4 of existing dwelling units. If, however, any dwelling units are
5 proposed to be removed or destroyed in the course of private
6 development or public works construction within the area of the
7 district, the legislative body shall do all of the following:

8 (a) Within four years of the removal or destruction, cause or
9 require the construction or rehabilitation, for rental or sale to
10 persons or families of low or moderate income, of an equal number
11 of replacement dwelling units at affordable housing cost, as defined
12 in Section 50052.5 of the Health and Safety Code, within the
13 territory of the district if the dwelling units removed were inhabited
14 by persons or families of low or moderate income, as defined in
15 Section 50093 of the Health and Safety Code.

16 (b) Within four years of the removal or destruction, cause or
17 require the construction or rehabilitation, for rental or sale to
18 persons of low or moderate income, a number of dwelling units
19 which is at least one unit but not less than 20 percent of the total
20 dwelling units removed at affordable housing cost, as defined in
21 Section 50052.5 of the Health and Safety Code, within the territory
22 of the district if the dwelling units removed or destroyed were not
23 inhabited by persons of low or moderate income, as defined in
24 Section 50093 of the Health and Safety Code.

25 (c) Provide relocation assistance and make all the payments
26 required by Chapter 16 (commencing with Section 7260) of
27 Division 7 of Title 1, to persons displaced by any public or private
28 development occurring within the territory of the district. This
29 displacement shall be deemed to be the result of public action.

30 (d) Ensure that removal or destruction of any dwelling units
31 occupied by persons or families of low or moderate income not
32 take place unless and until there are suitable housing units, at
33 comparable cost to the units from which the persons or families
34 were displaced, available and ready for occupancy by the residents
35 of the units at the time of their displacement. The housing units
36 shall be suitable to the needs of these displaced persons or families
37 and shall be decent, safe, sanitary, and otherwise standard
38 dwellings.

39 SEC. 2. Section 53395.6 of the Government Code is amended
40 to read:

1 53395.6. Any action or proceeding to attack, review, set aside,
2 void, or annul the creation of a district, adoption of an infrastructure
3 financing plan, including a division of taxes thereunder, ~~or an~~
4 ~~election pursuant to this chapter~~ shall be commenced within 30
5 days after ~~the enactment of the ordinance creating the district~~
6 ~~pursuant to Section 53395.23~~ *the date the legislative body adopted*
7 *the resolution adopting the infrastructure finance plan pursuant*
8 *to Section 53395.20*. Consistent with the time limitations of this
9 section, such an action or proceeding with respect to a division of
10 taxes under this chapter may be brought pursuant to Chapter 9
11 (commencing with Section 860) of Title 10 of Part 2 of the Code
12 of Civil Procedure, except that Section 869 of the Code of Civil
13 Procedure shall not apply.

14 SEC. 3. Section 53395.7 of the Government Code is amended
15 to read:

16 53395.7. An action to determine the validity of the issuance
17 of bonds pursuant to this chapter may be brought pursuant to
18 Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of
19 the Code of Civil Procedure. However, notwithstanding the time
20 limits specified in Section 860 of the Code of Civil Procedure, the
21 action shall be commenced within 30 days after ~~adoption of the~~
22 ~~resolution pursuant to Section 53397.6~~ *providing for issuance of*
23 *the bonds the date the legislative body adopted the resolution*
24 *authorizing the issuance of the bonds pursuant to Section 53397.1*,
25 if the action is brought by an interested person pursuant to Section
26 863 of the Code of Civil Procedure. Any appeal from a judgment
27 in that action or proceeding shall be commenced within 30 days
28 after entry of judgment.

29 SEC. 4. Section 53395.8 of the Government Code is amended
30 to read:

31 53395.8. (a) This section applies only to the City and County
32 of San Francisco. For the purposes of this chapter, the City and
33 County of San Francisco is a city.

34 (b) In addition to the findings and declarations in Section 53395,
35 the Legislature further finds and declares that consolidating in a
36 single public agency the responsibility to administer waterfront
37 lands in the City and County of San Francisco that are subject to
38 the public trust and the ability to capture property tax increment
39 revenues to finance needed public infrastructure improvements in

1 those areas will further the objectives of the public trust and
2 enjoyment of those trust lands by the people of the state.

3 (c) Notwithstanding subdivision (c) of Section 53395.1, for the
4 purposes of this section, “debt” includes commercial paper and
5 variable rate demand notes.

6 (d) In addition to the purposes provided in subdivision (a) of
7 Section 53395.3, a district subject to this section may finance the
8 environmental remediation of any real or tangible property that
9 the district may finance pursuant to Section 53395.3. The district
10 may also finance planning and design work that is directly related
11 to the improvement, seismic retrofit, or environmental mediation
12 of that property. The district may not finance routine nonstructural
13 repair work.

14 (e) In addition to the public capital facilities of communitywide
15 significance that a district may finance pursuant to subdivision (b)
16 of Section 53395.3, a district subject to this section may finance
17 all of the following:

18 (1) Seismic and life-safety improvements to existing buildings
19 and other structures.

20 (2) Rehabilitation, restoration, and preservation of structures,
21 buildings, or other facilities having special historical, architectural,
22 or aesthetic interest or value and that are either eligible for listing
23 on the National Register of Historic Places, both individually or
24 because of their location within an eligible registered historic
25 district, or are locally designated landmarks.

26 (3) Structural repairs and improvements to piers, seawalls, and
27 wharves.

28 (4) Remediation of hazardous materials.

29 (5) Storm water management facilities, other utility
30 infrastructure, or public access improvements.

31 (f) Notwithstanding Section 53395.4, a district subject to this
32 section may include tidelands and submerged lands, including
33 filled lands, subject to the public trust for commerce, navigation,
34 and fisheries, and the applicable statutory trust grant or grants.
35 Where a district includes tidelands and submerged lands, whether
36 filled or unfilled, and finances facilities located on these tidelands
37 and submerged lands, these facilities shall serve and promote uses
38 and purposes consistent with the public trust and applicable
39 statutory trust grants. These facilities shall be public trust assets
40 subject to the administration and control of the legislative trust

1 grantee of the public trust lands on which they are constructed.
2 However, if these facilities are among the public capital facilities
3 listed in paragraphs (1) to (4), inclusive, of subdivision (b) of
4 Section 53395.3 or paragraph (5) of subdivision (e) of this section
5 and are not owned by the public agency administering the public
6 trust lands, but are owned and operated by another entity pursuant
7 to a license from or an agreement with the public agency
8 administering the public trust lands, then these facilities are not
9 required to become public trust assets. The district shall maintain
10 accounting procedures in accordance, and otherwise comply, with
11 Section 6306 of the Public Resources Code.

12 (g) Notwithstanding Section 53395.5, nothing in this chapter
13 shall prohibit the formation of a district on urban waterfront
14 property, nor the financing of needed public infrastructure projects
15 located on public trust lands, pursuant to this section.

16 (h) Notwithstanding subdivision (c) of Section 53395.14,
17 infrastructure improvements that increase public access to, or use
18 or enjoyment of, public trust lands pursuant to this section shall
19 be deemed to satisfy the requirements of that subdivision.

20 ~~(i) Notwithstanding Section 53395.20 or any other provision of~~
21 ~~law, if all of the land in a district subject to this section would be~~
22 ~~publicly owned, no election shall be required to form the district,~~
23 ~~and the~~ The legislative body may, by ordinance, adopt the
24 infrastructure financing plan and create the district, upon
25 recommendation of the public agency with jurisdiction over the
26 land.

27 (j) (1) Notwithstanding any other provision of this chapter, the
28 legislative body may amend an infrastructure financing plan subject
29 to this section to extend the time limitations for receipt of property
30 tax increment beyond the 30-year period from adoption of the
31 ordinance for the district for a period not to exceed 10 years to pay
32 bonded indebtedness, if the district does all of the following:

33 (A) Includes an amendment, if necessary, to increase the total
34 number of dollars to be allocated to the district.

35 (B) Prepares an analysis of the projected fiscal impact on each
36 affected taxing entity.

37 (C) Sets a time and date for a public hearing on the matter.

38 (2) The amendment to the infrastructure financing plan shall be
39 mailed by the clerk to each affected taxing entity for its review.
40 Each affected taxing entity shall review and consent to or

1 disapprove the amended infrastructure financing plan within 60
2 days of the receipt thereof.

3 (k) (1) The legislative body shall hold a public hearing
4 regarding the amendment to the infrastructure financing plan within
5 60 days after each affected taxing entity has approved the
6 extension.

7 (2) The public hearing, and notice thereof, shall be conducted
8 in accordance with Sections 53395.17 and 53395.18. At the
9 conclusion of the hearing, the legislative body may adopt an
10 ordinance adopting the infrastructure financing plan, as modified,
11 or it may abandon the proceedings.

12 SEC. 5. Section 53395.14 of the Government Code is amended
13 to read:

14 53395.14. After receipt of a copy of the resolution of intention
15 to establish a district, the official designated pursuant to Section
16 53395.13 shall prepare a proposed infrastructure financing plan.
17 The infrastructure financing plan shall be consistent with the
18 general plan of the city within which the district is located and
19 shall include all of the following:

20 (a) A map and legal description of the proposed district, which
21 may include all or a portion of the district designated by the
22 legislative body in its resolution of intention.

23 (b) A description of the public facilities required to serve the
24 development proposed in the area of the district including those
25 to be provided by the private sector, those to be provided by
26 governmental entities without assistance under this chapter, those
27 public improvements and facilities to be financed with assistance
28 from the proposed district, and those to be provided jointly. The
29 description shall include the proposed location, timing, and costs
30 of the public improvements and facilities.

31 (c) A finding that the public facilities are of communitywide
32 significance and provide significant benefits to an area larger than
33 the area of the district.

34 (d) A financing section, which shall contain all of the following
35 information:

36 (1) A specification of the maximum portion of the incremental
37 tax revenue of the city and of each affected taxing entity proposed
38 to be committed to the district for each year during which the
39 district will receive incremental tax revenue. The portion need not

1 be the same for all affected taxing entities. The portion may change
2 over time.

3 (2) A projection of the amount of tax revenues expected to be
4 received by the district in each year during which the district will
5 receive tax revenues, including an estimate of the amount of tax
6 revenues attributable to each affected taxing entity for each year.

7 (3) A plan for financing the public facilities to be assisted by
8 the district, including a detailed description of any intention to
9 incur debt.

10 (4) A limit on the total number of dollars of taxes which may
11 be allocated to the district pursuant to the plan.

12 (5) A date on which the district will cease to exist, by which
13 time all tax allocation to the district will end. The date shall not
14 be more than 30 years from the date ~~on which the ordinance~~
15 ~~forming the district is adopted pursuant to Section 53395.23~~ *the*
16 *legislative body adopted the resolution adopting the infrastructure*
17 *finance plan pursuant to Section 53395.20.*

18 (6) An analysis of the costs to the city of providing facilities
19 and services to the area of the district while the area is being
20 developed and after the area is developed. The plan shall also
21 include an analysis of the tax, fee, charge, and other revenues
22 expected to be received by the city as a result of expected
23 development in the area of the district.

24 (7) An analysis of the projected fiscal impact of the district and
25 the associated development upon each affected taxing entity.

26 (e) If any dwelling units occupied by persons or families of low
27 or moderate income are proposed to be removed or destroyed in
28 the course of private development or public works construction
29 within the area of the district, a plan providing for replacement of
30 those units and relocation of those persons or families consistent
31 with the requirements of Section 53395.5.

32 SEC. 6. Section 53395.19 of the Government Code is amended
33 to read:

34 53395.19. (a) The legislative body shall not enact a resolution
35 ~~proposing formation of~~ *forming* a district and providing for the
36 division of taxes of any affected taxing entity pursuant to Article
37 3 (commencing with Section 53396) unless a resolution approving
38 the plan has been adopted by the governing body of each affected
39 taxing entity which is proposed to be subject to division of taxes

1 pursuant to Article 3 (commencing with Section 53396) has been
2 filed with the legislative body at or prior to the time of the hearing.

3 (b) Nothing in this section shall be construed to prevent the
4 legislative body from amending its infrastructure financing plan
5 and adopting a resolution ~~proposing formation of~~ *forming* the
6 infrastructure financing district without allocation of the tax
7 revenues of any affected taxing entity ~~which~~ *that* has not approved
8 the infrastructure financing plan by resolution of the governing
9 body of the affected taxing entity.

10 SEC. 7. Section 53395.20 of the Government Code is amended
11 to read:

12 53395.20. ~~(a)~~ At the conclusion of the hearing *required by*
13 *Section 53395.17*, the legislative body may adopt a resolution
14 ~~proposing adoption of~~ *adopting* the infrastructure financing plan,
15 as modified, and ~~approving the~~ formation of the infrastructure
16 financing district in a manner consistent with Section 53395.19,
17 or it may abandon the proceedings. ~~If the legislative body adopts~~
18 ~~a resolution proposing formation of the district, it shall then submit~~
19 ~~the proposal to create the district to the qualified electors of the~~
20 ~~proposed district in the next general election or in a special election~~
21 ~~to be held, notwithstanding any other requirement, including any~~
22 ~~requirement that elections be held on specified dates, contained in~~
23 ~~the Elections Code, at least 90 days, but not more than 180 days,~~
24 ~~following the adoption of the resolution of formation. The~~
25 ~~legislative body shall provide the resolution of formation, a~~
26 ~~certified map of sufficient scale and clarity to show the boundaries~~
27 ~~of the district, and a sufficient description to allow the election~~
28 ~~official to determine the boundaries of the district to the official~~
29 ~~conducting the election within three business days after the~~
30 ~~adoption of the resolution of formation. The assessor's parcel~~
31 ~~numbers for the land within the district shall be included if it is a~~
32 ~~landowner election or the district does not conform to an existing~~
33 ~~district's boundaries and if requested by the official conducting~~
34 ~~the election. If the election is to be held less than 125 days~~
35 ~~following the adoption of the resolution of formation, the~~
36 ~~concurrence of the election official conducting the election shall~~
37 ~~be required. However, any time limit specified by this section or~~
38 ~~requirement pertaining to the conduct of the election may be~~
39 ~~waived with the unanimous consent of the qualified electors of the~~

1 ~~proposed district and the concurrence of the election official~~
2 ~~conducting the election.~~

3 ~~(b) If at least 12 persons have been registered to vote within the~~
4 ~~territory of the proposed district for each of the 90 days preceding~~
5 ~~the close of the hearing, the vote shall be by the registered voters~~
6 ~~of the proposed district, who need not necessarily be the same~~
7 ~~persons, with each voter having one vote. Otherwise, the vote shall~~
8 ~~be by the landowners of the proposed district and each landowner~~
9 ~~who is the owner of record at the close of the protest hearing, or~~
10 ~~the authorized representative thereof, shall have one vote for each~~
11 ~~acre or portion of an acre of land that he or she owns within the~~
12 ~~proposed district. The number of votes to be voted by a particular~~
13 ~~landowner shall be specified on the ballot provided to that~~
14 ~~landowner.~~

15 ~~(c) Ballots for the special election authorized by subdivision (a)~~
16 ~~may be distributed to qualified electors by mail with return postage~~
17 ~~prepaid or by personal service by the election official. The official~~
18 ~~conducting the election may certify the proper mailing of ballots~~
19 ~~by an affidavit, which shall be exclusive proof of mailing in the~~
20 ~~absence of fraud. The voted ballots shall be returned to the election~~
21 ~~officer conducting the election not later than the hour specified in~~
22 ~~the resolution calling the election. However, if all the qualified~~
23 ~~voters have voted, the election shall be closed.~~

24 ~~SEC. 8. Section 53395.21 of the Government Code is repealed.~~

25 ~~53395.21. (a) Except as otherwise provided in this chapter,~~
26 ~~the provisions of law regulating elections of the local agency that~~
27 ~~calls an election pursuant to this chapter, insofar as they may be~~
28 ~~applicable, shall govern all elections conducted pursuant to this~~
29 ~~chapter. Except as provided in subdivision (b), there shall be~~
30 ~~prepared and included in the ballot material provided to each voter,~~
31 ~~an impartial analysis pursuant to Section 9160 or 9280 of the~~
32 ~~Elections Code, arguments and rebuttals, if any, pursuant to~~
33 ~~Sections 9162 to 9167, inclusive, and 9190 of the Elections Code~~
34 ~~or pursuant to Sections 9281 to 9287, inclusive, and 9295 of the~~
35 ~~Elections Code.~~

36 ~~(b) If the vote is to be by the landowners of the proposed district,~~
37 ~~analysis and arguments may be waived with the unanimous consent~~
38 ~~of all the landowners and shall be so stated in the order for the~~
39 ~~election.~~

40 ~~SEC. 9. Section 53395.22 of the Government Code is repealed.~~

~~53395.22. (a) If the election is to be conducted by mail ballot, the election official conducting the election shall provide ballots and election materials pursuant to subdivision (d) of Section 53326 and Section 53327, together with all supplies and instructions necessary for the use and return of the ballot.~~

~~(b) The identification envelope for return of mail ballots used in landowner elections shall contain the following:~~

~~(1) The name of the landowner.~~

~~(2) The address of the landowner.~~

~~(3) A declaration, under penalty of perjury, stating that the voter is the owner of record or the authorized representative of the landowner entitled to vote and is the person whose name appears on the identification envelope.~~

~~(4) The printed name and signature of the voter.~~

~~(5) The address of the voter.~~

~~(6) The date of signing and place of execution of the declaration pursuant to paragraph (3).~~

~~(7) A notice that the envelope contains an official ballot and is to be opened only by the canvassing board.~~

SEC. 10. Section 53395.23 of the Government Code is repealed.

~~53395.23. After the canvass of returns of any election pursuant to Section 53395.20, the legislative body may, by ordinance, adopt the infrastructure financing plan and create the district with full force and effect of law, if two-thirds of the votes upon the question of creating the district are in favor of creating the district.~~

SEC. 11. Section 53395.24 of the Government Code is repealed.

~~53395.24. After the canvass of returns of any election conducted pursuant to Section 53395.20, the legislative body shall take no further action with respect to the proposed infrastructure financing district for one year from the date of the election if the question of creating the district fails to receive approval by two-thirds of the votes cast upon the question.~~

SEC. 12. Section 53395.25 of the Government Code is repealed.

~~53395.25. The legislative body may submit a proposition to establish or change the appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of a district to the qualified electors of a proposed~~

1 ~~or established district. The proposition establishing or changing~~
2 ~~the appropriations limit shall become effective if approved by the~~
3 ~~qualified electors voting on the proposition and shall be adjusted~~
4 ~~for changes in the cost of living and changes in populations, as~~
5 ~~defined by subdivisions (b) and (c) of Section 7901, except that~~
6 ~~the change in population may be estimated by the legislative body~~
7 ~~in the absence of an estimate by the Department of Finance, and~~
8 ~~in accordance with Section 1 of Article XIII B of the California~~
9 ~~Constitution. For purposes of adjusting for changes in population,~~
10 ~~the population of the district shall be deemed to be at least one~~
11 ~~person during each calendar year. Any election held pursuant to~~
12 ~~this section may be combined with any election held pursuant to~~
13 ~~Section 53395.20 in any convenient manner.~~

14 SEC. 13. Section 53396 of the Government Code is amended
15 to read:

16 53396. Any infrastructure financing plan may contain a
17 provision that taxes, if any, levied upon taxable property in the
18 area included within the infrastructure financing district each year
19 by or for the benefit of the State of California, or any affected
20 taxing entity after the effective date of the ~~ordinance resolution~~
21 ~~adopted pursuant to Section 53395.23~~ 53395.20 to create the
22 district, shall be divided as follows:

23 (a) That portion of the taxes which would be produced by the
24 rate upon which the tax is levied each year by or for each of the
25 affected taxing entities upon the total sum of the assessed value
26 of the taxable property in the district as shown upon the assessment
27 roll used in connection with the taxation of the property by the
28 affected taxing entity, last equalized prior to the effective date of
29 the ~~ordinance resolution~~ adopted pursuant to Section ~~53395.23~~
30 53395.20 to create the district, shall be allocated to, and when
31 collected shall be paid to, the respective affected taxing entities as
32 taxes by or for the affected taxing entities on all other property are
33 paid.

34 (b) That portion of the levied taxes each year specified in the
35 adopted infrastructure financing plan for the city and each affected
36 taxing entity which has agreed to participate pursuant to Section
37 53395.19 in excess of the amount specified in subdivision (a) shall
38 be allocated to, and when collected shall be paid into a special
39 fund of, the district for all lawful purposes of the district. Unless
40 and until the total assessed valuation of the taxable property in a

1 district exceeds the total assessed value of the taxable property in
2 the district as shown by the last equalized assessment roll referred
3 to in subdivision (a), all of the taxes levied and collected upon the
4 taxable property in the district shall be paid to the respective
5 affected taxing entities. When the district ceases to exist pursuant
6 to the adopted infrastructure financing plan, all moneys thereafter
7 received from taxes upon the taxable property in the district shall
8 be paid to the respective affected taxing entities as taxes on all
9 other property are paid.

10 SEC. 14. Section 53397.1 of the Government Code is amended
11 to read:

12 53397.1. The legislative body may, by majority vote, ~~initiate~~
13 ~~proceedings to issue bonds~~ *authorize the issuance of bonds*
14 pursuant to this chapter by adopting a resolution ~~stating its intent~~
15 ~~to issue the bonds.~~

16 SEC. 15. Section 53397.2 of the Government Code is amended
17 to read:

18 53397.2. The resolution adopted pursuant to Section 53397.1
19 shall contain all of the following information:

20 (a) A description of the facilities to be financed with the
21 proceeds of the ~~proposed~~ bond issue.

22 (b) The estimated cost of the facilities, the estimated cost of
23 preparing and issuing the bonds, and the principal amount of the
24 ~~proposed~~ bond issuance.

25 (c) The maximum interest rate and discount on the ~~proposed~~
26 bond issuance.

27 ~~(d) The date of the election on the proposed bond issuance and~~
28 ~~the manner of holding the election.~~

29 ~~(e)~~

30 (d) A determination of the amount of tax revenue available or
31 estimated to be available, for the payment of the principal of, and
32 interest on, the bonds.

33 ~~(f)~~

34 (e) A finding that the amount necessary to pay the principal of,
35 and interest on, the ~~proposed~~ bond issuance will be less than, or
36 equal to, the amount determined pursuant to subdivision ~~(e)~~ (d).

37 (f) *The issuance of the bonds in one or more series.*

38 (g) *The date the bonds will bear.*

39 (h) *The denomination of the bonds.*

40 (i) *The form of the bonds.*

1 (j) *The manner and execution of the bonds.*

2 (k) *The medium of payment in which the bonds are payable.*

3 (l) *The place or manner of payment and any requirements for*
4 *registration of the bonds.*

5 (m) *The terms or call of redemption, with or without premium.*

6 SEC. 16. Section 53397.4 of the Government Code is repealed.

7 ~~53397.4.— The clerk of the legislative body shall publish the~~
8 ~~resolution adopted pursuant to Section 53397.1 once a day for at~~
9 ~~least seven successive days in a newspaper published in the city~~
10 ~~or county at least six days a week, or at least once a week for two~~
11 ~~successive weeks in a newspaper published in the city or county~~
12 ~~less than six days a week.~~

13 ~~If there are no newspapers meeting these criteria, the resolution~~
14 ~~shall be posted in three public places within the territory of the~~
15 ~~district for two succeeding weeks.~~

16 SEC. 17. Section 53397.5 of the Government Code is repealed.

17 ~~53397.5.— The legislative body shall submit the proposal to issue~~
18 ~~the bonds to the voters who reside within the district. The election~~
19 ~~shall be conducted in the same manner as the election to create the~~
20 ~~district pursuant to Section 53395. 20 and the two elections may~~
21 ~~be consolidated.~~

22 SEC. 18. Section 53397.6 of the Government Code is repealed.

23 ~~53397.6.— (a) The bonds may be issued if two-thirds of the~~
24 ~~voters voting on the proposition vote in favor of issuing the bonds.~~

25 ~~(b) If the voters approve the issuance of the bonds as provided~~
26 ~~by subdivision (a), the legislative body shall proceed with the~~
27 ~~issuance of the bonds by adopting a resolution which shall provide~~
28 ~~for all of the following:~~

29 ~~(1) The issuance of the bonds in one or more series.~~

30 ~~(2) The principal amount of the bonds, which shall be consistent~~
31 ~~with the amount specified in subdivision (b) of Section 53397.2.~~

32 ~~(3) The date the bonds will bear.~~

33 ~~(4) The date of maturity of the bonds.~~

34 ~~(5) The denomination of the bonds.~~

35 ~~(6) The form of the bonds.~~

36 ~~(7) The manner of execution of the bonds.~~

37 ~~(8) The medium of payment in which the bonds are payable.~~

38 ~~(9) The place or manner of payment and any requirements for~~
39 ~~registration of the bonds.~~

40 ~~(10) The terms of call or redemption, with or without premium.~~

1 SEC. 19. Section 53397.7 of the Government Code is repealed.
2 53397.7. ~~If any proposition submitted to the voters pursuant~~
3 ~~to this chapter is defeated by the voters, the legislative body shall~~
4 ~~not submit, or cause to be submitted, a similar proposition to the~~
5 ~~voters for at least one year after the first election.~~

O