

AMENDED IN SENATE MAY 12, 1997

**SENATE BILL**

**No. 883**

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**Introduced by Committee on Local Government (Senators Craven (Chair), Ayala, Calderon, Johnston, Kopp, Rainey, and Watson)**

February 27, 1997

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An act to amend Section 4106 of the Food and Agricultural Code, to amend Sections 25332, 25843, ~~and 56706 of, and 53635.7, and 56706 of~~, to amend and renumber Section 25526.6 of, *and to repeal Chapter 3.5 (commencing with Section 55530) of Part 2 of Division 2 of Title 5 of*, the Government Code ~~and to amend Sections 32, 150, and 153 of Chapter 303 of the Statutes of 1951 Code~~, relating to the Local Government Omnibus Act of 1997.

LEGISLATIVE COUNSEL'S DIGEST

SB 883, as amended, Committee on Local Government. Local Government Omnibus Act of 1997.

Existing law provides for the Sixth District Agricultural Association, which is known as the California Science Center.

Existing law relating to the government of counties authorizes the Boards of Supervisors of Butte, Los Angeles, Merced, Orange, San Bernardino, and Ventura Counties to contract with private enterprise to provide services that require special experience, education, and training possessed by the county, and to charge a fee for these services.

Existing law authorizes the establishment by boards of supervisors of safety programs designed to encourage county officers and employees to follow recognized safety practices.

~~Existing law establishes the Fairfield-Suisun Sewer District and makes specified county officers ex officio officers of the district, and creates a district fund in the Solano County Treasury.~~

*Existing law requires a local legislative body to discuss, consider, and deliberate each decision that involves borrowing in the amount of \$100,000 or more.*

*The Crossing Guard Maintenance District Act of 1974 prescribes the organization of crossing guard maintenance districts.*

This bill, the Local Government Omnibus Act of 1997, would declare the intent of the Legislature to combine several minor, noncontroversial statutory changes relating to public agencies into a single measure, in order to avoid waste and duplication, and to reduce operating costs by reducing the number of separate bills affecting related topics. The bill would make various technical and clarifying changes to existing law relating to local government.

In addition, this bill would prohibit the City of Los Angeles and the County of Los Angeles from imposing any tax upon tickets purchased authorizing the use of parking facilities owned by the California Science Center.

This bill would include Riverside County within the group of counties authorized to contract for special services in the manner described above. The bill would revise existing provisions relating to safety programs, including removing the \$20 limit on awards for these purposes.

~~This bill would delete county officers as ex officio officers of the Fairfield-Suisun Sewer District and would permit the district to establish a district treasury.~~

*This bill would specifically define “borrowing” for the purpose of the requirement that local legislative bodies discuss, consider, and deliberate each decision that involves borrowing.*

*This bill would repeal the Crossing Guard Maintenance District Act of 1974.*

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



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

1 SECTION 1. This act shall be known and may be cited  
2 as the Local Government Omnibus Act of 1997. The  
3 Legislature finds and declares that Californians desire  
4 their governments to be run efficiently and economically,  
5 and that public officials should avoid waste and  
6 duplication whenever possible. The Legislature further  
7 finds and declares that it desires to reduce its own  
8 operating costs by reducing the number of separate bills  
9 affecting related topics. Therefore, in enacting this act, it  
10 is the intent of the Legislature to combine several minor,  
11 noncontroversial statutory changes relating to public  
12 agencies into a single measure.

13 SEC. 2. Section 4106 of the Food and Agricultural  
14 Code, as amended by Chapter 841 of the Statutes of 1996,  
15 is amended to read:

16 4106. (a) The California Science Center shall work  
17 with the Los Angeles Memorial Coliseum Commission,  
18 the City of Los Angeles, and the County of Los Angeles  
19 to develop additional parking facilities in Exposition Park  
20 to the extent necessary to allow for expansion of the park.

21 (b) The California Science Center shall manage or  
22 operate its parking facilities in a manner that preserves  
23 and protects the interests of itself and the California  
24 African-American Museum and recognizes the cultural  
25 and educational character of Exposition Park.

26 (c) The first eight hundred thirty-two thousand seven  
27 hundred sixty-five dollars (\$832,765) of revenues  
28 received each year by the California Science Center from  
29 parking facilities, from rental of museum facilities, or  
30 from other business activities shall be deposited in the  
31 General Fund.

32 (d) (1) The Exposition Park Improvement Fund is  
33 hereby created in the State Treasury. All revenues  
34 received by the California Science Center from its  
35 parking facilities, from rental of museum facilities, or  
36 from other business activities, in excess of the eight  
37 hundred thirty-two thousand seven hundred sixty-five  
38 dollars (\$832,765) deposited each year in the General



1 Fund, shall be deposited in the Exposition Park  
2 Improvement Fund.

3 (2) Notwithstanding subdivision (c), for the 1996-97  
4 fiscal year only, all revenues received by the museum  
5 during that fiscal year from the sources described in  
6 paragraph (1) shall be deposited in the Exposition Park  
7 Improvement Fund.

8 (e) The moneys in the Exposition Park Improvement  
9 Fund may only be used, upon appropriation by the  
10 Legislature, for improvements to Exposition Park,  
11 including, but not limited to, maintenance of existing  
12 parking and museum facilities, replacement of museum  
13 equipment, supplies and wages expended to generate  
14 revenues from rental of museum facilities, development  
15 of new parking facilities and acquisition of land within or  
16 adjacent to Exposition Park.

17 (f) The Legislature hereby finds and declares that  
18 there is a need for development of additional park,  
19 recreation, museum, and parking facilities in Exposition  
20 Park. The Legislature recognizes that the provision of  
21 these needed improvements as identified in the  
22 California Science Center Exposition Park Master Plan  
23 may require the use of funds provided by other  
24 governmental agencies or private donors.

25 The California Science Center may accept funds from  
26 other governmental agencies or private contributions for  
27 the purpose of implementation of the California Science  
28 Center Exposition Park Master Plan. The private  
29 contributions and funds from governmental agencies  
30 other than state governmental agencies shall be  
31 deposited in the Exposition Park Improvement Fund in  
32 the State Treasury and shall be available for expenditure  
33 without regard to fiscal years by the California Science  
34 Center for implementation of the California Science  
35 Center Exposition Park Master Plan. Funds from other  
36 state governmental agencies shall be deposited in the  
37 Exposition Park Improvement Fund and shall be  
38 available for expenditure, upon appropriation, by the  
39 California Science Center for implementation of the  
40 California Science Center Exposition Park Master Plan.



1 However, any expenditure is not authorized sooner than  
2 30 days after notification in writing of the necessity  
3 therefor to the chairperson of the committee in each  
4 house that considers appropriations and the Chairperson  
5 of the Joint Legislative Budget Committee, or not sooner  
6 than whatever lesser time as the chairperson of the joint  
7 committee, or his or her designee, may in each instance  
8 determine.

9 (g) Neither the City of Los Angeles nor the County of  
10 Los Angeles shall impose any tax upon tickets purchased  
11 authorizing the use of parking facilities owned by the  
12 California Science Center.

13 SEC. 3. Section 25332 of the Government Code is  
14 amended to read:

15 25332. (a) The Boards of Supervisors of Butte, Los  
16 Angeles, Merced, Orange, Riverside, San Bernardino,  
17 and Ventura Counties may enter into contracts with  
18 private enterprise to provide services that require special  
19 experience, education, and training that the county  
20 possesses. In addition, the Boards of Supervisors of Butte,  
21 Los Angeles, Merced, Orange, Riverside, San Bernardino,  
22 and Ventura Counties may charge a fee for these optional  
23 services and enhanced services provided to the public  
24 that require special experience, education, training, or  
25 facilities that the county possesses.

26 These services shall be limited to the production and  
27 dissemination of training materials, leasing of training  
28 facilities, or provision of training or consulting services  
29 resulting from the special or unique experiences derived  
30 from the magnitude, diversity, or distinctive nature of the  
31 county's services such as law enforcement, fire  
32 protection, public health care, welfare and public social  
33 programs, and public works projects, and the acquisition  
34 and management of real and personal property.

35 (b) Prior to entering into a contract pursuant to this  
36 section, the board of supervisors shall find, based on  
37 evidence in record, that the provision of the special  
38 service described in the proposed contract will not  
39 adversely impact the provision of similar services by



1 private sector companies or individuals within the  
2 county.

3 (c) This section shall be operative on January 1, 1997.

4 SEC. 4. Section 25526.6 of the Government Code, as  
5 added by Chapter 482 of the Statutes of 1995, is amended  
6 and renumbered to read:

7 25526.7. Whenever the board of supervisors of a  
8 county containing a population of 6,000,000 or more  
9 determines that any real property or interest therein  
10 belonging to the county is no longer necessary for county  
11 or other public purposes, and its estimated sales price  
12 does not exceed one hundred thousand dollars  
13 (\$100,000), the county may sell, exchange, quitclaim, or  
14 convey that real property or interest therein in the  
15 manner and upon the terms and conditions approved by  
16 the board of supervisors without complying with any  
17 other sections in this article. The board of supervisors  
18 may, by ordinance, designate any county officer or  
19 officers, as are deemed appropriate, to execute sales of  
20 the real property or interest therein, provided that a  
21 notice of intention that the county officer or officers will  
22 execute the sale shall be posted in a public place for five  
23 working days prior to effecting the transfer and, at least  
24 10 days prior to effecting the transfer, the notice shall be  
25 published pursuant to Section 6061 in one or more  
26 newspapers of general circulation within the county and  
27 shall be mailed to any person requesting special notice, to  
28 any present tenant of the property, and to all owners of  
29 land adjoining the property. These sales shall be subject  
30 to final approval by the board of supervisors.

31 SEC. 5. Section 25843 of the Government Code is  
32 amended to read:

33 25843. The board of supervisors may establish safety  
34 incentive programs designed to encourage county  
35 officers and employees to follow recognized safety  
36 practices and focus upon policies and activities  
37 established to reduce the incidence of occupational injury  
38 and its associated costs, and may expend funds for  
39 incentives and awards when manager or employee  
40 efforts have produced quantitatively measurable results



1 in reduction of the incidence rate of occupational injury,  
2 or the costs directly associated with occupational injury,  
3 or both.

4 SEC. 6. *Section 53635.7 of the Government Code is*  
5 *amended to read:*

6 53635.7. In making any decision that involves  
7 borrowing in the amount of one hundred thousand dollars  
8 (\$100,000) or more, the legislative body of the local  
9 agency shall discuss, consider, and deliberate each  
10 decision as a separate item of business on the agenda of  
11 its meeting as prescribed in Chapter 9 (commencing with  
12 Section 54950). *For purposes of this section, "borrowing"*  
13 *means the creation of an indebtedness in conjunction*  
14 *with an investment specified in Section 53601 or Section*  
15 *53635.*

16 SEC. 7. *Chapter 3.5 (commencing with Section*  
17 *55530) of Part 2 of Division 2 of Title 5 of the Government*  
18 *Code is repealed.*

19 SEC. 8. Section 56706 of the Government Code is  
20 amended to read:

21 56706. Within 30 days after the date of receiving a  
22 petition, the executive officer shall, if any processing fee  
23 established pursuant to Section 56383 has been paid, cause  
24 the petition to be examined and shall prepare a certificate  
25 of sufficiency indicating whether the petition is signed by  
26 the requisite number of signers.

27 If the certificate of the executive officer shows the  
28 petition to be insufficient, the executive officer shall  
29 immediately give notice by certified mail of the  
30 insufficiency to the chief petitioners, if any. That mailed  
31 notice shall state in what amount the petition is  
32 insufficient. Within 15 days after the date of the notice of  
33 insufficiency, a supplemental petition bearing additional  
34 signatures may be filed with the executive officer.

35 Within 10 days after the date of filing a supplemental  
36 petition, the executive officer shall examine the  
37 supplemental petition and certify in writing the results of  
38 his or her examination.

39 A certificate of sufficiency shall be signed by the  
40 executive officer and dated. That certificate shall also



1 state the minimum signature requirements for a  
2 sufficient petition and show the results of the executive  
3 officer’s examination. The executive officer shall mail a  
4 copy of the certificate of sufficiency to the chief  
5 petitioners, if any.

6 ~~SEC. 7. Section 32 of Chapter 303 of the Statutes of~~  
7 ~~1951 is amended to read:~~

8 ~~32. The board may, in its discretion, establish a district~~  
9 ~~treasury.~~

10 ~~SEC. 7.1. Section 150 of Chapter 303 of the Statutes of~~  
11 ~~1951 is amended to read:~~

12 ~~150. There is created in the county treasury of Solano~~  
13 ~~County a fund entitled the “Fairfield Suisun Sewer~~  
14 ~~District General Fund,” and the treasurer shall place and~~  
15 ~~keep the money levied by the board in that fund or in a~~  
16 ~~separate fund maintained in the treasury of either of the~~  
17 ~~cities, or of the district, as determined by the board.~~

18 ~~SEC. 7.2. Section 153 of Chapter 303 of the Statutes of~~  
19 ~~1951 is amended to read:~~

20 ~~153. There is created in the county treasury of Solano~~  
21 ~~County, or at the discretion of the board, in the treasury~~  
22 ~~of the district, a fund called the “Fairfield Suisun Sewer~~  
23 ~~District Bond Fund, Series \_\_,” (inserting series~~  
24 ~~number) in which the treasurer shall keep money levied~~  
25 ~~by the board for that fund.~~

