

AMENDED IN ASSEMBLY JUNE 2, 2009

AMENDED IN ASSEMBLY APRIL 30, 2009

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CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 650

Introduced by Assembly Member Hill
(Principal coauthor: Senator Yee)

February 25, 2009

An act relating to real property, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 650, as amended, Hill. Real property: City of Half Moon Bay.

~~The Bergeson-Peace Infrastructure and Economic Development Bank Act generally sets forth the duties and authority of the California Infrastructure and Economic Development Bank in administering various programs for economic development activities in the state. Bank activities may be funded through the California Infrastructure Bank Fund, which is continuously appropriated.~~

Existing law establishes the Regional Planning, Housing, and Infill Incentive Account within the Housing and Emergency Shelter Trust Fund of 2006 and allocates \$200,000,000 for the creation, development, or rehabilitation to encourage infill development. Existing law establishes the Habitat Conservation Fund for, among other things, the acquisition of habitat, including native oak woodlands, necessary to protect deer and mountain lions, and to protect rare, endangered, threatened, or fully protected species. Existing law establishes the State Coastal Conservancy Fund for the support of coastal conservation, and

establishes the San Francisco Bay Area Conservancy Program Account within the State Coastal Conservancy Fund, for the purpose of depositing and disbursing funds, upon appropriation by the Legislature, for the administration and implementation of the San Francisco Bay Area Conservancy Program.

This bill would require the ~~bank~~ state to loan \$10,000,000, \$2,500,000 from the Regional Planning, Housing, and Infill Incentive Account within the Housing and Emergency Shelter Trust Fund of 2006, \$2,500,000 from the Habitat Conservation Fund, \$2,500,000 from the State Coastal Conservancy Fund, and \$2,500,000 from the San Francisco Bay Area Conservancy Program Account within the State Coastal Conservancy Fund, to the City of Half Moon Bay to purchase certain property known as the Beachwood Property to assist the city relating to its settlement of a specified case, which would result in an appropriation.

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

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. (a) ~~Notwithstanding subdivision (d) of Section~~
 2 ~~63050 of the Government Code, the Infrastructure and Economic~~
 3 ~~Development Bank~~ *The state shall loan ten million dollars*
 4 *(\$10,000,000) to the City of Half Moon Bay pursuant to the*
 5 *procedures specified in Article 3 (commencing with Section 63040)*
 6 *of Chapter 2 of Division 1 of Title 6.7 of the Government Code*
 7 *to enable the city to purchase certain property known as the*
 8 *Beachwood Property. The loan shall carry no interest, shall be*
 9 *repayable, with repayment beginning five years after the date that*
 10 *the act adding this section becomes effective, in 20 installments*
 11 *of equal amounts over a period of 20 years, and shall be paid out*
 12 *of the following accounts, that are hereby appropriated in the*
 13 *following amounts:*

14 *(1) Two million five hundred thousand dollars (\$2,500,000)*
 15 *from the Regional Planning, Housing, and Infill Incentive Account*
 16 *within the Housing and Emergency Shelter Trust Fund of 2006,*
 17 *pursuant to subparagraph (A) of paragraph (1) of subdivision (b)*
 18 *of Section 53545 of the Health and Safety Code.*

1 (2) *Two million five hundred thousand dollars (\$2,500,000)*
2 *from the Habitat Conservation Fund.*

3 (3) *Two million five hundred thousand dollars (\$2,500,000)*
4 *from the San Francisco Bay Area Conservancy Program Account*
5 *within the State Coastal Conservancy Fund.*

6 (4) *Two million five hundred thousand dollars (\$2,500,000)*
7 *from the State Coastal Conservancy Fund.*

8 (b) This loan specified in subdivision (a) is made to assist the
9 City of Half Moon Bay relating to its settlement agreement in the
10 case of *Yamagiwa v. City of Half Moon Bay* (N.D. Cal. 2007) 523
11 F. Supp.2d 1036, involving certain property known as the
12 Beachwood Property in the City of Half Moon Bay.

13 (c) Prior to the disbursement of any funds, the City of Half
14 Moon Bay shall obtain an independent appraisal of the Beachwood
15 Property that conforms to the Uniform Standards of Professional
16 Appraisal Practice.

17 SEC. 2. This act is an urgency statute necessary for the
18 immediate preservation of the public peace, health, or safety within
19 the meaning of Article IV of the Constitution and shall go into
20 immediate effect. The facts constituting the necessity are:

21 In order to provide timely essential relief to the City of Half
22 Moon Bay as a result of the settlement agreement in the case of
23 *Yamagiwa v. City of Half Moon Bay*, it is necessary that this act
24 take effect immediately.