

Senate Bill No. 2137

Passed the Senate August 31, 1996

Secretary of the Senate

Passed the Assembly August 29, 1996

Chief Clerk of the Assembly

This bill was received by the Governor this ____ day
of _____, 1996, at ____ o'clock __M.

Private Secretary of the Governor

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CHAPTER ____

An act to amend Section 61600 of the Government Code, relating to community services districts.

LEGISLATIVE COUNSEL'S DIGEST

SB 2137, Johannessen. Community services districts.

Existing law prescribes the purposes and powers of community services districts.

This bill would additionally grant community services districts the power to construct, maintain, and operate flood protection works and facilities, subject to specified conditions.

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

SECTION 1. Section 61600 of the Government Code is amended to read:

61600. A district formed under this law may exercise the powers granted for any of the following purposes designated in the petition for formation of the district and for any other of the following purposes that the district shall adopt:

(a) To supply the inhabitants of the district with water for domestic use, irrigation, sanitation, industrial use, fire protection, and recreation.

(b) The collection, treatment, or disposal of sewage, waste, and storm water of the district and its inhabitants.

(c) The collection or disposal of garbage or refuse matter.

(d) Protection against fire.

(e) Public recreation including, but not limited to, aquatic parks and recreational harbors, equestrian trails, playgrounds, golf courses, swimming pools, or recreational buildings.

(f) Street lighting.

(g) Mosquito abatement.



(h) The equipment and maintenance of a police department, other police protection, or other security services to protect and safeguard life and property.

(i) To acquire sites for, construct, and maintain library buildings, and to cooperate with other governmental agencies for library service.

(j) The constructing, opening, widening, extending, straightening, surfacing, and maintaining, in whole or in part, of any street in the district, subject to the consent of the governing body of the county or city in which the improvement is to be made.

(k) The construction and improvement of bridges, culverts, curbs, gutters, drains, and works incidental to the purposes specified in subdivision (j), subject to the consent of the governing body of the county or city in which the improvement is to be made.

(l) The conversion of existing overhead electric and communication facilities to underground locations, which facilities are owned and operated by either a “public agency” or a “public utility,” as defined in Section 5896.2 of the Streets and Highways Code, and to take proceedings for and to finance the cost of the conversion in accordance with Chapter 28 (commencing with Section 5896.1) of Part 3 of Division 7 of the Streets and Highways Code, subject to the consent of the public agency or public utility responsible for the owning, operation, and maintenance of the facilities. Nothing in this section gives a district formed under this law the power to install, own, or operate the facilities that are described in this subdivision.

(m) To contract for ambulance service to serve the residents of the district as convenience requires, if a majority of the voters in the district, voting in an election thereon, approve.

(n) To provide and maintain public airports and landing places for aerial traffic.

(o) To provide transportation services.

(p) To abate graffiti.



(q) To construct, maintain, and operate flood protection works and facilities, subject to the following conditions:

(1) The planning, design, construction, maintenance, and operation of flood protection works and facilities, or substantially similar works or facilities, is not within the authority of another public agency, except that a public agency and the district are not precluded from entering into agreements for the district to provide those services.

(2) The governing body of the city or county in which the services specified in paragraph (1) are to be provided by the district has consented to the district providing those services.



Approved _____, 1996

Governor

