

Date of Hearing: April 5, 2017

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Cecilia Aguiar-Curry, Chair

AB 1226 (McCarty) – As Amended March 28, 2017

**SUBJECT:** River port districts: Sacramento-Yolo Port District.

**SUMMARY:** Authorizes the City of West Sacramento and the County of Yolo to replace an appointed member to the Sacramento-Yolo Port District Commission (Commission) prior to the end of their four-year term of office, as specified. Specifically, **this bill:**

- 1) Authorizes the appointing authorities, the City of West Sacramento and Yolo County, to replace their appointment to the Commission prior to the end of the four-year term of office in the manner set by law for appointments by the appointing authority.
- 2) Requires appointed Commissioners to serve at the pleasure of the appointing authority.

**EXISTING LAW:**

- 1) Provides for the formation and organization of River Port Districts governed by a five-member port commission.
- 2) Establishes a four-year term of office from the time of appointment for port commissioners.
- 3) Provides for staggered terms by requiring the first appointed chairman to hold office for two years, and the remaining commission members to classify themselves by lot, to hold office respectively for one, two, three, and four years.
- 4) Requires the Sacramento-Yolo Port Commission to be composed of five members selected and appointed as follows:
  - a) Four Commissioners appointed by the City of West Sacramento City Council. Requires Commissioners to be residents of the City of West Sacramento. Authorizes appointed Commissioners to be members of the City Council. Requires appointments to be made in the manner set by law for appointments by the City of West Sacramento; and,
  - b) One Commissioner appointed by the Yolo County Board of Supervisors. Requires the Commissioner to be a resident of the City of West Sacramento. Authorizes the appointed Commissioner to be a member of the Board of Supervisors. Requires the appointment to be made in the manner set by law for appointments by Yolo County.

**FISCAL EFFECT:** None

**COMMENTS:**

- 1) **Sacramento-Yolo Port District.** The Sacramento-Yolo Port District (Port) was formed in 1947 to develop and maintain a deep water port for the northern California Region. Upon formation, the Port was governed by a five-member Commission. Following the incorporation of the City of West Sacramento in 1988, the Legislature expanded the Commission to seven members: two members appointed by the City of Sacramento, two

members appointed by Sacramento County, one member appointed by Yolo County, one member appointed by the City of West Sacramento, and one member jointly appointed by the City of Sacramento and Sacramento County.

In January 2006, the appointing jurisdictions of the Port unanimously approved a binding agreement permanently giving West Sacramento three additional seats on an "interim" seven member Commission. The agreement created a mechanism to reimburse the City and County of Sacramento for their original investment in the Port of Sacramento, and contained an agreement to sponsor state legislation to permanently modify the boundaries of the Port and reduce the size of the Commission to five commissioners, four appointed by the West Sacramento City Council and one appointed by the Yolo County Board of Supervisors. AB 2939 (Wolk), Chapter 284, Statutes of 2006, made these changes to the Port's boundaries and governance structure.

- 2) **Bill Summary.** Pursuant to existing law, the Port is governed by a five-member Commission composed of four Commissioners appointed by the City of West Sacramento and one Commissioner appointed by Yolo County. The Port's Commissioners are appointed to four-year terms. This bill authorizes the appointing authorities, the City of West Sacramento and Yolo County, to replace an appointed Commissioner prior to the end of their term in a manner set by law for appointments by the appointing authority. This bill maintains the four-year term of office from the date of appointment and requires Commissioners to serve at the pleasure of the appointing authority. This bill is sponsored by the Port.
- 3) **Author's Statement.** According to the author, "AB 1226 would make much needed updates to the laws governing the Port of West Sacramento. These updates make a simple change to the terms of port commissioners with the goal of reducing vacancies."
- 4) **Arguments in Support.** The Port states that existing law "...is problematic because it is inconsistent with West Sacramento's process for commission appointments, and creates the potential for extended vacancies on the Port Commission. AB 1226 will facilitate smoother leadership transitions on the Port Commission."
- 5) **Arguments in Opposition.** None on file.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

Port of West Sacramento [SPONSOR]

##### **Opposition**

None on file

**Analysis Prepared by:** Misa Lennox / L. GOV. / (916) 319-3958