

AMENDED IN SENATE APRIL 9, 2013

SENATE BILL

No. 339

Introduced by Senator Cannella

February 20, 2013

An act to ~~amend Section 67870 of the Government Code, relating to military base reuse.~~ *add Section 25536.3 to the Government Code, relating to local government.*

LEGISLATIVE COUNSEL'S DIGEST

SB 339, as amended, Cannella. ~~Military base reuse authorities: sunset provision.~~ *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 a county 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 a former air force base, without complying with the existing procedural requirements referenced above, in accordance with conditions prescribed in the bill.

~~The Military Base Reuse Authority Act authorizes counties and cities located wholly or partly within the boundaries of a military base to establish a military base reuse authority to prepare, adopt, finance, and implement a plan for the future use and development of the territory occupied by the military base. The act provides that a military base~~

reuse authority shall cease to exist when the board determines that 80% of the territory of the military base that is designated for development or reuse in the plan prepared pursuant to the bill has been developed or reused in a manner consistent with the plan, or 20 years after the creation of the authority, whichever occurs first.

~~This bill would make technical, nonsubstantive changes to the latter provision.~~

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 Code,
 2 to read:

3 25536.3. (a) In addition to the authority provided for in Section
 4 25536, and in accordance with subdivision (b), a county, by a
 5 four-fifths vote of the board of supervisors, may sell, or enter into
 6 a lease, concession, or managerial contract involving a specified
 7 area of county property that the county has acquired from the
 8 federal government due to the closure of an air force base, without
 9 otherwise complying with this article.

10 (b) The board shall only take an action specified in subdivision
 11 (a) if the following conditions are met, or if the board makes a
 12 finding in a noticed public hearing that the following conditions
 13 were met at the time the property was acquired from the federal
 14 government:

15 (1) Reuse of the property is governed solely by the county, and
 16 the property, or any portion thereof, is not included within a
 17 redevelopment area.

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

23 (3) The airport land use commission has prepared and adopted
 24 a comprehensive airport land use plan for the area pursuant to
 25 Article 3.5 (commencing with Section 21670) of Chapter 4 of Part
 26 1 of Division 9 of the Public Utilities Code, and the proposed use
 27 is consistent with that plan.

1 (4) The county has complied with Article 8 (commencing with
2 Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5, and
3 Section 65402 with regard to the property, as provided in Section
4 23501.1.

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

10 (A) A description of the property proposed to be sold, leased,
11 or subject to a concession or managerial contract pursuant to this
12 section.

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

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

16 (D) The telephone number and address of the county officer
17 responsible for executing the sale, lease, concession, or managerial
18 contract.

19 ~~SECTION 1. Section 67870 of the Government Code is~~
20 ~~amended to read:~~

21 ~~67870. The authority shall cease to exist when the board~~
22 ~~determines that 80 percent of the territory of the military base that~~
23 ~~is designated for development or reuse in the plan prepared~~
24 ~~pursuant to this title has been developed or reused in a manner~~
25 ~~consistent with the reuse plan, or in any case not later than June~~
26 ~~30, 20 years after the creation of the authority. The local agency~~
27 ~~formation commission or commissions of the county or counties~~
28 ~~that are member agencies shall provide for the orderly dissolution~~
29 ~~of the authority, including ensuring that each contract, agreement,~~
30 ~~and pledge to pay or repay money entered into by the authority is~~
31 ~~honored and properly administered, and that each asset of the~~
32 ~~authority is appropriately transferred.~~