



February 27, 2019

The Honorable Phil Ting
California State Assembly
State Capitol
Sacramento, CA 95814

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JEFF BROWN
Director
Division VII

RICK GILMORE
General Manager
Secretary

RE: Assembly Bill 1486 (Ting) – Oppose Unless Amended [As Amended May 16, 2019]

Dear Assembly Member Ting:

The Byron-Bethany Irrigation District (BBID) is respectfully opposed to Assembly Bill 1486 unless it is amended to address our concerns. AB 1486 would impose onerous new requirements on public agencies attempting to dispose of their land. BBID is a multi-county special district, serving parts of Alameda, Contra Costa, and San Joaquin Counties. The District provides reliable, efficient water, serving 160 agricultural customers and more than 20,000 residents of the Mountain House community.

The Surplus Land Act (SLA) requires special districts and other local agencies to offer the right of first refusal to affordable housing developers, schools, and parks before selling their land. The new requirements imposed by AB 1486 would force public agencies to open up land currently preserved for public purposes to private development by applying a new definition to the requirements of the SLA limiting public agencies' flexibility in maximizing their land and facilities.

AB 1486 also would require a local agency to notice the availability of property prior to participating in any formal or informal negotiations to dispose of the land and would prevent local agencies from negotiating anything other than price in the disposition of surplus land. These provisions would make it difficult for an agency to get a good sense of the market value of their land and impossible to negotiate reserved rights and easements.

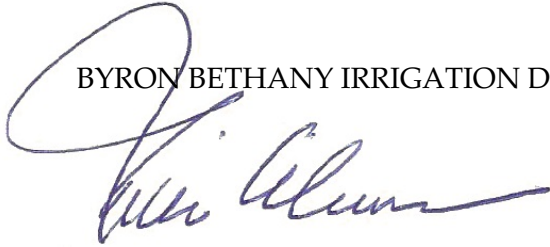
Finally, AB 1486 would invalidate any transfer or conveyance of land for value where a public agency did not comply with the requirements of the SLA. This provision would make public agencies' land less marketable when buyers are aware a purchase could be invalidated and would make it difficult for potential buyers to secure the financing and insurance necessary to make property purchases possible, costing public agencies and the communities they serve millions of dollars.

We respectfully request AB 1486 be amended to address these issues. Our opposition is not a challenge to the need for affordable housing, but a validation of the need for local flexibility when it comes to proper governmental land use management.

For these reasons, BBID respectfully opposes AB 1486 unless it is amended.

Very truly yours,

BYRON BETHANY IRRIGATION DISTRICT

A handwritten signature in blue ink, appearing to read "Rick Gilmore", written over the printed name of the district.

Rick Gilmore
General Manager

CC: Tara Gamboa-Eastman, Office of Assembly Member Phil Ting
[Tara.Gamboa-Eastman@asm.ca.gov]

Rylan Gervase, Legislative Representative, California Special Districts Association
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