

Assembly Bill No. 1362

CHAPTER 288

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

[Approved by Governor September 12, 2016. Filed with
Secretary of State September 12, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1362, Gordon. 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 bill would require the commission 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, as specified. 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.

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

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

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

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

(2) The city selection committee in the County of San Mateo, established pursuant to Article 11 (commencing with Section 50270) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, shall appoint one trustee from each county supervisorial district; however, the committee shall not appoint a trustee to serve on the board at the same time as another trustee if both trustees would represent the same city as a result of that appointment.

(b) This section shall apply only 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.

(c) Upon adoption of a resolution pursuant to subdivision (b), the city council or board of supervisors shall forward a copy of the resolution to the local agency formation commission. 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 a resolution, the local agency formation commission shall adopt procedures for the reorganization of the board of trustees and notify the San Mateo County Mosquito and Vector Control District and the city selection committee in the County of San Mateo.

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

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