

AMENDED IN SENATE AUGUST 8, 1997
AMENDED IN SENATE AUGUST 4, 1997
AMENDED IN SENATE JUNE 30, 1997
AMENDED IN SENATE JUNE 10, 1997
AMENDED IN ASSEMBLY APRIL 21, 1997
AMENDED IN ASSEMBLY APRIL 14, 1997
AMENDED IN ASSEMBLY MARCH 19, 1997
AMENDED IN ASSEMBLY MARCH 11, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 62

**Introduced by Assembly Members McClintock and
Hertzberg**
(Coauthor: Senator Rosenthal)

December 3, 1996

An act to amend Section 57079 of, and to add Sections 56082, ~~56650.1~~, 56656, 57103.1, 57132.5, and 57176.1 to, the Government Code, relating to local government organization.

LEGISLATIVE COUNSEL'S DIGEST

AB 62, as amended, McClintock. Local government organization.

Under the Cortese-Knox Local Government Reorganization Act of 1985, if the proposed change of

organization is a city detachment, the conducting authority, not more than 30 days after its hearing on the matter, may by resolution terminate detachment proceedings. If a proposed reorganization includes the detachment of territory from any city, the conducting authority, not more than 30 days after the hearing, is required to terminate the proceeding if a resolution or written protest against the reorganization is filed prior to the conclusion of the hearing by any city from which territory would be detached or removed.

The bill would provide that the above provisions shall not apply to a special reorganization, as defined. It would specify the election requirements for a special reorganization, as well as the duties of the conducting authority with respect to a special reorganization.

This bill would establish the Special Commission on Los Angeles Boundaries, known as the “special commission” for purposes of the act, and would set forth the membership and duties of the commission.

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

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

1 SECTION 1. Section 56082 is added to the
2 Government Code, to read:

3 56082. “Special reorganization” means a
4 reorganization that includes the detachment of territory
5 from a city or city and county and the incorporation of
6 that entire detached territory as a city.

7 SEC. 2. Section 56656 is added to the Government
8 Code, to read:

9 56656. (a) Notwithstanding any other provision of
10 this division, proceedings for a special reorganization
11 shall be conducted pursuant to this section. In the event
12 of any conflict between this section and the provisions of
13 this division, this section shall prevail.

14 (b) There is created the Special Commission on Los
15 Angeles Boundaries, which shall consist of eight
16 members. On or before January 15, 1998, the Governor
17 shall appoint two members, the Speaker of the Assembly



1 shall appoint one member, and the Senate Committee on
2 Rules shall appoint one member to the special
3 commission from lists of nominees submitted by
4 community groups whose members reside within the San
5 Fernando Valley. On or before January 15, 1998, the City
6 Council of the City of Los Angeles shall appoint four
7 members to the special commission.

8 (c) Notwithstanding any other provision of this
9 division or Section 7550.5, on or before October 1, 1998,
10 the special commission shall issue a report with
11 recommendations to the Local Agency Formation
12 Commission of the County of Los Angeles, the City
13 Council of the City of Los Angeles, the Board of
14 Supervisors of the County of Los Angeles, the Governor,
15 and the Legislature regarding the feasibility and
16 desirability of a special reorganization that consists of the
17 detachment of territory consisting of all of the San
18 Fernando Valley from the City of Los Angeles and the
19 incorporation of that entire detached territory as a city.
20 The report shall include, but not be limited to:

21 (1) A comprehensive fiscal analysis that substantially
22 complies with Section 56833.1.

23 (2) The amount of property tax revenue that would be
24 exchanged pursuant to Section 56842.

25 (3) The provisional appropriations limit that would be
26 determined pursuant to Section 56842.6.

27 (4) Any terms and conditions that would be imposed
28 pursuant to Sections 56843, 56844, and 56845.

29 (5) Any other matters that the special commission
30 deems relevant.

31 (d) Any of the following may occur before the special
32 commission issues the report required by subdivision (c):

33 (1) A special reorganization may be initiated.

34 (2) The Local Agency Formation Commission of the
35 County of Los Angeles may conduct commission
36 proceedings for a special reorganization.

37 (3) The conducting authority may conduct
38 proceedings.

39 (4) An election may be conducted.

40 (5) A special reorganization may be completed.



1 (e) The special commission shall conduct public
2 meetings to solicit the views and advice of the public,
3 including elected and appointed local officials, regarding
4 city organization and boundaries in the County of Los
5 Angeles.

6 (f) The special commission shall select a chair and vice
7 chair from among its membership.

8 (g) The members of the special commission shall be
9 reimbursed for their actual and necessary expenses for
10 attending the meetings of the special commission. The
11 special commission may authorize a payment of a per
12 diem not to exceed one hundred dollars (\$100) to the
13 members of the special commission for each day they are
14 in attendance at meetings of the special commission. The
15 per diem may be in addition to the reimbursement for
16 actual and necessary expenses. The special commission
17 may appoint employees, including counsel, define their
18 qualifications and duties, and provide compensation for
19 the performance of their duties. The special commission
20 may contract with any other public or private agency for
21 any services necessary to carry out the purposes of this
22 section. The cost of the quarters, equipment, supplies,
23 and operating expenses incurred by the special
24 commission shall not be a county charge, but shall be paid
25 by the special commission from appropriations made for
26 this purpose by the Legislature.

27 (h) As used in this section:

28 (1) "San Fernando Valley" means the territory
29 included within the San Fernando Valley Statistical Area,
30 as defined pursuant to Section 11093.

31 (2) "Special commission" means the Special
32 Commission on Los Angeles Boundaries created pursuant
33 to subdivision (b).

34 ~~(3) "Special reorganization" means a reorganization
35 that includes the detachment of territory from the City
36 of Los Angeles and the incorporation of that entire
37 detached territory as a city.~~

38 (i) This section shall only be implemented to the
39 extent that funds for that purpose are appropriated in the
40 annual Budget Act.



1 SEC. 3. Section 57079 of the Government Code is
2 amended to read:

3 57079. (a) Notwithstanding Sections 57075 and
4 57078, if the proposed change of organization is a city
5 detachment, the conducting authority, not more than 30
6 days after the conclusion of the hearing, may by
7 resolution terminate the detachment proceedings.

8 (b) Notwithstanding Sections 57075, 57077, and 57078,
9 if a proposed reorganization includes the detachment of
10 territory from any city, the conducting authority, not
11 more than 30 days after conclusion of the hearing, shall
12 terminate the proceeding if a resolution or written
13 protest against the reorganization is filed prior to the
14 conclusion of the hearing by any city from which any
15 portion of the territory of the city would be detached or
16 removed pursuant to the reorganization.

17 (c) This section shall not apply to a special
18 reorganization.

19 SEC. 4. Section 57103.1 is added to the Government
20 Code, to read:

21 57103.1. Notwithstanding Section 57103, in any
22 resolution ordering a special reorganization, the
23 conducting authority shall call an election in both of the
24 following territories:

25 (a) The territory ordered to be detached from the city.

26 (b) The entire territory of the city from which the
27 detachment is ordered to occur.

28 SEC. 5. Section 57132.5 is added to the Government
29 Code, to read:

30 57132.5. Notwithstanding Section 57132, the election
31 on the question of a special reorganization shall be called
32 and held at the next regular primary or general election
33 occurring in an even-numbered year at least 88 days after
34 the date on which the resolution calling the election was
35 adopted.

36 SEC. 6. Section 57176.1 is added to the Government
37 Code, to read:

38 57176.1. Notwithstanding subdivision (a) of Section
39 57176, the conducting authority shall adopt, within 30
40 days of the canvass of the election, a resolution confirming



1 a special reorganization if a majority of votes cast upon
2 the question are in favor of the special reorganization in
3 both of the following circumstances:

4 (a) An election called in the territory ordered to be
5 detached from the city.

6 (b) An election called in the entire territory of the city
7 from which the detachment is ordered to occur.

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