

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1169

Introduced by Assembly Member Gomez

February 27, 2015

An act to amend Section ~~6359~~ 75125 of the Public Resources Code, relating to ~~submerged lands~~ *public resources*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1169, as amended, Gomez. ~~Submerged lands~~. *Strategic Growth Council: state funding signs.*

Existing law establishes the Strategic Growth Council in state government that consists of various heads of state agencies and certain other members. Existing law requires the council to engage in certain activities, including identifying and reviewing activities and funding programs of member state agencies that may be coordinated to improve air and water quality, improving natural resources protection, increasing the availability of affordable housing, improving transportation, meeting goals of the California Global Warming Solutions Act of 2006, encouraging sustainable land use planning, and revitalizing urban and community centers in a sustainable manner. Existing law provides for the council to award grants and loans to support the planning and development of sustainable communities.

This bill would require recipients of state funding from the council or member state agencies for a project to post signs acknowledging the source of funds for the project pursuant to guidelines adopted by the council. The bill, if a project is funded from state and nonstate sources, would require the state funding source to be listed first if state funding equals 50% or more of total project costs.

~~Existing law establishes the State Lands Commission in the Natural Resources Agency and prescribes the functions and duties of the commission. If tide or submerged lands are conveyed by a legislative enactment and a prior survey has not been made and the act does not contain a description of those lands by metes and bounds, existing law requires the commission to survey, monument, and record a plat and a metes and bounds description of those lands within 2 years of the effective date of the act in the county recorder’s office in the county or counties where those lands are located. Upon recordation, existing law provides that the survey, monuments, plat, and description are binding upon the state, the grantee, and their successors in interest.~~

~~This bill would make nonsubstantive changes to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

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

- 1 *SECTION 1. Section 75125 of the Public Resources Code is*
- 2 *amended to read:*
- 3 75125. The council shall do all of the following:
- 4 (a) (1) Identify and review activities and funding programs of
- 5 member state agencies that may be coordinated to improve air and
- 6 water quality, improve natural resource protection, increase the
- 7 availability of affordable housing, improve transportation, meet
- 8 the goals of the California Global Warming Solutions Act of 2006
- 9 (Division 25.5 (commencing with Section 38500) of the Health
- 10 and Safety Code), encourage sustainable land use planning, and
- 11 revitalize urban and community centers in a sustainable manner.
- 12 At a minimum, the council shall review and comment on the
- 13 five-year infrastructure plan developed pursuant to Article 2
- 14 (commencing with Section 13100) of Chapter 2 of Part 3 of
- 15 Division 3 of the Government Code and the State Environmental
- 16 Goals and Policy Report developed pursuant to Section 65041 of
- 17 the Government Code.
- 18 (2) *Require all recipients of state funding from the council or*
- 19 *member state agencies for a project to post signs acknowledging*
- 20 *the source of funds for the project, pursuant to guidelines adopted*
- 21 *by the council. If a project is funded from state and nonstate*
- 22 *sources, the state funding source shall be listed first if state funding*
- 23 *equals 50 percent or more of total project costs.*

1 (b) Recommend policies and investment strategies and priorities
2 to the Governor, the Legislature, and to appropriate state agencies
3 to encourage the development of sustainable communities, such
4 as those communities that promote equity, strengthen the economy,
5 protect the environment, and promote public health and safety,
6 consistent with subdivisions (a) and (c) of Section 75065.

7 (c) Provide, fund, and distribute data and information to local
8 governments and regional agencies that will assist in developing
9 and planning sustainable communities.

10 (d) Manage and award grants and loans to support the planning
11 and development of sustainable communities, pursuant to Sections
12 75127, 75128, and 75129. To implement this subdivision, the
13 council may do all of the following:

14 (1) Develop guidelines for awarding financial assistance,
15 including criteria for eligibility and additional consideration.

16 (2) Develop criteria for determining the amount of financial
17 assistance to be awarded. The council shall award a revolving loan
18 to an applicant for a planning project, unless the council determines
19 that the applicant lacks the fiscal capacity to carry out the project
20 without a grant. The council may establish criteria that would allow
21 the applicant to illustrate an ongoing commitment of financial
22 resources to ensure the completion of the proposed plan or project.

23 (3) Provide for payments of interest on loans made pursuant to
24 this article. The rate of interest shall not exceed the rate earned by
25 the Pooled Money Investment Board.

26 (4) Provide for the time period for repaying a loan made
27 pursuant to this article.

28 (5) Provide for the recovery of funds from an applicant that fails
29 to complete the project for which financial assistance was awarded.
30 The council shall direct the Controller to recover funds by any
31 available means.

32 (6) Provide technical assistance for application preparation.

33 (7) Designate a state agency or department to administer
34 technical and financial assistance programs for the disbursing of
35 grants and loans to support the planning and development of
36 sustainable communities, pursuant to Sections 75127, 75128, and
37 75129.

38 (e) No later than July 1, 2010, and every year thereafter, provide
39 a report to the Legislature that shall include, but is not limited to,
40 all of the following:

- 1 (1) A list of applicants for financial assistance.
- 2 (2) Identification of which applications were approved.
- 3 (3) The amounts awarded for each approved application.
- 4 (4) The remaining balance of available funds.
- 5 (5) A report on the proposed or ongoing management of each
- 6 funded project.
- 7 (6) Any additional minimum requirements and priorities for a
- 8 project or plan proposed in a grant or loan application developed
- 9 and adopted by the council pursuant to subdivision (c) of Section
- 10 75126.

11 ~~SECTION 1. Section 6359 of the Public Resources Code is~~
 12 ~~amended to read:~~

13 ~~6359. (a) Whenever by legislative enactment tide or submerged~~
 14 ~~lands of the state are granted or conveyed or authorized to be~~
 15 ~~granted or conveyed, or whenever a previous enactment is~~
 16 ~~amended, and a prior survey has not been made, and the act does~~
 17 ~~not contain a description of those lands by metes and bounds, the~~
 18 ~~commission shall within two years following the effective date of~~
 19 ~~the act survey, monument, and record a plat and a metes and~~
 20 ~~bounds description of those lands in the office of the county~~
 21 ~~recorder in the county or counties in which those lands are located.~~
 22 ~~Upon recordation, the survey, monuments, plat, and description~~
 23 ~~shall be binding upon the state, the grantee, and their successors~~
 24 ~~in interest.~~

25 ~~(b) A grant or conveyance, or amended grant or conveyance,~~
 26 ~~shall not be effective until completion of the survey and~~
 27 ~~recordation. The cost of the survey and recordation shall be paid~~
 28 ~~by the person or entity to which the grant or conveyance is made.~~