

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 738

Introduced by Assembly Member Beth Gaines

February 25, 2015

An act to amend Sections 102025, 102053, and 102054 of, to add Section 102056 to, and to repeal and add Sections 102052.5 and 102055 of, the Public Utilities Code, relating to public transit.

LEGISLATIVE COUNSEL'S DIGEST

AB 738, as amended, Beth Gaines. Sacramento Regional Transit District.

Existing law provides for the creation of the Sacramento Regional Transit District, with specified powers and duties relative to the provision of public transit services. Existing law describes the authorized boundaries of the district, as specified, and provides that the boundaries of the district, at any point in time, shall consist of the area of any city or county within the authorized boundaries where the governing board of the city or county has declared a need for the district to operate. Existing law authorizes the district to operate in any city or county where the need for the district to operate has been declared, except that the district has no power to levy an ad valorem property tax unless a city or county adopts a specified resolution. Existing law ~~also~~ provides for a city or county to annex to the district through a written request to the district and approval by the Sacramento Area Council of Governments.

This bill would revise and recast these provisions. The bill would provide that the boundaries of the district, at any point in time, shall consist of specified areas, including a city or county that has acted to

annex to the district, and a city incorporated on or after January 1, 2016, if the newly incorporated city consists of territory that was included in the district prior to incorporation. The bill would require an annexation to be subject to an agreement between the annexing city or county and the district board specifying the terms and conditions of annexation, and would delete the requirement for approval of annexation by the Sacramento Area Council of Governments. The bill would ~~also~~ provide procedures for detachment of territory within the district by a specified supermajority vote of the district board.

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 102025 of the Public Utilities Code is
2 amended to read:

3 102025. “Member entity” means a city or county that is
4 ~~annexed to the district pursuant to Section 102051, 102052, or~~
5 ~~102055. “Member entities” means all those cities and counties~~
6 ~~within the boundaries of the district as defined in Section 102052.5.~~

7 ~~SECTION 1.~~

8 SEC. 2. Section 102052.5 of the Public Utilities Code is
9 repealed.

10 ~~SEC. 2.~~

11 SEC. 3. Section 102052.5 is added to the Public Utilities Code,
12 to read:

13 102052.5. (a) The boundaries of the district shall include (1)
14 the City of Sacramento and the City of Rancho Cordova; (2) the
15 unincorporated territory of the County of Sacramento that is within
16 the urban service area, as determined by the Board of Supervisors;
17 (3) a city or county listed in Section 102051 that has annexed to
18 the district pursuant to the process specified in Section 102055;
19 and (4) a city incorporated on or after January 1, 2016, which city
20 consists entirely of territory that was included in the district prior
21 to the city’s incorporation.

22 (b) (1) The boundaries of the district shall not be affected by
23 the incorporation of any territory wholly or partly within the
24 boundaries of the district or by reason of annexation to or
25 detachment from any city or territory wholly or partly within the
26 boundaries of the district, except as provided in this section.

1 (2) Where territory outside the district is annexed to any city
2 included in the district, that territory shall, upon the completion
3 of the annexation proceeding, be deemed incorporated into and
4 annexed to the district.

5 (3) Where territory is incorporated as a new city, on or after
6 January 1, 2016, and is partly within and partly outside the district,
7 the entire territory shall, upon completion of the incorporation
8 proceeding, be deemed incorporated into and annexed to the
9 district.

10 (c) Whenever territory is deemed incorporated into and annexed
11 to the district pursuant to this section, that territory shall be subject
12 to taxation, in accordance with the assessable valuation of the
13 property in that territory for general district purposes and for
14 payment of any indebtedness previously or thereafter incurred by
15 the district.

16 ~~SEC. 3.~~

17 *SEC. 4.* Section 102053 of the Public Utilities Code is amended
18 to read:

19 102053. The district may operate and exercise the powers under
20 this part within any city, provided that the district shall have no
21 power to levy an ad valorem property tax within the boundaries
22 of any city that is not within the boundaries of the district as
23 defined in Section 102052.5.

24 ~~SEC. 4.~~

25 *SEC. 5.* Section 102054 of the Public Utilities Code is amended
26 to read:

27 102054. The district may operate and exercise the powers under
28 this part within all or a part of the unincorporated area of any
29 county, provided that the district shall have no power to levy an
30 ad valorem property tax within the unincorporated area that is not
31 within the boundaries of the district as defined in Section 102052.5.

32 ~~SEC. 5.~~

33 *SEC. 6.* Section 102055 of the Public Utilities Code is repealed.

34 ~~SEC. 6.~~

35 *SEC. 7.* Section 102055 is added to the Public Utilities Code,
36 to read:

37 102055. (a) Any city or county listed in Section 102051 may
38 be annexed to the district in the manner provided in this section;
39 and if the annexation is successful, the city or county, as the case

1 ~~may be, shall be entitled to one member on the district's board of~~
 2 ~~directors.~~ *section.*

3 (b) The legislative body of the city or county proposed to be
 4 annexed shall agree in writing with the board of directors upon
 5 the terms and conditions of annexation, which agreement, among
 6 other things, may provide for the levy and collection of special
 7 taxes within the city or unincorporated area of the county in
 8 addition to the taxes otherwise provided for in this part; the fixing
 9 of rates, rentals, and charges differing from those fixed or existing
 10 elsewhere within the district; the incurring or assumption of
 11 indebtedness; the making of a payment or payments; or the transfer
 12 of property, real and personal, and other assets to the district by
 13 the city or county.

14 ~~SEC. 7.~~

15 *SEC. 8.* Section 102056 is added to the Public Utilities Code,
 16 to read:

17 102056. (a) Territory within the district may be detached from
 18 the district by a supermajority vote of the board of directors, which
 19 shall be at least 80 percent of the nonweighted vote of the existing
 20 board, provided that the detached territory shall not be relieved
 21 from liability for taxation for the payment of any bonded
 22 indebtedness existing at the time of detachment, and provided that
 23 all other pending legal and financial obligations have been resolved
 24 by mutual agreement.

25 (b) The detachment of territory from the district shall become
 26 effective upon giving of the notice required in Section 57204 of
 27 the Government Code.

28 (c) Notice of the detachment of territory from the district shall
 29 be given to each assessor whose roll is used for a tax levy made
 30 pursuant to this part and to the State Board of Equalization pursuant
 31 to Chapter 8 (commencing with Section 54900) of Part 1 of
 32 Division 2 of Title 5 of the Government Code.