

Assembly Bill No. 1820

Passed the Assembly August 31, 1996

Chief Clerk of the Assembly

Passed the Senate August 23, 1996

Secretary of the Senate

This bill was received by the Governor this ___ day
of _____, 1996, at ___ o'clock __M.

Private Secretary of the Governor

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CHAPTER ____

An act relating to redevelopment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1820, McPherson. Redevelopment: replacement dwelling units.

Existing law, known as the Community Redevelopment Law, authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined, in blighted areas of those communities known as project areas. Existing provisions of the Community Redevelopment Law require that, whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low- and moderate-income housing market as part of a redevelopment project, the redevelopment agency shall, within 4 years of the destruction or removal, provide an equal number of replacement dwelling units that have an equal or greater number of bedrooms as those destroyed or removed units, as specified. Existing provisions of the Community Redevelopment Law require that the redevelopment agency prepare a feasible method or plan for relocation of families and persons to be temporarily or permanently displaced from housing facilities, or nonprofit local community institutions to be temporarily or permanently displaced from facilities actually used, in the project area, and require the legislative body of the community to ensure that the method or plan for relocation shall provide that no persons or families of low or moderate income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy.

Existing law also requires public entities, as defined, to give relocation advisory assistance and provide payments to specified recipients in connection with acquisition of real property for public use or the rehabilitation or demolition of property or other displacing activity of the public entity.



This bill would, if the City of Marina or the Redevelopment Agency of the City of Marina leases from the United States Department of the Army, either or both of the housing units known as the Preston Park and Abrams Park Units, and subleases all or some of the dwelling units in those housing units to low- or moderate-income persons, with respect to those dwelling units, exempt the redevelopment agency from the replacement housing requirements of these provisions, and exempt the City of Marina and the redevelopment agency from the relocation requirements of these provisions, as a consequence of the redevelopment agency subleasing property to persons of low and moderate income during the term of the lease with the United States Department of the Army.

This bill would make findings and declarations of the Legislature regarding the necessity to enact a special statute.

This bill would further provide that, if either the City of Marina or the Redevelopment Agency of the City of Marina, or both, become exempt from the replacement housing requirements and the relocation requirements of existing law, as a consequence of actions taken pursuant to this bill, the City of Marina, without reimbursement from the state, shall conduct a study of the implementation of the provisions of this bill and would require the mayor, on or before January 1, 2000, to submit a report to the Legislature, as specified.

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

SECTION 1. (a) Notwithstanding any other provision of law, if the City of Marina or the Redevelopment Agency of the City of Marina leases from the United States Department of the Army, either or both of the housing units known as the Preston Park and Abrams Park Units, and subleases all or some of the dwelling units in those housing units to low- or moderate-income persons, then, with respect to those dwelling units, the redevelopment agency shall not be



subject to the replacement housing requirements pursuant to Section 33413 of the Health and Safety Code, and neither the city nor the redevelopment agency shall be subject to the relocation requirements of Sections 33411 and 33411.1 of the Health and Safety Code and Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 of the Government Code as a consequence of the redevelopment agency subleasing those dwelling units to persons of low and moderate income during the term of the lease with the United States Department of the Army.

(b) If either the City of Marina or the Redevelopment Agency of the City of Marina, or both, become exempt from the replacement housing requirements set forth in Section 33413 of the Health and Safety Code, and the relocation requirements of Sections 33411 and 33411.1 of the Health and Safety Code and Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 of the Government Code as a consequence of actions taken pursuant to subdivision (a), the City of Marina, without reimbursement from the state, shall conduct a study of the implementation of this act and the Mayor of the City of Marina, without reimbursement from the state, on or before January 1, 2000, shall submit a report to the Legislature containing, at a minimum, the following information:

(1) The number of dwelling units leased by the City of Marina or the Redevelopment Agency of the City of Marina from the United States Department of the Army in each month between January 1, 1997, and December 31, 1999.

(2) The number of those dwelling units subleased to low- or moderate-income persons in each month between January 1, 1997, and December 31, 1999.

(3) The number of those dwelling units that, but for this act, would have been subject to the replacement housing requirements pursuant to Section 33413 of the Health and Safety Code in each month between January 1, 1997, and December 31, 1999.



(4) The number of those dwelling units that, but for this act, would have been subject to the relocation requirements of Sections 33411 and 33411.1 of the Health and Safety Code and Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 of the Government Code.

(5) Based on this information, any recommendations for the termination, continuation, or modification of this act.

SEC. 2. The Legislature finds and declares that, because of the unique circumstances applicable to the City of Marina and the Redevelopment Agency of the City of Marina as set forth in Section 1 of this act, a statute of general applicability cannot be enacted within the meaning of subdivision (b) of Section 16 of Article IV of the California Constitution.

The adoption of this act makes feasible the lease of housing areas from the United States Department of the Army by local government to make more housing available to the public on an interim basis.



Approved _____, 1996

Governor

