

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

SENATE BILL

No. 205

Introduced by Committee on Governance and Finance (Senators McGuire (Chair), Beall, Hernandez, Hertzberg, Lara, Moorlach, and Nguyen)

February 01, 2017

An act to amend Sections 1360 and 25536.9 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 205, as introduced, Committee on Governance and Finance. Local Government Omnibus Act of 2017.

(1) The California Constitution requires, among others, all public officers, to take a specified oath of office. Existing statutory law requires any office to take that oath before he or she enters the duties of his or her office.

This bill would require an officer to take that oath following any election or appointment and before entering the duties of his or her office.

(2) Existing law authorizes the County of Merced, by a $\frac{4}{5}$ vote of the board of supervisors, to sell a specified area of county property that the county has acquired from the federal government due to the closure of Castle Air Force Base.

This bill would additionally authorize the County of Merced to enter into a lease, concession, or managerial contract involving that area, by a $\frac{4}{5}$ vote of the board of supervisors. The bill would make additional conforming changes.

Digest Key

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

Bill Text

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) This act shall be known, and may be cited, as the Local Government Omnibus Act of 2017.

(b) The Legislature finds and declares that Californians want 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 control its own costs by reducing the number of separate measures. Therefore, it is the intent of the Legislature in enacting this act to combine several minor, noncontroversial statutory changes relating to the common theme, purpose, and subject of local government into a single measure.

SEC. 2. Section 1360 of the Government Code is amended to read:

1360. Unless otherwise provided, *following any election or appointment and* before any officer enters on the duties of his *or her* office, he *or she* shall take and subscribe the oath or affirmation set forth in Section 3 of Article XX of the Constitution of California.

SEC. 3. Section 25536.9 of the Government Code is amended to read:

25536.9. (a) In addition to the authority provided for in Section 25536, and in accordance with subdivision (b), the County of Merced, by a four-fifths vote of the board of supervisors, may sell *or enter into a lease, concession, or managerial contract involving* a specified area of county property that the county has acquired from the federal government due to the closure of Castle Air Force Base, without otherwise complying with this article.

(b) The board shall take an action specified in subdivision (a) only if the following conditions are met, or if the board makes a finding in a noticed public hearing that the following conditions were met at the time the property was acquired from the federal government:

(1) Reuse of the property is governed solely by the county.

(2) The county has prepared and adopted a general or specific plan pursuant to Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of Title 7 and has adopted a zoning ordinance for the area, and the proposed use is consistent with that general or specific plan and the zoning ordinance.

(3) The airport land use commission has prepared and adopted a comprehensive airport land use plan for the area pursuant to Article 3.5 (commencing with Section 21670) of Chapter 4 of Part 1 of Division 9 of the Public Utilities Code, and the proposed use is consistent with that plan.

(4) The county has complied with Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5, and Section 65402 with regard to the property, as provided in Section 25350.1.

(5) The county has given notice pursuant to Section 6062a and posted the notice in the office of the county clerk. The notice shall specify the date that the board determines that any of the affected property shall be subject to this section, and shall include all of the following:

- (A) A description of the property proposed to be ~~sale~~ *sold, leased, or subject to a concession or managerial contract* pursuant to this section.
 - (B) The proposed terms of the ~~sale~~ *sale, lease, concession, or managerial contract*.
 - (C) The location where offers will be accepted and executed.
 - (D) The telephone number and address of the county officer responsible for executing the ~~sale~~ *sale, lease, concession, or managerial contract*.
- (c) This section shall not be construed to release the County of Merced from complying with Chapter 9 (commencing with Section 34191.1) of Part 1.85 of Division 24 of the Health and Safety Code, if the property is located in a former redevelopment area.