

AMENDED IN SENATE JUNE 22, 2016

AMENDED IN ASSEMBLY JANUARY 19, 2016

AMENDED IN ASSEMBLY JANUARY 4, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1362

Introduced by Assembly Member Gordon

February 27, 2015

An act to add Section 2021.5 to the Health and Safety Code, relating to pest abatement.

LEGISLATIVE COUNSEL'S DIGEST

AB 1362, as amended, Gordon. ~~Mosquito abatement and vector control districts: board of trustees: appointment of members.~~ *San Mateo County Mosquito and Vector Control District: board of trustees: appointment of members.*

Existing law, the Mosquito Abatement and Vector Control District Law, specifies the procedures for district formation, the procedures for the selection of the district board of trustees and officers, and the powers and duties of the board. Existing law authorizes the board of supervisors to appoint one person to the board of trustees, and the city council of each city that is located in whole or in part within the district to appoint one person to the board of trustees, in the case of a district that is located entirely within a single county and contains both incorporated territory and unincorporated territory.

This bill would authorize a change in the appointment of the board of trustees of the San Mateo County Mosquito and Vector Control District. If a majority of the legislative bodies that include the city councils in, and the Board of Supervisors of, the County of San Mateo

adopt resolutions approving the change in board composition and forward a copy of the resolution to the local agency formation commission, the commission is required to adopt procedures for the reorganization of the board of trustees of the San Mateo County Mosquito and Vector Control District. The bill would require the San Mateo County Board of Supervisors to appoint 2 trustees and would require the city selection committee in the County of San Mateo to appoint one trustee from each county supervisorial district pursuant to this method of appointment. By imposing new duties on the local agency formation commission, the bill would impose a state-mandated local program.

The bill would make legislative findings and declarations as to the necessity for a special law.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~This bill would authorize a city council, located in an existing or newly formed district as specified above, to adopt a resolution requesting that appointments of persons to the board of trustees instead be made by a city selection committee, established pursuant to specified provisions of law, and conditioned upon a majority of authorized city councils adopting their respective resolutions. This bill would authorize the city selection committee to decrease the total number of appointments to be made by the committee if a majority of city councils within the district make this request in their respective resolutions. This bill would prohibit the total number of appointments made by the committee from exceeding the number of incorporated cities that are located in whole or in part within the district, and would prohibit those appointments from affecting the appointments made by the board of supervisors.~~

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

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

1 *SECTION 1. Section 2021.5 is added to the Health and Safety*
2 *Code, to read:*

3 2021.5. (a) *Notwithstanding Section 2021, the Board of*
4 *Trustees of the San Mateo County Mosquito and Vector Control*
5 *District may be appointed as follows:*

6 (1) *The San Mateo County Board of Supervisors shall appoint*
7 *two trustees.*

8 (2) *The city selection committee in the County of San Mateo,*
9 *established pursuant to Article 11 (commencing with Section*
10 *50270) of Chapter 1 of Part 1 of Division 1 of Title 5 of the*
11 *Government Code, shall appoint one trustee from each county*
12 *supervisorial district.*

13 (b) *This section shall apply only if a majority of the legislative*
14 *bodies that include the city councils in, and the Board of*
15 *Supervisors of, the County of San Mateo adopt resolutions*
16 *approving the change in board composition.*

17 (c) *Upon adoption of a resolution pursuant to subdivision (b),*
18 *the city council or board of supervisors shall forward a copy of*
19 *the resolution to the local agency formation commission. If a*
20 *majority of the legislative bodies that include the city councils in,*
21 *and the Board of Supervisors of, the County of San Mateo adopt*
22 *a resolution, the local agency formation commission shall adopt*
23 *procedures for the reorganization of the board of trustees and*
24 *notify the San Mateo County Mosquito and Vector Control District*
25 *and the city selection committee in the County of San Mateo.*

26 SEC. 2. *The Legislature finds and declares that a special law*
27 *is necessary and that a general law cannot be made applicable*
28 *within the meaning of Section 16 of Article IV of the California*
29 *Constitution because of the unique circumstances in the County*
30 *of San Mateo with regard to identifying trustees and providing*
31 *sufficient oversight of district operations.*

32 SEC. 3. *If the Commission on State Mandates determines that*
33 *this act contains costs mandated by the state, reimbursement to*
34 *local agencies and school districts for those costs shall be made*
35 *pursuant to Part 7 (commencing with Section 17500) of Division*
36 *4 of Title 2 of the Government Code.*

37 ~~SECTION 1. Section 2021.5 is added to the Health and Safety~~
38 ~~Code, to read:~~

1 ~~2021.5. (a) A city council that is authorized to appoint one~~
2 ~~person to the board of trustees of a district, pursuant to subdivision~~
3 ~~(b) of Section 2021, may adopt a resolution requesting that~~
4 ~~appointments instead be made by a city selection committee,~~
5 ~~established pursuant to Article 11 (commencing with Section~~
6 ~~50270) of Chapter 1 of Part 1 of Division 1 of Title 5 of the~~
7 ~~Government Code.~~
8 ~~(b) This section shall only apply if a majority of city councils~~
9 ~~that are located within the district and are authorized to appoint a~~
10 ~~person to the board of trustees adopt their respective resolutions~~
11 ~~pursuant to this section. This section shall apply to existing and~~
12 ~~newly formed districts as defined in subdivision (b) of Section~~
13 ~~2021.~~
14 ~~(c) The city selection committee described in subdivision (a)~~
15 ~~may decrease the total number of appointments to be made by the~~
16 ~~committee if a majority of city councils within the district make~~
17 ~~this request in their respective resolutions. The total number of~~
18 ~~appointments made by the committee shall not exceed the number~~
19 ~~of incorporated cities that are located in whole or in part within~~
20 ~~the district.~~
21 ~~(d) The appointments made by the city selection committee~~
22 ~~shall not affect the appointments made by the board of supervisors~~
23 ~~pursuant to subdivision (b) of Section 2021.~~