

ASSEMBLY BILL

No. 1528

Introduced by Assembly Member Olsen

January 17, 2014

An act to add Section 5096.343.1 to the Public Resources Code, relating to local parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 1528, as introduced, Olsen. Public parks: City of Escalon: property sale.

(1) Existing law, the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (the Villaraigosa-Keeley Act) and the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, among other things, authorized the issuance of grants to local governments from the sale of bonds for the acquisition, development, restoration, and enhancement of local parks, pursuant to the State General Obligation Bond Law, in specified amounts. Existing law requires, among other things, that a grant applicant agree to use a property only for the purposes for which the grant was made and make no other use or sale or other disposition of the property, except as authorized by specific act of the Legislature.

This bill would authorize the City of Escalon to sell, at fair market value, a specified property known as the Robert Cabral Regional Park property, which was acquired by the city with state bond funds but unable to be developed for local park purposes, so that the city may use the proceeds from that sale for the development of another park within the city limits.

(2) This bill would declare that, due to the unique circumstances pertaining to the City of Escalon that the bill is intended to remedy, a

general statute within the meaning of specified provisions of the California Constitution cannot be made applicable and a special statute is necessary.

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

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

1 SECTION 1. Section 5096.343.1 is added to the Public
2 Resources Code, to read:

3 5096.343.1. Notwithstanding any other law, consistent with
4 the requirements of Section 5096.343, the City of Escalon may
5 sell the 31-acre property known as the Robert Cabral Regional
6 Park property, APN 247-130-34 and APN 247-130-35, which was
7 acquired by the city with state bond funds but was unable to be
8 developed for local park purposes, for the fair market value of that
9 property, so that the city may use the proceeds from the sale of
10 that property for the acquisition and development of another local
11 park within the city limits.

12 SEC. 2. Due to the unique circumstances of the City of Escalon
13 with regard to its ability to finance local park development during
14 a time of economic downturn, the Legislature hereby finds and
15 declares that a general statute cannot be made applicable within
16 the meaning of Section 16 of Article IV of the California
17 Constitution. Therefore, the special legislation contained in Section
18 1 of this act is necessarily applicable only to the City of Escalon.