

Assembly Bill No. 1997

CHAPTER 234

An act to add Section 56111.12 to the Government Code, and to amend Section 99231 of the Public Utilities Code, relating to annexation, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 20, 1996. Filed with Secretary of State July 22, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1997, House. Annexation: City of Chowchilla.

Existing law permits a city to annex noncontiguous territory within the county in which the city is located, under specified conditions.

This bill would provide that notwithstanding existing law, upon approval by the local agency formation commission, and subject to enumerated conditions, the City of Chowchilla may annex noncontiguous territory of not more than 1,280 acres, located in the County of Madera and which constitutes state correctional facilities.

The bill would provide that if, after the completion of the annexation, the state sells that territory or any part thereof, all of the territory which is no longer owned by the state shall cease to be part of the City of Chowchilla.

The bill would also provide that if territory is annexed, the city may not annex any territory not owned by the state and not contiguous to the city although the territory is contiguous to the territory annexed by the provisions of the bill.

The bill would provide that when territory ceases to be part of the city pursuant to these provisions, the legislative body of the city shall adopt a resolution, as specified, conforming the detachment of that territory from the city.

The bill would specify that if territory annexed to the city becomes contiguous to the city, its limitations concerning the annexation of the territory would not apply.

Under the Mills-Alquist-Deddeh Act, all transit operators and city or county governments with responsibility for providing municipal services to a given area collectively, are authorized to file claims with the transportation planning agency for only those funds that represent that area's apportionment, as defined, in the local transportation fund.

This bill would define the term "area," for purposes of apportioning funds for the County of Madera to include specified prisons even if annexed by the City of Chowchilla.

This bill would declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 56111.12 is added to the Government Code, to read:

56111.12. (a) Notwithstanding Section 56110, upon approval of the commission, the City of Chowchilla may annex noncontiguous territory of not more than 1,280 acres in size located in the County of Madera and which constitutes state correctional facilities. If, after completion of the annexation, the State of California sells that territory or any part thereof, all of the territory that is no longer owned by the state shall cease to be part of the City of Chowchilla.

(b) If territory is annexed pursuant to this section, the city may not annex any territory not owned by the State of California and not contiguous to the city although that territory is contiguous to the territory annexed pursuant to this section.

(c) When territory ceases to be part of the city pursuant to this section, the legislative body of the city shall adopt a resolution confirming the detachment of that territory from the city. The resolution shall describe the detached territory and shall be accompanied by a map indicating the territory. Immediately upon adoption of the resolution, the city clerk shall make any filing provided for by Chapter 8 (commencing with Section 57200) of Part 4 of Division 3.

(d) If territory annexed to the City of Chowchilla pursuant to this section becomes contiguous to the city, the limitations imposed by this section shall cease to apply.

SEC. 2. Section 99231 of the Public Utilities Code is amended to read:

99231. All operators and city or county governments with responsibility for providing municipal services to a given area collectively may file claims for only those moneys that represent that area's apportionment.

The term "apportionment" has reference to that proportion of the total annual revenue anticipated to be received in the fund that the population of the area bears to the total population of the county.

The term "area" means:

(a) With reference to a transit district, the entire area stated in its enabling legislation or franchise, excluding cities therein which have retained the right to join the district at a later time.

(b) With reference to a transit development board, the entire area stated in its enabling legislation, including the municipalities therein which operated bus systems prior to the creation of the board and subsequently conveyed those systems to the board.



(c) With reference to a county government, the unincorporated area of the county.

(d) With reference to a city government, the corporate area of the city.

(e) With reference to the City and County of San Francisco and the Counties of Alameda and Contra Costa, the unincorporated area thereof (and with reference to a city in those counties, the corporate area of the city) which is outside the area of the Alameda-Contra Costa Transit District and which is not receiving adequate local public transportation services, as determined by the Metropolitan Transportation Commission pursuant to subdivision (b) of Section 99207.

(f) Where a transit district, a transit development board, or a county or city, provides public transportation services beyond its boundaries, its area, for purposes of this section, shall also include:

(1) All of that area within one-half mile of any route which extends beyond its boundaries.

(2) All of the corporate area of a city to which it provides those services pursuant to contract or prior express authority of the secretary.

The transportation planning agency may rely, in its determination of populations, on estimates which are used by the Controller for distributing money to cities under Section 2107 of the Streets and Highways Code and to counties under Section 11005 of the Revenue and Taxation Code, and may contract with the Department of Finance or other appropriate state agency for an annual determination of those population estimates as may be necessary.

(g) With reference to the County of Riverside, the area within the jurisdiction of the transit operator established by the joint exercise of powers of one or more cities and the County of Riverside. The area within the jurisdiction of the transit operator shall be as it existed on January 1, 1981, as determined by the Riverside County Transportation Commission.

(h) With reference to the County of San Bernardino, the area within the jurisdiction of the transit operator established by the joint exercise of powers of one or more cities, including the most populous city, and the County of San Bernardino. The area within the jurisdiction of the transit operator shall be as it existed on January 1, 1985, as determined by the San Bernardino County Transportation Commission.

(i) With reference to the County of Monterey, the area including the Correctional Training Facility-Soledad even if annexed by the City of Soledad.

(j) With reference to the County of Del Norte, the area including the Pelican Bay State Prison, even if annexed by the City of Crescent City.



(k) With reference to the County of Imperial, the area including the Calipatria State Prison, even if annexed by the City of Calipatria.

(l) With reference to the County of Lassen, the area including the California Correctional Center, even if annexed by the City of Susanville.

(m) With reference to the County of Riverside, the area including the Chuckawalla Valley State Prison, even if annexed by the City of Blythe.

(n) With reference to the County of Imperial, the area including the California State Prison-Imperial County (South), even if annexed by either the City of El Centro or the City of Imperial.

(o) With reference to the County of Madera, the area including the Central California Women's Facility and the Valley State Prison for Women, even if annexed by the City of Chowchilla.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that the annexation application for the subject state-owned prison property may be timely heard and decided and the benefits thereof be realized as soon as possible by the City of Chowchilla and the County of Madera, which benefits will help to offset the serious financial impact on those agencies caused by, among other things, the increased demand for social and other services made necessary by the location of the prison facilities in the County of Madera, it is necessary that this act take effect immediately.

