

AMENDED IN ASSEMBLY AUGUST 2, 2010

AMENDED IN ASSEMBLY JUNE 15, 2010

AMENDED IN SENATE JANUARY 7, 2010

AMENDED IN SENATE MAY 18, 2009

AMENDED IN SENATE MAY 5, 2009

AMENDED IN SENATE APRIL 22, 2009

AMENDED IN SENATE APRIL 13, 2009

SENATE BILL

No. 194

Introduced by Senator Florez

February 23, 2009

An act to add Section 50834.5 to the Health and Safety Code, relating to community development.

LEGISLATIVE COUNSEL'S DIGEST

SB 194, as amended, Florez. Community Equity Investment Act of 2010.

Under the federal State Community Development Block Grant Program, funds are allocated to the state and administered by the Department of Housing and Community Development for projects and programs that meet the housing and economic development needs of persons and families of low or moderate income.

This bill would enact the Community Equity Investment Act of 2010. The bill would make legislative findings and declarations relating to disadvantaged, unincorporated communities. The bill would specify how funds received pursuant to the federal State Community Development Block Grant Program are expended at the local

government level and would impose various requirements on a ~~city or county~~ *local government* in receipt of those funds that would, among other things, ensure the representation and participation of citizens of disadvantaged unincorporated communities.

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) This act shall be known and may be cited as*
2 *the Community Equity Investment Act of 2010.*

3 *(b) The Legislature finds and declares both of the following:*

4 *(1) There exist in California hundreds of disadvantaged*
5 *unincorporated communities. There are more than 200 of these*
6 *communities in the San Joaquin Valley alone. Many of these*
7 *communities are geographically isolated islands, surrounded by*
8 *the city limits of large and medium-sized cities.*

9 *(2) The conditions within these disadvantaged unincorporated*
10 *communities evidence a distinct lack of public and private*
11 *investment that presents a threat to the health and safety of the*
12 *residents and fosters economic, social, and educational inequality.*
13 *Many of these communities lack basic infrastructure, including,*
14 *but not limited to, streets, sidewalks, storm drainage, clean*
15 *drinking water, and adequate sewer service.*

16 *SEC. 2. Section 50834.5 is added to the Health and Safety*
17 *Code, to read:*

18 *50834.5. Unless prohibited by federal law, where a federal*
19 *entitlement exists under the Community Development Block Grant*
20 *Program (24 C.F.R. Part 570), a local government shall comply*
21 *with all of the following requirements with the funds made*
22 *available pursuant to this chapter:*

23 *(a) If a local government has a citizen advisory committee to*
24 *advise the council or board on Community Development Block*
25 *Grant Program matters which relate, but are not limited, to public*
26 *health, safety, welfare, public works, or planning, the local*
27 *government shall include representation from disadvantaged*
28 *unincorporated communities within its jurisdiction.*

29 *(b) Local governments shall provide proper notice, in*
30 *compliance with federal Community Development Block Grant*
31 *regulations, to ensure that citizens from disadvantaged*

1 *unincorporated communities are given reasonable and timely*
2 *access to information about the Community Development Block*
3 *Grant Program, the application process, and technical assistance*
4 *that may be available to their communities.*

5 (c) *In determining how to distribute Community Development*
6 *Block Grant funds for technical assistance, a local government*
7 *shall prioritize the needs of residents of disadvantaged*
8 *unincorporated communities within its jurisdiction with no local*
9 *governing board to the extent necessary to permit residents to*
10 *prepare and submit an application for funding.*

11 SECTION 1. ~~(a) This act shall be known and may be cited as~~
12 ~~the Community Equity Investment Act of 2010.~~

13 ~~(b) The Legislature finds and declares both of the following:~~

14 ~~(1) There exists in California hundreds of disadvantaged~~
15 ~~unincorporated communities, commonly referred to as “colonias.”~~
16 ~~There are more than 200 of these communities in the San Joaquin~~
17 ~~Valley alone. Many of these communities are geographically~~
18 ~~isolated islands, surrounded by the city limits of large and~~
19 ~~medium-sized cities.~~

20 ~~(2) The conditions within these disadvantaged unincorporated~~
21 ~~communities evidence a distinct lack of public and private~~
22 ~~investment that presents a threat to the health and safety of the~~
23 ~~residents and fosters economic, social, and educational inequality.~~
24 ~~Many of these communities lack basic infrastructure, including,~~
25 ~~but not limited to, streets, sidewalks, storm drainage, clean drinking~~
26 ~~water, and adequate sewer service.~~

27 SEC. 2. ~~Section 50834.5 is added to the Health and Safety~~
28 ~~Code, to read:~~

29 ~~50834.5. (a) Unless prohibited by federal law, where a federal~~
30 ~~entitlement exists under the Community Development Block Grant~~
31 ~~Program (24 C.F.R. Part 570), a city or county shall comply with~~
32 ~~all of the following requirements with the funds made available~~
33 ~~pursuant to this chapter:~~

34 ~~(1) No less than 75 percent of all funds shall benefit targeted~~
35 ~~income groups.~~

36 ~~(2) The city council or board of supervisors of each city or~~
37 ~~county shall establish a citizens advisory committee (CAC) to~~
38 ~~advise the council or board on Community Development Block~~
39 ~~Grant program matters which relate, but are not limited, to public~~
40 ~~health, safety, welfare, public works, and planning.~~

1 ~~(A) The CAC of a city shall include at least one resident that~~
2 ~~resides in that city’s island or fringe community to ensure~~
3 ~~representation of the community interest in the city’s entire island~~
4 ~~or fringe area.~~

5 ~~(B) The CAC of a county shall include at least one representative~~
6 ~~that resides in every disadvantaged unincorporated community.~~

7 ~~(3) To ensure that citizens from disadvantaged unincorporated~~
8 ~~communities are given reasonable and timely access to the~~
9 ~~Community Development Block Grant application, a city or county~~
10 ~~shall provide information and proper notice related to grant funding~~
11 ~~as follows:~~

12 ~~A city or county shall notify all of the following entities of the~~
13 ~~opening of the application period for funding at least 90 days prior~~
14 ~~to the application deadline:~~

15 ~~(A) Participating cities and districts with significant~~
16 ~~concentrations of lower-income residents.~~

17 ~~(B) Residents of a qualifying community that does not have a~~
18 ~~local special district.~~

19 ~~(C) All residents of a small community without a local~~
20 ~~government.~~

21 ~~(D) Communities that have previously applied for Community~~
22 ~~Development Block Grant funding.~~

23 ~~(E) Organizations that work with the communities specified in~~
24 ~~this paragraph.~~

25 ~~(4) All disadvantaged unincorporated communities shall be~~
26 ~~invited in the same manner to all public hearings required by~~
27 ~~federal Community Development Block Grant regulations. These~~
28 ~~hearings shall be held at times and at accessible locations~~
29 ~~convenient to residents of these communities.~~

30 ~~(5) A CAC, prior to making a decision, shall be informed of the~~
31 ~~priorities outlined in its respective city’s or county’s consolidated~~
32 ~~plan, in addition to examples of projects.~~

33 ~~(6) When a city council or board of supervisors of any city or~~
34 ~~county takes action on the CAC recommendations, it shall make~~
35 ~~findings on how the actions of the CAC are consistent with the~~
36 ~~city’s or county’s consolidated plan priorities, reasons for failing~~
37 ~~to pursue projects in disadvantaged unincorporated communities,~~
38 ~~and steps to address concerns and issues of these communities.~~

39 ~~(b) For the purposes of this section, the following terms shall~~
40 ~~have the following meanings:~~

- 1 ~~(1) “Small community” means a community with less than 2,000~~
- 2 ~~residents.~~
- 3 ~~(2) “Targeted income group” means families, households, and~~
- 4 ~~individuals whose income does not exceed 80 percent of the county~~
- 5 ~~median income, with adjustments for family and household size.~~

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