

AMENDED IN ASSEMBLY MAY 23, 1996

AMENDED IN ASSEMBLY MAY 14, 1996

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 3129

Introduced by Assembly Member Lee

February 23, 1996

An act to add Article 7 (commencing with Section 33493.1) to Chapter 4.5 of Part 1 of Division 24 of the Health and Safety Code, relating to redevelopment.

LEGISLATIVE COUNSEL'S DIGEST

AB 3129, as amended, Lee. Alameda Naval Air Station: Fleet Industry Supply Center.

Existing law, known as the Community Redevelopment Law, authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined, in blighted areas of those communities known as blighted areas. The Community Redevelopment Law contains provisions authorizing the establishment of redevelopment project areas located within the boundaries of a military base that has been closed pursuant to the actions of the federal Defense Base Closure and Realignment Commission.

This bill would authorize the adoption of a redevelopment plan covering all or part of the Alameda Naval Air Station and the Fleet Industrial Supply Center in the City of Alameda. ~~It would permit the City of Alameda redevelopment agency to defer for up to 5 years deposits in the Low and Moderate~~

~~Income Housing Fund for the Alameda Naval Air Station and the Fleet Industrial Supply Center.~~ It would require that tax increment payments be made to affected taxing entities pursuant to a specified provision of law.

This bill would provide that ~~all~~ dwelling units ~~developed or rehabilitated, as defined,~~ in the Alameda Naval Air Station and the Fleet Industrial Supply Center Project Area ~~in compliance with~~ made available to the members of the Homeless Collaborative pursuant to specified provisions of federal law ~~and thereafter substantially rehabilitated,~~ shall be deemed new or rehabilitated units for purposes of compliance with provisions of law requiring a redevelopment agency to make specified percentages of units available at affordable housing cost to persons of low and moderate income. *The bill would include an unspecified definition of the term “substantially rehabilitated” for this purpose.*

The California Constitution provides that a local or special statute is invalid in any case if a general statute can be made applicable.

This bill would declare that, because of the unique circumstances applicable to the City of Alameda and the County of Alameda due to the closure of the Alameda Naval Air Station and the Fleet Industrial Supply Center, a general statute cannot be made applicable and this special statute is therefore necessary.

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. Article 7 (commencing with Section
2 33493.1) is added to Chapter 4.5 of Part 1 of Division 24
3 of the Health and Safety Code, to read:

4

5 Article 7. The Alameda Naval Air Station and the
6 Fleet Industrial Supply Center

7

8 33493.1. With the enactment of this article, it is the
9 intent of the Legislature to provide for precise and
10 specific means to mitigate the very serious economic



1 effects of the closure of the Alameda Naval Air Station
2 and the Fleet Industrial Supply Center on the City of
3 Alameda, surrounding cities, and the County of Alameda
4 by facilitating the planning and implementation of the
5 reuse and redevelopment of the lands comprising the
6 Naval Air Station and the Fleet Industrial Supply Center
7 located in the City of Alameda and the surrounding areas
8 in accordance with land use plans and a redevelopment
9 plan that are in effect prior to the disposition of lands by
10 the federal government.

11 33493.2. Notwithstanding Section 33320.1, a
12 redevelopment plan covering all or part of the lands of
13 the Alameda Naval Air Station and Fleet Industrial
14 Supply Center Redevelopment Project may be adopted
15 pursuant to this article.

16 ~~33493.3. Notwithstanding Section 33334.2, the~~
17 ~~redevelopment agency of the City of Alameda may defer~~
18 ~~making deposits into the Low and Moderate Income~~
19 ~~Housing Fund for the Alameda Naval Air Station and~~
20 ~~Fleet Industrial Supply Center Redevelopment Project~~
21 ~~for up to five years. The amount of the deferral shall be~~
22 ~~considered an indebtedness and shall be repaid with~~
23 ~~interest to the Low and Moderate Income Housing Fund~~
24 ~~within the 11th to the 20th years after the establishment~~
25 ~~of the redevelopment project area. If the indebtedness is~~
26 ~~not eliminated by the end of the 20th year, the county~~
27 ~~auditor or controller shall withhold an amount equal to~~
28 ~~the indebtedness and deposit those funds into a separate~~
29 ~~Low and Moderate Income Housing Fund for use by the~~
30 ~~redevelopment agency.~~

31 ~~33493.4.—~~

32 33493.3. Notwithstanding any other provision of law,
33 the redevelopment agency shall make payments to
34 affected taxing entities required by subdivision (a) of
35 Section 33607.5.

36 ~~33493.5.—All dwelling units developed or rehabilitated~~

37 ~~33493.4. (a) Dwelling units, as defined, in the~~
38 ~~Alameda Naval Air Station and the Fleet Industrial~~
39 ~~Supply Center Project Area in compliance with made~~
40 ~~available to the members of the Homeless Collaborative~~



1 *pursuant to* the Base Closure Community
 2 Redevelopment and Homeless Assistance Act of 1994
 3 (Part A of Title XXIX of Public Law 101-510; 10 U.S.C. Sec.
 4 2687 note), and in particular Section (7) (C) through (O)
 5 thereof, *and thereafter substantially rehabilitated*, shall
 6 be deemed new or rehabilitated units for purposes of
 7 determining the compliance of the Alameda Naval Air
 8 Station and the Fleet Industrial Supply Center
 9 redevelopment agency with the provisions of subdivision
 10 (b) of Section 33413.

11 *(b) For the purposes of this section “dwelling units”*
 12 *means permanent or transitional residential units, and*
 13 *does not mean student dormitory rooms or overnight*
 14 *emergency shelter beds.*

15 *(c) For the purposes of this section “substantially*
 16 *rehabilitated” means ____.*

17 SEC. 2. The Legislature finds and declares that
 18 because of the unique circumstances applicable to the
 19 City of Alameda and the County of Alameda due to the
 20 closure of the Alameda Naval Air Station and the Fleet
 21 Industrial Supply Center, a statute of general
 22 applicability cannot be enacted within the meaning of
 23 subdivision (b) of Section 16 of Article IV of the California
 24 Constitution, and the enactment of this special statute is
 25 therefore necessary.

