

**Senate Bill No. 883**

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Passed the Senate      September 5, 1997

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*Secretary of the Senate*

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Passed the Assembly      August 28, 1997

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_ day  
of \_\_\_\_\_, 1997, at \_\_\_\_ o'clock \_\_M.

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*Private Secretary of the Governor*

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## CHAPTER \_\_\_\_\_

An act to amend Sections 25332, 25843, 26220, 50274, 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 to amend Sections 32, 150, and 153 of, and to add Sections 156 and 157 to, the Fairfield-Suisun Sewer District Act (Chapter 303 of the Statutes of 1951), to amend Sections 3 and 6 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952, First Extraordinary Session), and to amend Section 201 of the Colusa Basin Drainage District Act (Chapter 1399 of the Statutes of 1987), relating to the Local Government Omnibus Act of 1997.

## LEGISLATIVE COUNSEL'S DIGEST

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

Existing law authorizes a county board of supervisors to lend its available funds to any of specified districts to enable the district to perform its functions and meet its obligations.

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 permits a county board of supervisors by a  $\frac{4}{5}$  vote to assign to a state licensed collection agency for collection delinquent bills, claims, and accounts.

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 creates in any county containing 2 or more cities a city selection committee to appoint city



representatives to boards, commissions, and agencies as required by law.

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

Existing law establishes the Vallejo Sanitation and Flood Control District which is governed by a board of 8 trustees appointed by specified methods.

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

Existing law requires the boards of supervisors of Colusa, Glenn, and Yolo Counties to each appoint a director to the governing board of the Colusa Basin Drainage District.

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.

This bill would include Riverside County and Santa Clara 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 the requirement that the collection agency assigned the county bills, claims, and accounts be licensed by the state.

This bill would specify that in San Mateo County the city selection committee may be the same as San Mateo County's Council of Cities.

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



This bill would delete county officers as ex officio officers of the Fairfield-Suisun Sewer District, permit the governing board to establish a district treasury, and to appoint a district treasurer, as specified.

This bill would permit the Solano County Board of Supervisors to appoint an alternate to the Board of Trustees of the Vallejo Sanitation and Flood Control District.

This bill would specify that the boards of supervisors may appoint supervisors to the Board of Directors of the Colusa Basin Drainage District.

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

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

SEC. 2. Section 25332 of the Government Code is amended to read:

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



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

(b) Prior to entering into a contract pursuant to this section, the board of supervisors shall find, based on evidence in record, that the provision of the special service described in the proposed contract will not adversely impact the provision of similar services by private sector companies or individuals within the county.

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

SEC. 3. Section 25526.6 of the Government Code, as added by Chapter 482 of the Statutes of 1995, is amended and renumbered to read:

25526.7. Whenever the board of supervisors of a county containing a population of 6,000,000 or more determines that any real property or interest therein belonging to the county is no longer necessary for county or other public purposes, and its estimated sales price does not exceed one hundred thousand dollars (\$100,000), the county may sell, exchange, quitclaim, or convey that real property or interest therein in the manner and upon the terms and conditions approved by the board of supervisors without complying with any other sections in this article. The board of supervisors may, by ordinance, designate any county officer or officers, as are deemed appropriate, to execute sales of the real property or interest therein, provided that a notice of intention that the county officer or officers will execute the sale shall be posted in a public place for five working days prior to effecting the transfer and, at least 10 days prior to effecting the transfer, the notice shall be published pursuant to Section 6061 in one or more newspapers of general circulation within the county and



shall be mailed to any person requesting special notice, to any present tenant of the property, and to all owners of land adjoining the property. These sales shall be subject to final approval by the board of supervisors.

SEC. 4. Section 25843 of the Government Code is amended to read:

25843. The board of supervisors may establish safety incentive programs designed to encourage county officers and employees to follow recognized safety practices and focus upon policies and activities established to reduce the incidence of occupational injury and its associated costs, and may expend funds for incentives and awards when manager or employee efforts have produced quantitatively measurable results in reduction of the incidence rate of occupational injury, or the costs directly associated with occupational injury, or both.

SEC. 5. Section 26220 of the Government Code is amended to read:

26220. (a) The board of supervisors may, by a four-fifths vote of its members, assign for purposes of collection, under any terms and conditions that the board may prescribe, any or all delinquent bills, claims, and accounts, 30 days after the date upon which they are due and payable to the county, and any or all money judgments taken in the name of the county.

(b) The board of supervisors may, by a four-fifths vote of its members, and with the approval of the tax collector, assign for purposes of collection under such terms and conditions as the board may prescribe, any or all delinquent unsecured taxes 90 days after the date upon which they are due and delinquent when, in the judgment of the tax collector, the remedy set forth in Section 2951 of the Revenue and Taxation Code will not be used by the tax collector.

(c) The board of supervisors may assign, for purposes of securing any financing of the same, any obligations arising out of any delinquent assessments or taxes levied on the secured roll by the county or any other political subdivision of the state. No assignment to a collection



agency shall be made of obligations arising out of any delinquent assessments or taxes levied on the secured roll by the county or any other political subdivision of the state.

SEC. 6. Section 50274 of the Government Code is amended to read:

50274. (a) At the first organizational meeting of a city selection committee held pursuant to Section 50273, it shall select from among its members a permanent chairman and vice chairman, and such other officers as it deems necessary. The term of office of the chairman and vice chairman shall be not less than one year nor more than four years as determined in the rules and regulations adopted by a city selection committee pursuant to Section 50275. At least 60 days prior to the expiration of the term of office of the chairman and vice chairman, or as otherwise provided in the rules and regulations adopted by a city selection committee pursuant to Section 50275, the city selection committee shall meet and select a successor to the chairman and to the vice chairman.

(b) The officers of the County of San Mateo's City Selection Committee may be the same as San Mateo County's Council of Cities. Any person elected to serve as chairman, vice chairman, or officer may serve his or her entire term of office on San Mateo County's City Selection Committee, provided that the person continues to serve on a city council. If a city selection committee officer is not a mayor, that person may preside, but not vote on any matters before San Mateo County's City Selection Committee unless authorized pursuant to Section 50271.

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

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

56706. Within 30 days after the date of receiving a petition, the executive officer shall, if any processing fee established pursuant to Section 56383 has been paid, cause



the petition to be examined and shall prepare a certificate of sufficiency indicating whether the petition is signed by the requisite number of signers.

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

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

A certificate of sufficiency shall be signed by the executive officer and dated. That certificate shall also state the minimum signature requirements for a sufficient petition and show the results of the executive officer's examination. The executive officer shall mail a copy of the certificate of sufficiency to the chief petitioners, if any.

SEC. 9. Section 32 of the Fairfield-Suisun Sewer District Act (Chapter 303 of the Statutes of 1951) is amended to read:

32. The board may, in its discretion, establish a district treasury and appoint a district treasurer to serve at the pleasure of the district board.

SEC. 10. Section 150 of the Fairfield-Suisun Sewer District Act (Chapter 303 of the Statutes of 1951) is amended to read:

150. There is created in the treasury of either of the cities, or of the district, as determined by the board, a fund entitled the "Fairfield-Suisun Sewer District General Fund."

SEC. 11. Section 153 of the Fairfield-Suisun Sewer District Act (Chapter 303 of the Statutes of 1951) is amended to read:

153. There is created, at the discretion of the board, in the district treasury or in the treasury of either city, a



fund called the “Fairfield-Suisun Sewer District Bond Fund, Series \_\_,” (inserting series number) in which the treasurer shall keep money levied by the board for that fund.

SEC. 12. Section 156 is added to the Fairfield-Suisun Sewer District Act (Chapter 303 of the Statutes of 1951), to read:

156. The district treasurer or any other person authorized by the district board to fulfill the treasurer’s duties shall give bonds to the district conditioned for performance of their duties, fixed and approved by the governing body and that premium paid by the district.

SEC. 13. Section 157 is added to the Fairfield-Suisun Sewer District Act (Chapter 303 of the Statutes of 1951), to read:

157. Any investments made by the Fairfield-Suisun Sewer District shall be performed pursuant to Article 1 (commencing with Section 53600) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code.

SEC. 14. Section 3 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952, First Extraordinary Session) is amended to read:

Sec. 3. (a) The Vallejo Sanitation and Flood Control District shall be governed by, and under the control of, eight trustees. Seven of the trustees shall be the seven members of the Vallejo City Council. The eighth trustee shall be a member-at-large appointed pursuant to subdivision (b). Each city council member shall cease to be a trustee of the district, and his or her office on the board shall become vacant, at any time that he or she ceases to be a member of the Vallejo City Council.

(b) On or before the date of the first regular meeting of the district, the eighth member-at-large of the board of trustees shall be appointed by the Board of Supervisors of the County of Solano. The board may appoint one of the following persons to be the eighth trustee:

(1) A member of the Board of Supervisors of the County of Solano that represents Supervisorial District 1 or District 2.



(2) A public member who resides in the unincorporated area within the boundaries of the Vallejo Sanitation and Flood Control District.

(c) The Board of Supervisors of the County of Solano may appoint an alternate to the eighth member-at-large of the board of trustees. Appointment of the alternate shall be made pursuant to subdivision (b).

SEC. 15. Section 6 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952, First Extraordinary Session) is amended to read:

Sec. 6. (a) Each trustee of the district who is a member of the Vallejo City Council shall receive one hundred dollars (\$100) per month for his or her services as a trustee of the board and may receive his or her actual and necessary expenses incurred in the performance of his or her duties as trustee, payable from the funds of the district.

(b) The eighth member-at-large trustee, or alternate, shall receive one hundred dollars (\$100) for each district meeting attended, whether regular or special, and for any other meeting attended by that trustee, or alternate, at the request of the board as its representative. That trustee, or alternate, shall not, however, be compensated for more than three meetings, or three hundred dollars (\$300), in any calendar month. Additionally, that trustee, or alternate, may receive his or her actual and necessary expenses incurred in the performance of his or her duties as trustee or alternate.

(c) The trustees shall annually elect the following officers from among the trustees to serve for a term of one year: president, vice president, and secretary. These officers shall not receive any additional compensation for their services in their capacity as officers for the board. The finance director or the chief financial officer of the district shall be the treasurer of the district.

(d) The district shall remain a legal and political entity separate and apart from the City of Vallejo and shall enjoy all powers granted by this act without exception, including, but not limited to, its operational functions, appointment of staff, planning, financing and contractual



authority. The board may adopt and enforce reasonable rules and regulations, ordinances, and resolutions, for the administration and government of the district and to facilitate the exercise of its powers and duties, and exercise all police powers necessary for the maintenance, operation, preservation, use, and enjoyment of its works and facilities.

(e) The trustees shall maintain an office within the district for the transaction of the business of the district at which office all books, records, and papers of the district shall be maintained and shall be open to inspection during normal business hours.

(f) The trustees shall hold regular meetings, in compliance with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at those places and those times as the trustees shall, by resolution, prescribe.

SEC. 16. Section 201 of the Colusa Basin Drainage District Act (Chapter 1399 of the Statutes of 1987) is amended to read:

Sec. 201. (a) The Board of Supervisors of Colusa County, the Board of Supervisors of Glenn County, and the Board of Supervisors of Yolo County shall each appoint one person, who may be a supervisor, to serve as a director of the district for the term of office set forth in Section 205. Those persons shall serve at the pleasure of their respective boards of supervisors.

(b) The three directors initially appointed shall determine, by lot, the expiration dates for their initial terms. The terms of two directors shall expire on January 1, 1990, and the term of the other director shall expire on January 1, 1992. The terms shall expire on January 1 of the respective even-numbered year thereafter.



Approved \_\_\_\_\_, 1997

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*Governor*

