

AMENDED IN ASSEMBLY MARCH 23, 2017

CALIFORNIA LEGISLATURE—2017—18 REGULAR SESSION

ASSEMBLY BILL

No. 734

Introduced by Assembly Member Bonta

February 15, 2017

An act to ~~amend~~ *add* Section ~~53398.3~~ of 53395.3.10 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 734, as amended, Bonta. ~~Local government. Infrastructure financing districts: City of Oakland: freight rail.~~

Existing law authorizes an infrastructure financing district to finance only public capital facilities of communitywide significance which provide significant benefits to an area larger than the area of the district, including, among others, highways, interchanges, ramps and bridges, arterial streets, parking facilities, transit facilities, facilities for the collection and treatment of water for urban uses, child care facilities, libraries, and facilities for the transfer and disposal of solid waste.

This bill would additionally authorize an infrastructure financing district within the City of Oakland to finance public capital facilities or projects that include freight rail.

This bill would make legislative findings and declarations as to the necessity of a special statute for the City of Oakland.

~~Existing law authorizes counties and cities to create infrastructure financing districts in accordance with a prescribed procedure to finance public capital facilities that provide significant benefits to the area of the border development zone in the Mexican border region.~~

~~This bill would make a nonsubstantive change to that provision.~~

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. Section 53395.3.10 is added to the Government
2 Code, to read:

3 53395.3.10. In addition to the projects authorized by Section
4 53395.3, any infrastructure financing district within the City of
5 Oakland may finance public capital facilities or projects that
6 include freight rail.

7 SEC. 2. The Legislature finds and declares that a special law
8 is necessary and that a general law cannot be made applicable
9 within the meaning of Section 16 of Article IV of the California
10 Constitution because of the unique circumstances applicable to
11 the City of Oakland.

12 SECTION 1. ~~Section 53398.3 of the Government Code is~~
13 ~~amended to read:~~

14 ~~53398.3. (a) A district may finance (1) the purchase,~~
15 ~~construction, expansion, improvement, seismic retrofit, or~~
16 ~~rehabilitation of any real or other tangible property with an~~
17 ~~estimated useful life of 15 years or longer that satisfies the~~
18 ~~requirements of subdivision (b), (2) the planning and design work~~
19 ~~that is directly related to the purchase, construction, expansion, or~~
20 ~~rehabilitation of that property, and (3) the costs described in~~
21 ~~Sections 53398.5 and 53398.31. A district may only finance the~~
22 ~~purchase of facilities for which construction has been completed,~~
23 ~~as determined by the legislative body. The facilities need not be~~
24 ~~physically located within the boundaries of the district. A district~~
25 ~~may not finance routine maintenance, repair work, or the costs of~~
26 ~~any ongoing operation or providing services of any kind.~~

27 ~~(b) The district shall finance only public capital facilities that~~
28 ~~provide significant benefits to the area of the border development~~
29 ~~zone, including, but not limited to, all of the following:~~

30 ~~(1) Highways, interchanges, ramps and bridges, major and minor~~
31 ~~arterial streets, major and minor collector streets, parking facilities,~~
32 ~~and transit facilities. Phased road widening projects shall also be~~
33 ~~permitted.~~

34 ~~(2) Sewage collection, pumping, treatment and water~~
35 ~~reclamation plants and interceptor pipes.~~

- 1 ~~(3) Facilities for the collection and treatment of water for urban~~
- 2 ~~uses:~~
- 3 ~~(4) Flood control levees and dams, retention basins, and drainage~~
- 4 ~~facilities:~~
- 5 ~~(5) Child care facilities.~~
- 6 ~~(6) Libraries.~~
- 7 ~~(7) Parks, recreational facilities, and open space.~~
- 8 ~~(8) Facilities for the transfer and disposal of solid waste,~~
- 9 ~~including transfer stations and vehicles.~~
- 10 ~~(9) Public safety facilities.~~
- 11 ~~(e) Any district that constructs dwelling units shall set aside not~~
- 12 ~~less than 20 percent of those units to increase and improve the~~
- 13 ~~community's supply of low- and moderate-income housing~~
- 14 ~~available at an affordable housing cost, as defined by Section~~
- 15 ~~50052.5 of the Health and Safety Code, to persons and families of~~
- 16 ~~low and moderate income, as defined in Section 50093 of the~~
- 17 ~~Health and Safety Code.~~
- 18 ~~(d) A district may also finance the purchase of sewage treatment~~
- 19 ~~capacity that provides significant benefits to the area of the border~~
- 20 ~~development zone. The facility providing the sewage treatment~~
- 21 ~~capacity need not be physically located within the boundaries of~~
- 22 ~~the district.~~