

AMENDED IN SENATE APRIL 20, 1999

AMENDED IN SENATE APRIL 6, 1999

**SENATE BILL**

**No. 223**

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**Introduced by Senator Kelley**

January 25, 1999

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An act to add Section 53395.9 to the Government Code, relating to infrastructure financing.

LEGISLATIVE COUNSEL'S DIGEST

SB 223, as amended, Kelley. Infrastructure financing: Salton Sea Authority.

Existing law authorizes counties and cities to form infrastructure financing districts, in accordance with a prescribed procedure, to finance public capital facilities utilizing a method of tax increment financing.

This bill would authorize the Salton Sea Authority, a joint powers authority, to utilize this law to form an infrastructure financing district to fund the construction of, and purchasing *electrical* power for, projects for the reclamation and environmental restoration of the Salton Sea.

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. (a) The Salton Sea is California's largest  
2 body of water and a critical link in the Pacific Fly-Way,

1 providing at least an interim habitat for more than half of  
2 the bird species found in the United States.

3 (b) The Salton Sea helps support the agricultural and  
4 tourism economies of the Imperial and Coachella Valleys,  
5 with *the* Salton Sea State Park being a destination of more  
6 than 200,000 visitors per year; in past years the park  
7 ranked second statewide in the number of visitors per  
8 annum.

9 (c) The Salton Sea's economic and environmental  
10 assets are at extreme peril as evidenced by the efforts of  
11 federal, state, local, and tribal governments to restore the  
12 sea to a sound and viable ecosystem.

13 (d) Section 53395 of the Government Code authorizes  
14 local governments to establish infrastructure finance  
15 districts to fund major capital improvements.

16 (e) Granting the Salton Sea Authority permission to  
17 form an infrastructure finance district will facilitate the  
18 authority's ability to engage in the restoration of the  
19 Salton Sea without creating a new municipality  
20 surrounding the sea.

21 (f) No new taxes, fees, or assessments are attendant to  
22 the creation of an infrastructure finance district, although  
23 the creation of that district requires a vote by the citizens  
24 ~~and~~ or property owners affected, *or both*.

25 (g) Taxing entities within the geographical  
26 boundaries of the infrastructure finance district are  
27 neither obligated nor mandated to participate, but they  
28 may do so on a voluntary basis. However, there is a clear  
29 need to proceed as rapidly as possible toward the goal of  
30 restoring the Salton Sea to a state of ecological ~~well-being~~,  
31 ~~accordingly well-being~~. *Accordingly*, this measure is a  
32 logical and necessary step to achieve the result.

33 SEC. 2. Section 53395.9 is added to the Government  
34 Code, to read:

35 53395.9. (a) The Salton Sea Authority, a joint powers  
36 authority formed by the County of Imperial, the County  
37 of Riverside, the Coachella Valley Water District, and the  
38 Imperial Irrigation District, may use the provisions of this  
39 chapter to form an infrastructure financing district for  
40 the purpose of funding the construction of, and



1 purchasing *electrical* power for, projects for the  
2 reclamation and environmental restoration of the Salton  
3 Sea. To the extent of any conflict, the provisions of this  
4 section shall prevail over any other provision of law. Any  
5 district formed pursuant to this section shall be known as  
6 ~~“Salton~~ *“The Salton Sea Infrastructure Financing*  
7 *District.”*

8 (b) For purposes of this chapter, the Salton Sea  
9 Authority is a “city.”

10 (c) The Salton Sea Infrastructure Financing District  
11 may exist for up to 40 years from the date of its formation.

12 ~~(e) In addition to the projects authorized by Section~~  
13 ~~53395.3, the Salton Sea Infrastructure Financing District~~  
14 ~~may fund the routine maintenance, repair work, and~~  
15 ~~costs of ongoing operations in providing services for the~~  
16 ~~reclamation and environmental restoration of the Salton~~  
17 ~~Sea.~~

18 *(d) No public funds accruing to the Salton Sea*  
19 *Authority pursuant to this section shall be utilized for*  
20 *purposes of treating or making potable, agricultural*  
21 *tailwaters flowing into the Salton Sea.*

