

AMENDED IN SENATE JULY 11, 2013

AMENDED IN ASSEMBLY APRIL 15, 2013

AMENDED IN ASSEMBLY APRIL 1, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 121

**Introduced by Assembly Member Dickinson
(Coauthor: Assembly Member Cooley)**

January 14, 2013

An act to add ~~Section 25536.3~~ *Sections 25536.3 and 25536.4* to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 121, as amended, Dickinson. Counties: disposition of real property.

Existing law authorizes the board of supervisors of a county to sell or lease any real property belonging to the county, as specified, provided that the board complies with certain procedural requirements. Existing law authorizes the board to enter into a lease, concession, or managerial contract involving county owned, leased, or managed property for specified purposes, without otherwise complying with the existing procedural requirements.

This bill would additionally authorize the Sacramento County Board of Supervisors to sell or enter into a lease, concession, or managerial contract involving a specified area of county property that the county has acquired from the federal government due to the closure of Mather Air Force Base or McClellan Air Force Base, without complying with the existing procedural requirements referenced above, in accordance with conditions prescribed in the bill. *The bill, in a similar manner,*

would additionally authorize the County of Merced, by a ⁴/₅ vote of the board of supervisors, to sell a specified area of county property that the county has acquired from the federal government due to the closure of Castle Air Force Base. The bill would ~~specify that it would not be construed~~ prohibit the provisions for each county from being construed to release ~~the County of Sacramento~~ the county from complying with specified postcompliance provisions relating to redevelopment successor agencies, if the *relevant* property is located in a former redevelopment area.

This bill would make legislative findings and declarations as to the necessity of a special statute for ~~the County of Sacramento~~ those counties relative to the disposition by ~~the~~ each county of the above-described ~~property~~ properties.

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 25536.3 is added to the Government
- 2 Code, to read:
- 3 25536.3. (a) In addition to the authority provided for in Section
- 4 25536, and in accordance with subdivision (b), the Sacramento
- 5 County Board of Supervisors, by a four-fifths vote of the board,
- 6 may sell, or enter into a lease, concession, or managerial contract
- 7 involving a specified area of county property that the county has
- 8 acquired from the federal government due to the closure of Mather
- 9 Air Force Base or McClellan Air Force Base, without otherwise
- 10 complying with this article.
- 11 (b) The board shall ~~only~~ take an action specified in subdivision
- 12 (a) *only* if the following conditions are met, or if the board makes
- 13 a finding in a noticed public hearing that the following conditions
- 14 were met at the time the property was acquired from the federal
- 15 government:
- 16 (1) Reuse of the property is governed solely by the county.
- 17 (2) The county has prepared and adopted a general or specific
- 18 plan pursuant to Article 5 (commencing with Section 65300) of
- 19 Chapter 3 of Division 1 of Title 7 and has adopted a zoning
- 20 ordinance for the area, and the proposed use is consistent with that
- 21 general or specific plan and the zoning ordinance.

1 (3) The airport land use commission has prepared and adopted
2 a comprehensive airport land use plan for the area pursuant to
3 Article 3.5 (commencing with Section 21670) of Chapter 4 of Part
4 1 of Division 9 of the Public Utilities Code, and the proposed use
5 is consistent with that plan.

6 (4) The county has complied with Article 8 (commencing with
7 Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5, and
8 Section 65402 with regard to the property, as provided in Section
9 25350.1.

10 (5) The county has given notice pursuant to Section 6062a and
11 posted the notice in the office of the county clerk. The notice shall
12 specify the date that the board determines that any of the affected
13 property shall be subject to this section, and shall include all of
14 the following:

15 (A) A description of the property proposed to be sold, leased,
16 or subject to a concession or managerial contract pursuant to this
17 section.

18 (B) The proposed terms of the sale, lease, concession, or
19 managerial contract.

20 (C) The location where offers will be accepted and executed.

21 (D) The telephone number and address of the county officer
22 responsible for executing the sale, lease, concession, or managerial
23 contract.

24 (c) This section shall not be construed to release the County of
25 Sacramento from complying with Chapter 9 (commencing with
26 Section 34191.1) of Part 1.85 of Division 24 of the Health and
27 Safety Code, if the property is located in a former redevelopment
28 area.

29 *SEC. 2. Section 25536.4 is added to the Government Code, to*
30 *read:*

31 *25536.4. (a) In addition to the authority provided for in Section*
32 *25536, and in accordance with subdivision (b), the County of*
33 *Merced, by a four-fifths vote of the board of supervisors, may sell*
34 *a specified area of county property that the county has acquired*
35 *from the federal government due to the closure of Castle Air Force*
36 *Base, without otherwise complying with this article.*

37 *(b) The board shall take an action specified in subdivision (a)*
38 *only if the following conditions are met, or if the board makes a*
39 *finding in a noticed public hearing that the following conditions*

1 were met at the time the property was acquired from the federal
2 government:

3 (1) Reuse of the property is governed solely by the county.

4 (2) The county has prepared and adopted a general or specific
5 plan pursuant to Article 5 (commencing with Section 65300) of
6 Chapter 3 of Division 1 of Title 7 and has adopted a zoning
7 ordinance for the area, and the proposed use is consistent with
8 that general or specific plan and the zoning ordinance.

9 (3) The airport land use commission has prepared and adopted
10 a comprehensive airport land use plan for the area pursuant to
11 Article 3.5 (commencing with Section 21670) of Chapter 4 of Part
12 1 of Division 9 of the Public Utilities Code, and the proposed use
13 is consistent with that plan.

14 (4) The county has complied with Article 8 (commencing with
15 Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5, and
16 Section 65402 with regard to the property, as provided in Section
17 25350.1.

18 (5) The county has given notice pursuant to Section 6062a and
19 posted the notice in the office of the county clerk. The notice shall
20 specify the date that the board determines that any of the affected
21 property shall be subject to this section, and shall include all of
22 the following:

23 (A) A description of the property proposed to be sold, leased,
24 or subject to a concession or managerial contract pursuant to this
25 section.

26 (B) The proposed terms of the sale, lease, concession, or
27 managerial contract.

28 (C) The location where offers will be accepted and executed.

29 (D) The telephone number and address of the county officer
30 responsible for executing the sale, lease, concession, or managerial
31 contract.

32 (c) This section shall not be construed to release the County of
33 Merced from complying with Chapter 9 (commencing with Section
34 34191.1) of Part 1.85 of Division 24 of the Health and Safety Code,
35 if the property is located in a former redevelopment area.

36 ~~SEC. 2.~~

37 SEC. 3. The Legislature finds and declares that a special law
38 is necessary and that a general law cannot be made applicable
39 within the meaning of Section 16 of Article IV of the California
40 Constitution because of the unique needs of the County of

1 Sacramento *and the County of Merced* relative to the disposition
2 of the ~~property~~ *properties* acquired by the county from the federal
3 government *by those counties* pursuant to the closure of Mather
4 Air Force Base and McClellan Air Force Base *in Sacramento*
5 *County and Castle Air Force Base in Merced County.*

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