The Quick List

An Annotated Glossary of Local Government Statutes

Second Edition
February 2009

Introduction to "The Quick List"

The earliest version of "The Quick List" appeared nearly 25 years ago when the Senate Local Government Committee's staff started jotting down statutory citations to answer questions from other staffers, lobbyists, and constituents.

"*Where do I look in state law to find the Brown Act*?" was a common question. Or, "*What's the cite for the redevelopment law?*" And the never-ending string of questions about LAFCOs. The Committee's staff quickly tired of looking up the same answers, so they wrote them down. And "The Quick List" was born.

Over the years, "The Quick List" has improved because of the hard work by a succession of wonderful Senate Fellows, including Candace Carpenter (2000-01) and Christina Wong (2005-06).

Helen Ho is the Committee's 2008-09 Senate Fellow. Working from the 2006 version, Helen checked every citation, corrected past mistakes, and added valuable new items. Every time you use the Second Edition of "The Quick List," be sure to thank Helen for her excellent work.

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Acronyms:
ALG   Assembly Local Government Committee
CDIAC   California Debt and Investment Advisory Commission
CNPA   California Newspaper Publishers Association
OPR   Office of Planning and Research
SLG   Senate Local Government Committee

The Quick List: An Annotated Glossary of Local Government Statutes

1911 Act (Improvement Act of 1911)
Streets & Highways Code §5000, et seq.
One of the traditional benefit assessment laws that pay for public works with assessment bonds.

1913 Act (Municipal Improvement Act of 1913)
Streets & Highways Code §10000, et seq.
One of the traditional benefit assessment laws that pay for public works with assessment bonds.

1915 Act (Improvement Bond Act of 1915)
Streets & Highways Code §8500, et seq.
One of the traditional benefit assessment laws that pay for public works with assessment bonds.

1972 Act (Landscaping and Lighting Act of 1972)
Streets & Highways Code §22500, et seq.
Local governments levy benefit assessments to pay for public works and public services.

1982 Act (Benefit Assessment Act of 1982)
Government Code §54703, et seq.
Local governments levy benefit assessments to pay for public works and public services.

AB 8 (property tax allocation)
Revenue & Taxation Code §95, et seq.
The state law that allocates property tax revenues to local governments and schools.
(*Resource:* Demystifying the California Property Tax Apportionment System, Santa Clara County, available at www.californiacityfinance.com)
(*Resource:* Property Tax Allocation, SLG Committee, 1999)

AB 32 (Global Warming Solutions Act of 2006)
Health & Safety Code §38500, et seq.
Commits the State by 2020 to reduce its greenhouse gas emissions to 1990 levels.
Authorizes the Air Resources Board to reduce emissions.

AB 1234 (compensation and ethics training of local officials)
- Compensation: Government Code §53232, et seq.
- Ethics training: Government Code §53234, et seq.

Rules governing compensation of local officials.
Compensated local officials must take biennial ethics training courses.
(*Resource:* Free online ethics training, http://localethics.fppc.ca.gov)

AB 1600 (developer fees)
Government Code §66000, et seq.
Counties and cities can charge developer impact fees to pay for public works.
(*Resource:* Exactions and Impact Fees in California, Solano Press Books)

Administrative Procedures Act (APA)
Government Code §11340, et seq.
The procedures for state departments to adopt their administrative regulations.

Advisory elections
Elections Code §9603
Local officials can put non-binding questions on local ballots.

Agricultural conservation easements
Public Resources Code §10260, et seq.
Landowners and local officials can voluntarily restrict land to agricultural uses.
(*Also see:* "conservation easements" and "open space easements")

Alquist-Priolo Earthquake Fault Zoning Act
Public Resources Code §2621, et seq.
Local officials must adopt earthquake fault zoning, based on state maps.

ALUC (Airport Land Use Commission)
Public Utilities Code §21670, et seq.
Every county with a public use airport has an ALUC that must adopt binding land use plans.
(*Resource:* The Airport Land Use Planning Handbook, Caltrans Division of Aeronautics,
www.dot.ca.gov/hq/planning/aeronaut/)

Anti-NIMBY law (development approvals)
Government Code §65589.5
Cities and counties must approve certain housing developments, even if neighbors object.

Appropriations limit (Gann limit, Proposition 4)
California Constitution Article XIII B
Government Code §7900, et seq.
Public agencies can't spend more than they spent in the prior year, with adjustments.

Area planning commissions
Government Code §65101
Two or more local governments can form joint planning commissions.

Bagley-Keene Open Meeting Act
Government Code §11120, et seq.
The open meeting law for state agencies, similar to the Brown Act.
(*Resource:* A Handy Guide to the Bagley-Keene Open Meeting Act, Attorney General,
http://caag.state.ca.us/publications/index.htm#openmeetings)

Bankruptcy
Government Code §53760
Local governments can use the federal bankruptcy law.

BCDC (San Francisco Bay Conservation and Development Commission)
Government Code §66600, et seq.
The state commission that plans and regulates land use under and around the San Francisco Bay.

Benefit Assessment Act of 1982 (1982 Act)
Government Code §54703, et seq.
Local governments levy benefit assessments to pay for public works and public services.

Benefit assessments (special assessments)
Involuntary charges on property owners to pay for public works that directly benefit property.
(*Resource:* Assessing the Benefits of Benefit Assessments, SLG Committee,
www.sen.ca.gov/locgov/publications.htp)
(*Also see:* "1911 Act," "1913 Act," "1915 Act," "1972 Act," "1982 Act," and "Proposition 218")

"Blight" defined
Health & Safety Code §33030, §33031, & §33320.1
Physical and economic conditions of blight in urbanized areas.
(*Also see*: "redevelopment")

Bond oversight
Government Code §53410, et seq.
Local officials must issue annual reports on how they spend bond funds.

Bonds
Most local bonds require voter approval or property owners' approval.

> General obligation bonds for cities, counties, & special districts need 2/3-voter approval.
> California Constitution Article XVI, §18 (a)

> General obligation bonds for school districts require 55% voter approval.
> California Constitution Article XVI, §18 (b)

> Revenue bonds require majority-voter approval.
> Government Code §54386

> Assessment bonds require property owners' approval in a weighted ballot election.
> California Constitution Article XIII D, §4
> Government Code §53753

Booking fees
Government Code §29550
Counties can charge cities fees to recover their costs of booking people into county jails.

Borrowing, temporary
Government Code §53820, et seq., §53840, et seq., §53850, et seq., & §53859, et seq.
Local governments can use "dry period loans" to borrow money against future revenues.

Bradley-Burns Uniform Local Sales and Use Tax Law (sales tax)
Revenue and Taxation Code §7200, et seq.
Counties and cities levy sales taxes for general purposes.

Brown Act
Government Code §54950, et seq.
Open meeting law for local governments, similar to the Bagley-Keene Open Meeting Law.
(*Resource:* The Brown Act: Open Meetings for Local Legislative Bodies, Attorney General,
http://caag.state.ca.us/publications/index.htm#openmeetings)
(*Resource:* Open & Public IV, League of California Cities,
www.cacities.org/resource_files/26038.7456_OP_IV_reduced.pdf)

California Roster (Roster of public officials)
Government Code §12240
The Secretary of State keeps rosters of state and local public officials.
(*Resource*: California Roster, Secretary of State, www.sos.ca.gov/admin/ca-roster.htm)
(*Also see:* "Roster of public agencies")

CDIAC (California Debt and Investment Advisory Commission)
Government Code §8855, et seq.
The State Treasurer's panel that monitors local governments' bonds and debt.

CEQA (California Environmental Quality Act)
Public Resources Code §21000, et seq.
Public agencies must consider the environmental effects of development projects.
(*Resource:* Guide to CEQA, Solano Press Books)
(*Resource:* Natural Resources Agency's CEQA website, http://ceres.ca.gov/ceqa)

CEQA Guidelines
14 Cal. Code Reg. §15000, et seq.
The state regulations that interpret CEQA.
(*Resource:* Guide to CEQA, Solano Press Books)

Cities have the same taxing powers as charter cities
Government Code §37100.5
Any city can levy any tax that any charter city can levy, with voter approval.

City charters
California Constitution Article XI, §3 & §5
Government Code §34400, et seq. & §34450, et seq.
Cities can adopt local charters, giving them control over their municipal affairs.
(*Resource:* Tailor-Made Government, SLG Committee, 1998)

City council districts
Government Code §34870, et seq.
Voters can elect city council members "by districts" or "from districts."

City council salaries
Government Code §36516
City council members' salaries are based on the city's population.

City council vacancies
Government Code §1770 & §36513
Vacancies on a city council are filled by appointment or election.

City manager form of government (council-manager form of government)
Government Code §34851, et seq.
City ordinances can adopt the city manager form of government.

City name changes
Government Code §34502
Cities can change their names by ordinance.

City ordinances
Government Code §36900, et seq.
Procedures for adopting city ordinances and penalties for violations.

City property
Government Code §37350, et seq.
Cities can buy, lease, develop, and sell property.

City selection committee
Government Code §50270, et seq.
A committee of mayors in each county that appoints city officials to other boards.

Coastal Act
Public Resources Code §30000, et seq.
State law requires special planning and permits for development in the coastal zone.

COGs (Councils of Governments)
Government Code §6500, et seq. & §65582 (b)
Joint powers agencies between counties and cities that prepare regional plans.

Community facilities districts (Mello-Roos Community Facilities Act)
Government Code §53311, et seq.
Local agencies can levy special taxes to pay for public works and some public services.

Community Redevelopment Law
Health & Safety Code §33000, et seq.
Redevelopment agencies use tax increment revenues and eminent domain in blighted areas.
(*Also see:* "redevelopment")

Compensation of local officials
- Charter cities: California Constitution Article XI, §5 (b)
- General law cities: Government Code §36516, et seq.
- Charter counties: California Constitution Article XI, §4
- General law counties: California Constitution Article XI, §1 (b)
- Special districts: varies by principal act.
- Benefits: Government Code §53200, et seq.
- Compensation allowed and limited (AB 1234): Government Code §53232, et seq.
- Ethics training (AB 1234): Government Code §53234, et seq.

(*Resource:* Deregulating Local Officials' Compensation, SLG Committee, 1987)

Conflict of interest
Government Code §1090, et seq. & §87100, et seq.
2 Cal. Code of Reg. §18700
Public officials can't participate in decisions in which they have financial interests.
(*Resource:* Conflict of Interest, Attorney General,
http://caag.state.ca.us/publications/index.htm#conflict)
(*Resource:* Ethics Law Reference for Local Officials, Institute for Local Government,
www.cacities.org/resource_files/25287.ELR2007.pdf)

Conservation easements
Civil Code §815, et seq.
Landowners grant easements to preserve open-space and prohibit development.
(*Also see:* "agriculture conservation easements" and "open space easements")

Contract cities (Gonsalves Act)
Government Code §51350
Cities can contract with the county for municipal services.

Contracts and bidding
- Cities: Public Contract Code §20160, et seq.
- Counties: Public Contract Code §20120, et seq. & §20150, et seq.
- Districts: *See* the chart at Public Contract Code §20100, et seq.

State law spells out bidding and contract procedures for cities, counties, and special districts.
(*Resource:* Summary of California State Laws, Construction Industry Research Board)

COPS (Citizens' Option for Public Safety)
Government Code §30061, et seq.
State funding for local public safety programs.

Cortese-Knox-Hertzberg Local Government Reorganization Act (LAFCO)
Government Code §56000, et seq.
State law governing city and special district boundaries; also creates a LAFCO in every county.
(*Resource:* Guide to the Cortese-Knox-Hertzberg Act, ALG Committee,
www.assembly.ca.gov/acs/newcomframeset.asp?committee=17)
(*Resource:* It's Time to Draw the Line: A Citizen's Guide to LAFCOs, SLG Committee,
www.sen.ca.gov/locgov/publications.htp)
 (*Resource:* "Annexation and Boundary Issues," Detwiler in Selmi & Manaster)

Council-manager form of government (city manager form of government)
Government Code §34851, et seq.
City ordinances can adopt the city manager form of government.

Councils of governments (COGs)
Government Code §6500, et seq.
Joint powers agencies between counties and cities that prepare regional plans.

County boundary changes
- Minor: Government Code §23200, et seq.
- Major: Government Code §23230, et seq.
How counties can change their boundaries.

County Budget Act
Government Code §29000, et seq.
How counties prepare and adopt their annual budgets.

County charters
California Constitution Article XI, §4
Government Code §23700, et seq.
Counties can adopt and revise charters, giving them limited local autonomy.
(*Resource:* Tailor-Made Government, SLG Committee, 1998)

County classes, counties classified by size
Government Code §28020, et seq.
State law sorts counties into 58 classes based on their populations.

County fees deregulated
Government Code §54985
County supervisors can set and change fees for county services.

County formation
Government Code §23300, et seq.
Procedures for forming new counties.
(*Resource:* Suburban Secession, SLG Committee)

County officers, named & classified
Government Code §24000, et seq. & §24300, et seq.
State law spells out the names and duties of county officers.

County ordinances
Government Code §25120, et seq.
Procedures for adopting county ordinances and penalties for violations.

County property development
Government Code §25515, et seq.
Counties can acquire, sell, lease, and develop county-owned property.

Davis-Stirling Common Interest Development Act
Civil Code §1350, et seq.
State law that governs common interest developments (homeowners' associations).

Design-build contracts
- Cities: Public Contract Code §20175.2
- Counties: Public Contract Code §20133
- Redevelopment agencies: Public Contract Code §20688.6
- Orange County Sanitation District: Public Contract Code §20785
- Santa Clara Valley Water District: Public Contract Code §21162
- Sonoma Valley Health Care District: Health & Safety Code §32132.5

A single company both designs and constructs a public works project.
Cities, counties, redevelopment agencies, and 3 special districts can use design-build contracts.

Development agreements
Government Code §65864, et seq.
Counties and cities can sign long-term agreements with builders to develop property.

Development approvals (Anti-NIMBY law)
Government Code §65589.5
Cities and counties must approve certain housing developments, even if neighbors object.

Density bonuses
Government Code §65915, et seq.
Financial incentives to developers that build affordable housing.

Developer fees (AB 1600)
Government Code §66000, et seq.
Counties and cities can charge developer impact fees to pay for public works.
(*Resource:* Exactions and Impact Fees in California, Solano Press Books)

Developer fees after disasters
Government Code §66011
Reconstruction after a natural disaster is exempt from impact fees.

Documentary real estate transfer tax (property transfer tax)
California Constitution Article XIII A, §4 (limit)
Government Code §53725 (limit)
Revenue & Taxation Code §11901, et seq.
Counties and cities levy this tax on the sale of real property.

Eminent domain
California Constitution Article I, §19
Code of Civil Procedure §1230.010, et seq.
Public entities can take private property for public use, with just compensation and due process.
(*Resource: Kelo & California*, SLG Committee, www.sen.ca.gov/locgov/publications.htp)

Enterprise districts (property tax policy)
Government Code §16270
State policy says special districts should charge user fees.

ERAF (Educational Revenue Augmentation Fund)
Revenue & Taxation Code §97.2, et seq.
Shifts property tax revenues from local governments to schools.

Ethics training (AB 1234)
Government Code §53234, et seq.
Elected and key appointed local officials must take biennial ethics training courses.
(*Resource:* Free online ethics training, http://localethics.fppc.ca.gov)

Expense claims (AB 1234)
Government Code §53232, et seq.
Rules governing reimbursement of local officials' expense claims.

Fair Political Practices Commission (FPPC)
Government Code §81000, et seq. & §83100, et seq.
The state commission that administers the Political Reform Act.

Farmland conservancy program (CFCP)
Public Resources Code §10200, et seq.
Easements that preserve agricultural land by prohibiting development.
(*Resource*: Division of Land Resource Protection, www.conservation.ca.gov/dlrp/cfcp/)

Farmland Mapping & Monitoring Program
Government Code §51283 (d)(1) & §65570
Public Resources Code §612
The State Department of Conservation maps farmland conversions.
(*Resource:* Division of Land Resource Protection, www.conservation.ca.gov/DLRP/fmmp/)

Farmland security zones
Government Code §51296, et seq.
Landowners contract with counties to preserve farmland (part of the Williamson Act).
(*Resource:* Division of Land Resource Protection,
www.conservation.ca.gov/dlrp/lca/farmland_security_zones/)

Fees can't exceed costs
Government Code §50076 & §66016, et seq.
Local fees can't exceed the reasonable cost of providing the service.
(*Resource:* "Comparing Local Taxes, Assessments, and Fees," SLG Committee,
www.sen.ca.gov/locgov/references.htp)

Fire suppression assessments
Government Code §50078, et seq.
Local agencies can levy assessments for fire suppression services.

Force account limits
The amounts over which local governments must use private labor instead of public employees.
(*Resource:* Summary of California State Laws, Construction Industry Research Board)

Gann limit (appropriations limit, Proposition 4)
California Constitution Article XIII B
Government Code §7900, et seq.
Public agencies can't spend more than they spent in the prior year, with adjustments.

General law cities
Government Code §36501, et seq.
Most cities rely on state laws to spell out their governance structure and duties.

General plan
Government Code §65300, et seq.
Every county and city must adopt a general plan that guides their land use decisions.
(*Resource:* General Plan Guidelines, OPR, www.opr.ca.gov/index.php?a=planning/gpg.html)
(*Resource:* Curtin's California Land Use and Planning Law, Solano Press Books)

General Plan Guidelines
Government Code §65040.2
OPR's advisory guidelines on how to prepare general plans.
(*Resource:* General Plan Guidelines, OPR, www.opr.ca.gov/index.php?a=planning/gpg.html)

General taxes
California Constitution Article XIII C, §2
Government Code §53720, et seq.
General tax revenues are used for general purposes. General taxes need majority-voter approval.

Geologic Hazard Abatement Districts (GHADs)
Public Resources Code §26500, et seq.
Districts that finance the prevention, mitigation, abatement, or control of geologic hazards.

Gift of public funds prohibited
California Constitution Article XVI, §6
Public officials can't give away or loan public money.

Gonsalves Act (contract cities)
Government Code §51350
Cities can contract with the county for municipal services.

Granny flats (second units)
Government Code §65852.1, et seq.
Counties and cities must approve additional dwelling units that meet certain conditions.

Home rule powers
California Constitution Article XI, §5
Charter cities can control their own municipal affairs.

Housing element
Government Code §65580, et seq.
Part of a general plan that spells out housing data, goals, and implementation programs.

Incompatibility of office doctrine
Government Code §1099 & §1126, et seq.
Local officials can't engage in employment and activities that conflict with their duties.

Independent special districts, defined
Government Code §56044
A special district with elected or appointed governing board members.

Infrastructure Bank (I-Bank, Infrastructure and Economic Development Bank)
Government Code §63000, et seq.
State agency that gives grants and loans for public works projects.

Infrastructure finance
State law provides several ways for local governments to pay for public works.
(*Resource:* California Debt Issuance Primer, CDIAC,
www.treasurer.ca.gov/cdiac/publications/debtrelated.asp)
(*Resource:* "Debt Chart," SLG Committee, www.sen.ca.gov/locgov/references.htp)

Infrastructure Financing Districts (IFDs)
Government Code §53395, et seq.
IFDs can use property tax increment revenues to pay for public works in nonblighted areas.
(*Resource:* "IFD information sheet," SLG Committee, www.sen.ca.gov/locgov/references.htp)

Initiative, Referendum & Recall
- Cities: Elections Code §9200, et seq., §9235, et seq., & §11000, et seq.
- Counties: Elections Code §9100, et seq., §9140, et seq., & §11000, et seq.
- Special districts: Elections Code §9300, et seq., §9340, et seq., & §11000, et seq.

Procedures for local initiatives, referenda, and recalls.

Integrated financing districts
Government Code §53175, et seq.
The initial developer builds the public works and gets repaid by later builders.

Interest rate limit on local bonds
Government Code §53530, et seq.
State law limits the interest rates on local bonds.

Investment of surplus funds
California Constitution Article XI, §11
Government Code §53601, et seq. & §53635
State law limits how local officials invest their temporarily idle funds.

JPA (joint powers agency, joint powers agreement)
Government Code §6500, et seq.
Public agencies can enter into agreements to jointly exercise any common power.
(*Resource:* Governments Working Together, SLG Committee,
www.sen.ca.gov/locgov/publications.htp)

LAFCO (Local Agency Formation Commission)
Government Code §56000, et seq.
Commission in each county that regulates the boundaries of cities and special districts.
(*Resource:* Guide to the Cortese-Knox-Hertzberg Act, ALG Committee,
www.assembly.ca.gov/acs/newcomframeset.asp?committee=17)
(*Resource*: It's Time to Draw the Line: A Citizen's Guide to LAFCOs, SLG Committee,
www.sen.ca.gov/locgov/publications.htp)
(*Resource:* "Annexation and Boundary Issues," Detwiler in Selmi & Manaster)

Landscaping & Lighting Act of 1972 (1972 Act)
Streets & Highways Code §22500, et seq.
Local officials can charge benefit assessments to pay for public works and public services.

Local Agency Investment Fund (LAIF)
Government Code §16429.1, et seq.
Local governments can invest their temporarily idle funds with the State Treasurer.

Mailed ballot elections
Elections Code §4000
Local elections can be conducted by mail.

Marks-Roos Local Bond Pooling Act of 1985
Government Code §6584, et seq.
Local officials can pool their bonds to lower their overhead costs.

Maxims of jurisprudence
Civil Code §3509, et seq.
Overarching principles that guide the legal system.

Mello-Roos Community Facilities Act (community facilities districts)
Government Code §53311, et seq.
Local agencies can levy special taxes to pay for public works and some public services.

Meyers-Milias-Brown Act
Government Code §3500, et seq.
Governs employer-employee relations for counties, cities, and special districts.

Mills Act (historic preservation)
Government Code §50280, et seq.
Revenue & Taxation Code §439, et seq.
Property owners can contract to preserve their historic properties and get lower property tax bills.

Multifamily Improvement District Law
Streets & Highways Code §36700, et seq.
Property and business assessments that benefit multi-family neighborhoods.
(*Also see*: "Parking and Business Improvement Area Law of 1989" and "Property and Business Improvement District Law of 1994")

Municipal advisory council (MAC)
Government Code §31010
County supervisors can create an advisory council to represent an unincorporated area.

Natural Hazard Disclosure Statement
Civil Code §1103.2
Seller must notify prospective buyer if property is in a natural hazard area.
(*Resource*: "Show and Tell: The New 'Natural Hazard Disclosure Statement,'" Detwiler in Matthew Bender & Co., Inc., http://ceres.ca.gov/planning/nhd/background.html)

Naylor Act (surplus school sites)
Education Code §17485, et seq.
Governs the sale of surplus school property.

New counties (county formation)
Government Code §23300, et seq.
Procedures for forming new counties.
(*Resource:* Suburban Secession, SLG Committee)

On-site wastewater disposal zones
Health and Safety Code §6950, et seq.
Local agencies authorized to run sewage systems can form on-site wastewater disposal zones.

Open space easements
Government Code §51070, et seq.
Land owners can grant easements to protect open space and prohibit development.
(*Also see:* "agriculture conservation easements" and "conservation easements")

Office of Planning and Research (OPR)
Government Code §65025, et seq.
Part of the Office of the Governor that works on land use planning and environmental quality.
(*Resource:* Office of Planning and Research's website, www.opr.ca.gov)

Ordinances
- Cities: Government Code §36900, et seq.
- Counties: Government Code §25120, et seq.

Procedures for counties and cities to adopt local laws.

Parcel taxes
Government Code §50075, et seq.
Local governments can levy special taxes with 2/3-voter approval.
(*Also se*e: "special taxes")

Parking and Business Improvement Area Law of 1989
Streets & Highways Code §36500, et seq.
Business assessments that pay for improvements and activities in business districts.
(*Also see*: "Multifamily Improvement District Law" and "Property and Business Improvement District Law of 1994")

Permit Streamlining Act
Government Code §65920, et seq.
Public agencies must meet statutory deadlines for decisions on development projects.

Planning, Zoning, and Development Law
Government Code §65000, et seq.
Counties and cities set up planning agencies, adopt general plans, and make land use decisions.
(*Resource:* Curtin's California Land Use and Planning Law, Solano Press Books)
(*Resource:* Planning, Zoning & Development Laws, OPR,
www.opr.ca.gov/index.php?a=planning/publications.html#pubs-P)

Police powers
California Constitution Article XI, §7
Government's power to regulate private behavior for public purposes.
Cities and counties can enforce local ordinances that don't conflict with general laws.

Political Reform Act of 1974
Government Code §81000, et seq.
Prohibits public officials from having economic conflicts of interest.

Prezoning
Government Code §65859
Cities can zone unincorporated territory before annexation.

Property and Business Improvement District Law of 1994
Streets & Highways Code §36600, et seq.
Property and business assessments that pay for improvements and activities in business districts.
(*Also see*: "Multifamily Improvement District Law" and "Parking and Business Improvement Area Law of 1989")

Property-related fees
California Constitution Article XIII D, §6
Government Code §53755
Procedures and requirements for new or increased fees on property-related public services.
(*Resource:* "Comparing Local Taxes, Assessments, and Fees," SLG Committee, www.sen.ca.gov/locgov/references.htp)

Property tax allocation (AB 8)
Revenue & Taxation Code §95, et seq.
Allocation of property tax revenues to local governments and schools.
(*Resource:* Demystifying the California Property Tax Apportionment System, Santa Clara County, available at www.californiacityfinance.com)
(*Resource:* Property Tax Allocation, SLG Committee, 1999)

Property transfer tax (documentary real estate transfer tax)
California Constitution Article XIII A, §4 (limit)
Government Code §53725 (limit)
Revenue & Taxation Code §11901, et seq.
Counties and cities levy this tax on the sale of real property.

Proposition 1A (2004)
California Constitution Article XI, §15, Article XIII, §25.5, & Article XIII B, §6
Protects local governments' financing from the state government.

Proposition 4 (1979) (appropriations limit, Gann limit)
California Constitution Article XIII B
Government Code §7900, et seq.
Public agencies can't spend more than they spent in the prior year, with adjustments.

Proposition 13 (1978)
California Constitution Article XIII A
Limits property tax rate to 1%, limits reassessments, requires voter approval for special taxes.

Proposition 59 (2004)
California Constitution Article I, §3
Protects public access to government meetings and records.

Proposition 62 (1986)
Government Code §53720, et seq.
Requires voter approval for local special taxes and most local general taxes.

Proposition 172 (1993)
California Constitution Article XIII, §35
Government Code §30051, et seq.
Dedicates ½¢ state sales tax for local public safety.

Proposition 218 (1996)
California Constitution Articles XIII C & XIII D
Government Code §53750, et seq.
Requires voter or property owner approval for local taxes, assessments, and fees.

Publication requirements
Government Code §6000, et seq.
Laws governing the publication of public notices.

Public Records Act
Government Code §6250, et seq.
Requires public access to public records, with limited exceptions.
(*Resource:* First Amendment Pocket Guide, www.thefirstamendment.org/publicrecordsact.pdf)
(*Resource:* The People's Business, League of California Cities, www.cacities.org/pra)
(*Resource:* Summary of the California Public Records Act, Attorney General,
http://caag.state.ca.us/publications/index.htm#publicrecords)

Quimby Act
Government Code §66477
Cities and counties can require subdividers to dedicate land for parks.

Record retention and destruction
- Cities: Government Code §34090, et seq.
- Counties: Government Code §26201, et seq.
- Special districts: Government Code §60200, et seq.

Rules for retaining and destroying local government documents.

Redevelopment (Community Redevelopment Law)
California Constitution Article XVI, §16
Health & Safety Code §33000, et seq.
Redevelopment agencies use tax increment revenues and eminent domain in blighted areas.

    Affordable housing (20% set-aside)
    Health & Safety Code §33334.2
    Agencies must put money into a Low and Moderate Income Housing Fund.

    "Blight" defined
    Health & Safety Code §33030, §33031, & §33320.1
    Physical and economic conditions of blight in urbanized areas.

    Military base conversion redevelopment
    Health & Safety Code §33492, et seq.
    Accelerates the conversion of former military bases to civilian uses.

    Natural disasters
    Health & Safety Code §34000, et seq.
    Accelerated redevelopment after natural disasters.

    Polanco Act
    Health & Safety Code §33459, et seq.
    Redevelopment agencies can clean up properties with hazardous substances.

    Reporting requirements
    Health & Safety Code §33080, et seq.
    Redevelopment agencies must provide annual audits and reports.
    (*Resource:* "Redevelopment Agency Reporting Requirements," SLG Committee)

    State lawsuits (Department of Finance and Attorney General)
    Health & Safety Code §33501 (c)
    Finance and the Attorney General can sue to challenge redevelopment plans.

Relocation benefits
Government Code §7260, et seq.
Public agencies must pay relocation benefits to displaced property owners and tenants.

Relocation subsidies banned
Government Code §53084
Health and Safety Code §33426.7
Local officials can't subsidize relocation of big box stores or auto malls in the same market area.

Revenue Bond Law of 1941
Government Code §54300, et seq.
Local governments can issue revenue bonds with majority-voter approval.

RHNA (regional housing needs assessment)
Government Code §65584, et seq.
COGs allocate future housing needs.

Right-to-farm ordinance
Civil Code §3482.5
Agricultural activity isn't a nuisance and can't be abated as a nuisance.

Roster of public agencies
Government Code §53051
The Secretary of State and county clerks keep rosters of public agencies.

Roster of public officials (California Roster)
Government Code §12240
The Secretary of State keeps rosters of state and local public officials.
(*Resource*: California Roster, Secretary of State, www.sos.ca.gov/admin/ca-roster.htm)

SAFE Act (State Assistance for Fire Equipment Act)
Government Code §8589.8, et seq.
Office of Emergency Services finances firefighting equipment for local agencies.

Sales tax (Bradley-Burns Uniform Local Sales and Use Tax Law)
Revenue and Taxation Code §7200, et seq.
Counties and cities levy sales taxes for general purposes.

Sales tax sharing
California Constitution Article XIII, §29
Government Code §55700, et seq.
Cities and counties can enter into sales tax revenue sharing agreements.

SB 375 (sustainable communities strategy)
Government Code §65080 (b)(2)
Each metropolitan planning organization adopts a sustainable communities strategy that aligns planning for housing, land use, transportation, and greenhouse gas emissions.

Seismic Hazards Mapping Act
Public Resources Code §2690, et seq.
Department of Conservation maps known seismic hazards.

School developer fees
Education Code §17620
Government Code §65995
School districts can levy developer fees to pay for new schools.
(*Resource:* Exactions and Impact Fees in California, Solano Press Books)

SLONs (Securitized Limited Obligation Notes)
Government Code §53835, et seq.
Special districts can issue SLONs to borrow money against their existing revenues.

Special assessments (benefit assessments)
Involuntary charges on property owners to pay for public works that directly benefit property.
(*Resource:* Assessing The Benefits of Benefit Assessments (Second Edition), SLG Committee,
www.sen.ca.gov/locgov/publications.htp)
(*Also see*: Proposition 218, 1911 Act, 1913 Act, 1915 Act, 1972 Act, 1982 Act)

Special districts' audits
Government Code §26909
Special districts must have regular, independent audits.

Special districts, defined
Government Code §16271 (d) & §50077 (d)
Revenue & Taxation Code §95 (m)
A local government that provides limited services and facilities to a defined geographic area.
(*Resource:* What's So Special About Special Districts?, SLG Committee,
www.sen.ca.gov/locgov/publications.htp)

Special districts (independent), defined
Government Code §56044
A special district with elected or appointed governing board members.

Special districts' principal acts
State laws that govern each type of special district.
For example: Community Services District Law is Government Code §61000, et seq.
(*Resource:* Appendix A, Special Districts Annual Report, State Controller's Office,
www.sco.ca.gov/pubs/#locgovrep)

Special legislation prohibited
California Constitution Article IV, §16
Special legislation is unconstitutional if a general law can apply.

Special tax oversight (SB 535, 2001)
Government Code §50075.1, §50075.3, & §50075.5
Local officials must issue annual reports on how they spend special tax revenues.

Special taxes
California Constitution Articles XIII A, §4 and XIII C, §2
Government Code §50075 et seq., §53722, et seq., & §53970, et seq.
Special tax revenues are restricted to special uses. Special taxes require 2/3-voter approval.

Specific plans
Government Code §65450, et seq.
Implementation program carrying out the general plan in part of a county or city.

Standby charges (Uniform Standby Charge Procedures Act)
California Constitution Article XIII D, §6 (b)(4)
Government Code §54984, et seq.
Local agencies can charge unimproved properties for sewer and water facilities.

State mandated local programs (SB 90)
California Constitution Article XIII B, §6
Government Code §17500, et seq.
State government must pay for the local costs of new state-mandated local programs.

Subdivision Map Act
Government Code §66410, et seq.
State law regulates the subdivision of land with tentative maps and parcel maps.
(*Resource:* Subdivision Map Act Manual, Solano Press Books)

Subdivided Lands Act
Business & Professions Code §11000, et seq.
Land can be divided into five or more parcels for sale, lease, or finance.

Surplus property (state agencies)
Government Code §11011.1
State departments must offer surplus real property to local agencies.

Surplus property (local agencies)
Government Code §50568, et seq. & §54220, et seq.
Procedures for local officials to dispose of surplus property.

Tax
Involuntary charge against an individual, landowner, or business without regard for benefit.
(*Resource:* "Comparing Local Taxes, Assessments, and Fees," SLG Committee,
www.sen.ca.gov/locgov/references.htp)
(*Resource*: Revenues and Responsibilities, SLG Committee,
www.sen.ca.gov/locgov/publications.htp)
(*Also see:* "general taxes" and "special taxes")

Teeter plans
Revenue & Taxation Code §4701, et seq.
An alternative method of allocating delinquent property tax revenues.

Temporary borrowing
Government Code §53820, et seq., §53840, et seq., §53850, et seq., & §53859, et seq.
Local governments use "dry period loans" to borrow money against future revenues.

Term limits
- Cities: Government Code §36502 (b)
- Counties: Government Code §25000 (b)
- Special districts: Government Code §53077

Cities, counties, and special districts may impose term limits.

Timberland Productivity Act
Government Code §51100, et seq.
Preferential property tax assessment of timberland. Similar to the Williamson Act.

Tribal consultation
Government Code Section §65352.3
Cities and counties must consult with tribes before adopting or amending general plans.
(*Resource*: SB 18 Tribal Consultation Guidelines, OPR,
www.opr.ca.gov/index.php?a=programs/tribal.html)

UDEL (Uniform District Election Law)
Election Code §10500, et seq.
Procedures for holding local government elections.

Uniform Public Construction Cost Accounting Act
Public Contract Code §22000, et seq.
Local agencies follow uniform accounting standards and bidding procedures for public projects.

Urgency clause
California Constitution Article IV, §8 (d)
Urgency bills protect the public peace, health, or safety and require 2/3-vote in each house.

Validation suits
Code of Civil Procedure §860, et seq.
Lawsuits that ask a court to validate bonds, boundaries, or other decisions.

VLF (Vehicle License Fees)
California Constitution Article XI, §15
Revenue & Taxation Code §11005
A state excise tax on motor vehicles in lieu of local property taxes.

Volunteer fire companies
Health and Safety Code §14825, et seq.
Unincorporated towns can organize fire companies.

Williamson Act
- Contracts: Government Code §51200, et seq.
- Subventions: Government Code §16140, et seq.
- Reassessments: Revenue & Taxation Code §421, et seq.

Landowners can contract with counties to conserve their farmland and open space.
Landowners get lower property tax bills.
Counties get state subventions to make up for the lost property tax revenues.
(*Resource*: Division of Land Resource Protection,
www.conservation.ca.gov/dlrp/lca/Pages/Index.aspx)

Zoning
Government Code §65800, et seq.
County and city zoning ordinances set land use standards and restrict land uses.

Retrieving Official Documents

California Statutes

1. Go to the home page for the Legislative Counsel: www.leginfo.ca.gov

2. Click on the button labelled "CALIFORNIA LAW."

3. In the next screen, find the Code that you want to search. For example, if you want to read Government Code §65302 (the contents of general plans), check the box for "Government Code" then click on the "Search" button near the bottom of the page.

4. In the next screen, you'll see section numbers highlighted in blue. Scroll down and click on "65300-65303.4."

5. In the next screen, you'll see a series of code sections. Scroll down to "65302."

Attorney General's Legal Opinions

1. Go to the home page for the California Attorney General: http://caag.state.ca.us

2. On the left side of the page, scroll down to "LEGAL OPINIONS" and click on "Opinions of the Attorney General."

3. In the next screen, scroll down and click on "Opinions Search."

4. In the next screen, fill in the field. For example, if you want to see the AG's opinions since 1986 that contain the word "LAFCO," type "LAFCO" and click on the button "Search."

5. In the next screen, following this example, you have 20 citations to choose from. Click on the opinion you want to read.

Administrative Regulations

1. Go to the home page for the Office of Administrative Law: http://ccr.oal.ca.gov

2. If you know the title and Code section numbers of the regulation you want to read, click on "Search for a Specific Regulatory Section," otherwise, proceed to step 3.

3. If you don't know the title and/or Code section numbers, click on "List of CCR Titles."

4. In the next screen, click on the Title that contains the topic you want to read. For example, for the CEQA Regulations, click on "TITLE 14. NATURAL RESOURCES."

5. In the next screen, continue clicking on the "+" icons to expand the divisions, chapters, and articles until you find the Code section you want to read. Following our CEQA Regulations example, expand "DIVISION 6. RESOURCES AGENCY" and "CHAPTER 3. GUIDELINES FOR IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT." This will bring you to the articles related to CEQA regulations.

<u>California Court Decisions</u>

1. Go to the home page for the California court system: www.courtinfo.ca.gov

2. In the upper left-hand corner of the screen, click on "opinions."

3. In the next screen, near the upper left-hand corner, click on the box that says "Searchable Opinions 1850 – Present."

4. In the next screen, near the bottom of the page, click on the button "Continue."

5. In the next screen (now you're at a LEXIS NEXIS screen), scroll down to the bottom of the page and check the box that says "I have read and agree to these Terms and Conditions."

6. Then, on the same screen, click "VIEW OPINIONS →."

7. In the next screen, there are 2 ways to search for cases. Use the lower method called "Get Opinion by Cite" and enter the citation for the decision you want to retrieve. For example, if you want to read *Beach-Courchesne v. City of Diamond Bar* (2000) 80 Cal.App.4th 388, then fill out the three fields:
   - In the first box called "Enter Volume" insert "80"
   - In the pull down menu called "Select Reporter" click on "Cal.App.4th"
   - In the third box called "Enter Page #" insert "388"

8. When the *Beach-Courchesne* decision comes up, you can either read it online or you can print the case. Because that decision is 11 pages long, it might be easier to print the opinion.

Useful Websites

Government Websites

California State Senate. www.sen.ca.gov

California State Assembly. www.assembly.ca.gov

California Courts. www.courtinfo.ca.gov
Access to court decisions.

Department of Transportation. www.dot.ca.gov
Caltrans information on road conditions, traffic operations, and local roads.

Fair Political Practices Commission. www.fppc.ca.gov
Political Reform Act forms, filing deadlines, and ethics orientation.

Governor's Office. www.gov.ca.gov

Legislative Analyst's Office. www.lao.ca.gov
Analyses on the budget, fiscal, and policy legislation.

Legislative Counsel. www.leginfo.ca.gov
Posts statutes, bills, analyses, votes, histories, publications, and CA codes.

Secretary of State. www.sos.ca.gov
Elections, voter, campaign, lobby information, business filing, notary, public commissions.

State Controller's Office. www.sco.ca.gov
Posts local government financial reports, reporting forms, and audit guidelines.

State of California. www.ca.gov
Links to all the state agencies, counties, and cities and departments.

U.S. House of Representatives. www.house.gov

U.S. Senate. www.senate.gov

Local Government Websites

California Special Districts Association (CSDA) is the umbrella group for districts. www.csda.net

California State Association of Counties (CSAC) provides county information. www.csac.counties.org

Institute for Local Government (ILG) produces a variety of materials for local governments. www.ca-ilg.org

League of California Cities is the trade association for all 480 municipalities. www.cacities.org

The City Attorney's Department of the **League of California Cities** offers a number of helpful publications. www.cacities.org/attorneys

Senate Local Government Committee offers diverse and eclectic resources. www.sen.ca.gov/locgov

Land Use Planning Websites

Need information on California's public water agencies? **Association of California Water Agencies (ACWA)** is the umbrella group. www.acwa.com

California Association of LAFCOs (CALAFCO) serves the state's boundary commissions. www.calafco.org

You can reach professional planners at the **California Chapter of the American Planning Association**. www.calapa.org

Need information on **California Environmental Quality Act (CEQA)**?
- The statute. http://ceres.ca.gov/topic/env_law/ceqa
- The "CEQA Guidelines" are the regulations that interpret the statute. http://ceres.ca.gov/topic/env_law/ceqa/guidelines

The **California Environmental Resources Evaluation System (CERES)** main website. http://ceres.ca.gov

Where do reporters get their land use information? The **Foundation for American Communications**. www.facsnet.org

The state's **Land Use Planning Information Network (LUPIN)** is a great starting point and includes links to local general plans and zoning ordinances. http://ceres.ca.gov/planning

The Governor's **Office of Planning and Research (OPR)** advises local planners.
www.opr.ca.gov

- OPR's General Plan Guidelines advise planners on how to plan.
  www.opr.ca.gov/index.php?a=planning/gpg.html
- OPR compiles the state's Planning, Zoning, and Development Laws.
  www.opr.ca.gov/index.php?a=planning/publications.html#pubs-P
- OPR's California Planner's Book of Lists provides lots of information about local
  planning. www.opr.ca.gov/index.php?a=planning/publications.html#pubs-C

Local Finance Websites

California Taxpayers' Association conducts research and advocacy on tax and spending issues.
www.caltax.org

Howard Jarvis Taxpayers Association leads the fight against taxes. www.hjta.org

League of California Cities sponsors a local government finance website.
www.californiacityfinance.com

State Board of Equalization can answer your state tax questions. www.boe.ca.gov

Policy Research and Databases

The **California On-Line Directory** "COLD" lists state employees' phone numbers.
http://cold.ca.gov

California Research Bureau (part of the State Library) produces reports on California issues.
www.library.ca.gov/crb/CRBSearch.aspx

California Courts' website provides copies of court decisions. www.courtinfo.ca.gov/opinions

Researching the **Code of California Regulations**? There's a search function.
http://ccr.oal.ca.gov

Department of Finance's Demographic Research Unit posts population and census data.
www.dof.ca.gov/html/Demograp/druhpar.htm

National Conference of State Legislatures compares California to other states. http://ncsl.org

Public Policy Institute of California is an independent research center with statistical
information and analytical reports. www.ppic.org

Reason Public Policy Institute is another public policy research center.
www.rppi.org/index.html

Senate Office of Research (part of the California State Senate) produces policy reports.
www.sen.ca.gov/sor

Thomas (a service of the Library of Congress) posts information about federal legislation.
http://thomas.loc.gov

Current Awareness

"**Rough & Tumble**" is Jack Kavanagh's daily digest of news stories about California politics.
www.rtumble.com

"California Planning & Development Report" is Bill Fulton's monthly newsletter.
www.cp-dr.com