

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1290

Introduced by Assembly Member Dahle

February 27, 2015

~~An act to amend Section 34161 of the Health and Safety Code, relating to redevelopment.~~ *An act to add Section 32132.8 to the Health and Safety Code, relating to health care districts.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1290, as amended, Dahle. ~~Community redevelopment.~~ *Health care districts: public contracts: design-build.*

The Local Health Care District Law provides for local health care districts which govern certain health care facilities. Each health care district has specific duties and powers respecting the creation, administration, and maintenance of the districts, including to purchase, receive, take, hold, lease, use, and enjoy property of every kind and description within and without the limits of the district.

The Local Agency Public Construction Act establishes bidding procedures for the award of construction contracts by local agencies.

The act authorizes counties, with the approval of the board of supervisors, to use a design-build procedure for building contracts in excess of \$1,000,000.

This bill would authorize the Mayers Memorial Hospital District to use this design-build process when contracting for the construction of a building and improvements directly related to a hospital or health facility building at Mayers Memorial Hospital.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Mayers Memorial Hospital District.

~~Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and designates successor agencies, as defined. Existing law requires successor agencies to wind down the affairs of the dissolved redevelopment agencies. Existing law requires a successor agency to, among other things, continue to make payments due for enforceable obligations, remit unencumbered balances to the county auditor-controller for distribution, and dispose of assets, as directed.~~

~~This bill would make technical, nonsubstantive changes to these provisions:~~

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. (a) *The Legislature finds and declares both of*
2 *the following:*
3 (1) *Utilizing a design-build contract requires a clear*
4 *understanding of the roles and responsibilities of each participant*
5 *in the process.*
6 (2) *Cost benefits for health care districts are achieved by shifting*
7 *the liability and risk for cost containment and project completion*
8 *to the design-build entity.*
9 (b) *It is the intent of the Legislature that the design-build process*
10 *be used by health care districts solely for buildings associated*
11 *with hospitals and health care and not for other infrastructure,*
12 *including, but not limited to, streets, highways, public rail transit,*
13 *roads, bridges, water resources facilities, and related*
14 *infrastructure.*
15 SEC. 2. *Section 32132.8 is added to the Health and Safety*
16 *Code, to read:*
17 32132.8. (a) *Notwithstanding Section 32132 or any other law,*
18 *upon approval by the board of directors of the Mayers Memorial*
19 *Hospital District, the design-build procedure described in Chapter*
20 *4 (commencing with Section 22160) of Part 3 of Division 2 of the*
21 *Public Contract Code may be used to assign contracts for the*
22 *construction of a building or improvements directly related to*
23 *construction of a hospital or health facility building at the Mayers*
24 *Memorial Hospital District.*

1 (b) For purposes of this section, all references in Chapter 4
 2 (commencing with Section 22160) of Part 3 of Division 2 of the
 3 Public Contract Code to “local agency” shall mean the Mayers
 4 Memorial Hospital District and its board of directors.

5 (c) A hospital building project utilizing the design-build process
 6 authorized by subdivision (a) shall be reviewed and inspected in
 7 accordance with the standards and requirements of the Alfred E.
 8 Alquist Hospital Facilities Seismic Safety Act of 1983 (Chapter 1
 9 (commencing with Section 129675) of Part 7 of Division 107).

10 SEC. 3. The Legislature finds and declares that a special law
 11 is necessary and that a general law cannot be made applicable
 12 within the meaning of Section 16 of Article IV of the California
 13 Constitution because of the unique circumstances of the Mayers
 14 Memorial Hospital District.

15 SECTION 1. ~~Section 34161 of the Health and Safety Code is~~
 16 ~~amended to read:~~

17 ~~34161. Notwithstanding Part 1 (commencing with Section~~
 18 ~~33000), Part 1.5 (commencing with Section 34000), Part 1.6~~
 19 ~~(commencing with Section 34050), and Part 1.7 (commencing~~
 20 ~~with Section 34100), or any other law, commencing on the effective~~
 21 ~~date of this part, an agency shall not incur new or expand existing~~
 22 ~~monetary or legal obligations except as provided in this part. All~~
 23 ~~of the provisions of this part shall take effect and be operative on~~
 24 ~~the effective date of the act adding this part.~~