

AMENDED IN SENATE AUGUST 16, 2016

AMENDED IN SENATE JUNE 28, 2016

AMENDED IN ASSEMBLY APRIL 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2414

Introduced by Assembly Member Eduardo Garcia

February 19, 2016

An act to add Chapter 8 *10* (commencing with Section ~~32494~~ 32499) to Division 23 of the Health and Safety Code, relating to health care districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2414, as amended, Eduardo Garcia. Desert Healthcare District.

Existing law, the Local Health Care District Law, authorizes the organization and incorporation of local health care districts and specifies the powers of those districts, including, among other things, the power to establish, maintain, and operate, or provide assistance in the operation of, one or more health facilities or health services, including, but not limited to, outpatient programs, services, and facilities; retirement programs, services, and facilities; chemical dependency programs, services, and facilities; or other health care programs, services, and facilities and activities at any location within or without the district for the benefit of the district and the people served by the district.

This bill would authorize the expansion of the Desert Healthcare District to include the eastern Coachella Valley region by requiring the Board of Supervisors of the County of Riverside to submit a resolution of application to the Riverside County Local Agency Formation Commission, and, upon direction by the commission, to place approval

of district expansion on the ballot at the next countywide election following the completion of commission proceedings, including a public hearing. The bill would provide for expansion of the district upon voter approval, if a funding source sufficient to support the operations of the expanded district is, if required, approved, as specified. *The bill would require the district to pay for election costs, as specified.* The bill would require the board of directors of the district, following expansion, to adopt a resolution to increase the number of members of the district’s board of directors from 5 to 7, and to appoint 2 members who are residents of the territory annexed by the district to fill the vacant positions, as specified. By imposing new duties on the County of Riverside, the bill would impose a state-mandated local program.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Coachella Valley region of Riverside County.

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.

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

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

1 SECTION 1. Chapter 810 (commencing with Section
2 ~~32494~~32499) is added to Division 23 of the Health and Safety
3 Code, to read:

4
5 CHAPTER 8.10. DESERT HEALTHCARE DISTRICT
6 REORGANIZATION

7
8 ~~32494.~~
9 32499. (a) The Desert Healthcare District may be expanded
10 in accordance with this chapter. All other provisions of this division
11 shall apply to the Desert Healthcare District following its
12 reorganization, except as provided in this chapter.

1 (b) (1) On or before January 5, 2017, the Board of Supervisors
2 of the County of Riverside shall file a resolution of application
3 with the Riverside County Local Agency Formation Commission,
4 pursuant to subdivision (a) of Section 56654 of the Government
5 Code, to initiate proceedings by the Riverside County Local
6 Agency Formation Commission for the purpose of expanding the
7 Desert Healthcare District to include the East Coachella Valley
8 region. The expanded district shall include all communities served
9 by the Desert Healthcare District as of the date of the filing of the
10 resolution of application, and shall also include, but not be limited
11 to, the communities of Indian Wells, La Quinta, Indio, and
12 Coachella, and the unincorporated areas of Bermuda Dunes, Mecca,
13 Thermal, Oasis, North Shore, and Vista Santa Rosa. The resolution
14 of application shall comply with Section 56652 of the Government
15 Code and shall specify the source of funding for the expanded
16 district. ~~The board of supervisors~~ *Desert Healthcare District* shall
17 pay any fees associated with the resolution of application.

18 (2) The Riverside County Local Agency Formation Commission
19 proceeding shall be deemed initiated on the date the resolution of
20 application is accepted for filing. Subsequent to initiation of the
21 proceeding, the commission shall hold a hearing pursuant to
22 Section 56666 of the Government Code. The commission shall
23 comply with the notice requirements of Sections 56660 and 56661
24 of the Government Code in connection with the hearing.

25 (3) The Riverside County Local Agency Formation Commission
26 shall complete its proceedings and direct the election required by
27 paragraph (2) of subdivision (c) no later than 150 days following
28 receipt of the completed resolution of application. Notwithstanding
29 any other law, the Riverside County Local Agency Formation
30 Commission shall not have the power to disapprove the resolution
31 of application.

32 (4) Notwithstanding any other law, the resolution of application
33 filed by the board of supervisors pursuant to this subdivision shall
34 not be subject to any protest proceedings.

35 (c) (1) The Riverside County Local Agency Formation
36 Commission shall order the expansion of the district subject to a
37 vote of the registered voters residing within the territory to be
38 annexed at an election following the completion of proceedings
39 pursuant to subdivision (b). The commission may condition the
40 annexation on the district's imposition of sufficient revenues to

1 provide services within the territory to be annexed, including, but
2 not limited to, the concurrent approval of special taxes or benefit
3 assessments that will generate those sufficient revenues.

4 (2) The Riverside County Local Agency Formation Commission
5 shall direct the board of supervisors to direct county officials to
6 conduct the necessary election for approval of district expansion
7 by placing approval of district expansion, pursuant to subdivision
8 (d) of Section 57118 of the Government Code, and approval of
9 any necessary funding source for the expanded district that requires
10 voter approval on the ballot at the next countywide election.

11 (3) If a majority of the voters within the territory ordered to be
12 annexed vote in favor of the expanded district and if a number of
13 voters required under applicable law to approve any necessary
14 funding source that requires voter approval vote in favor of that
15 funding source, the district shall be expanded in accordance with
16 this chapter.

17 (4) *The district shall pay to the county the actual cost of the*
18 *services rendered in conducting the election.*

19 (d) The Cortese-Knox-Hertzberg Local Government
20 Reorganization Act of 2000 (Division 3 (commencing with Section
21 56000) of Title 5 of the Government Code) shall not apply to the
22 expansion of the district pursuant to subdivisions (b) and (c), except
23 as specified in this part. The act shall apply to any other change
24 of organization or reorganization as defined in that act, following
25 the reorganization of the district pursuant to this section.

26 (e) As used in this chapter, “district” means the Desert
27 Healthcare District.

28 ~~32496.~~

29 32499.2. (a) Thirty days after the expansion of the district,
30 and notwithstanding Sections 32100.01 and 32100.02, the Board
31 of Directors of the Desert Healthcare District shall adopt a
32 resolution to increase the number of members of its board of
33 directors from five to seven without the necessity of a petition or
34 approval thereof by voters residing within the district. The
35 resolution shall become effective on the date of, and subject to any
36 conditions specified in, the resolution.

37 (b) The additional vacancies created by the expansion shall be
38 filled by appointment by the board of directors. A person appointed
39 to fill a vacancy created by subdivision (a) shall be a registered

1 voter and a resident of the territory annexed by the district pursuant
2 to Section ~~32494~~. 32499.

3 (c) Upon appointment, the board shall, by lot, designate one
4 member appointed pursuant to subdivision (a) who shall leave
5 office when his or her successor takes office pursuant to Section
6 10554 of the Elections Code, and one member appointed pursuant
7 to subdivision (a) who shall leave office two years thereafter.

8 (d) A vacancy in one or both of the board positions created by
9 subdivision (a) after the first appointments to those positions
10 pursuant to subdivision (b) shall be filled by the methods prescribed
11 in Section 1780 of the Government Code.

12 (e) This section shall only become operative if the Desert
13 Healthcare District is expanded in accordance with Section ~~32494~~.
14 32499.

15 SEC. 2. The Legislature finds and declares that a special law
16 is necessary and that a general law cannot be made applicable
17 within the meaning of Section 16 of Article IV of the California
18 Constitution because of the unique community needs in Riverside
19 County that would be served by the expansion of the Desert
20 Healthcare District to include the entire Coachella Valley region,
21 including limited access in the eastern Coachella Valley to health
22 care services by an underserved population that suffers from a
23 higher than average prevalence of preventable disease.

24 SEC. 3. If the Commission on State Mandates determines that
25 this act contains costs mandated by the state, reimbursement to
26 local agencies and school districts for those costs shall be made
27 pursuant to Part 7 (commencing with Section 17500) of Division
28 4 of Title 2 of the Government Code.