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TITLE 5. LOCAL AGENCIES [50001 - 57607] (Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821] (Division 2 added by Stats. 1949, Ch. 81.)

PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7] (Part 1 added by Stats. 1949, Ch. 81.)

CHAPTER 2.7. Community Rehabilitation District Law [53370 - 53394] (Chapter 2.7 added by Stats. 1985, Ch. 906, Sec. 1.)

ARTICLE 4. Powers of a District [53380 - 53382.7] (Article 4 added by Stats. 1985, Ch. 906, Sec. 1.)

53380. The territorial jurisdiction of a district created by a county may only include area within the unincorporated territory in the county, and the territorial jurisdiction of a district created by a city or a city and county is the territory within its territorial limits.
(Added by Stats. 1985, Ch. 906, Sec. 1.)

53380.3. The powers of each district are vested in the legislative body which establishes the district.
(Added by Stats. 1985, Ch. 906, Sec. 1.)

53380.7. A district may rehabilitate public capital facilities. Public capital facilities include, but are not limited to, all of the following:

- (a) Streets and roads, including, but not limited to, ancillary equipment such as traffic control signals and signs.
- (b) Sewer and water pipes, storm drains, and treatment plants.
- (c) Sidewalks, curbs, and gutters.
- (d) Bridges, overpasses, and viaducts.
- (e) Street lights.
- (f) Public buildings.
- (g) Flood control works.
- (h) Criminal justice facilities, including, but not limited to, jails and juvenile detention facilities.
- (i) Libraries.
- (j) Park and recreational facilities.

(Added by Stats. 1985, Ch. 906, Sec. 1.)

53381. A district may expand the capacity of existing public capital facilities, replace existing public capital facilities with alternative technologies that perform similar functions, reroute or relocate public capital facilities, or construct new public capital facilities which comprise a component of a program to rehabilitate the public works of the district or to rehabilitate any related system of public works within the district or contribute to the cost of any project authorized by this section.

(Amended by Stats. 1991, Ch. 1110, Sec. 34.)

53381.3. A district may not perform routine maintenance, except when ancillary to, and supportive of, a rehabilitation project.

(Added by Stats. 1985, Ch. 906, Sec. 1.)

53381.7. Whenever the legislative body determines that it is economically sound and in the public interest for the district to rehabilitate facilities that were not identified in the resolution of intention to create the district, or to rehabilitate public facilities located in territory that is not within the boundaries of the district, or to levy an assessment, or impose a special tax, fee, or charge that was

not described in the resolution of intention to create the district, it may grant that authority to the district. The legislative body may grant that authority by adopting a resolution of intention to change the authority of the district, publishing a notice of that intention, holding a hearing, and adopting a resolution to change the authority of the district in the same manner as is required for the adoption of a resolution of intention to establish the district pursuant to Section 53373.

(Added by Stats. 1985, Ch. 906, Sec. 1.)

53382. A district may exercise all of the following powers:

- (a) Acquire real or personal property of every kind within the district, by grant, purchase, gift, devise, lease, or eminent domain. The power of eminent domain shall be exercised in accordance with the requirements of Title 7 (commencing with Section 1230.010) of Part 3 of the Code of Civil Procedure. In exercising that power, the district shall, in addition to the damage for the taking, injury, or destruction of property, also pay for the cost of removal, reconstruction, or relocation of any structure, railways, mains, pipes, conduits, wires, cables, or poles of any public utility which are required to be relocated.
- (b) Act as trustee under any trust incidental to the purposes of the district, and receive, hold, administer, and expend funds and property subject to the trust.
- (c) Sell, assign, convey, exchange, lease, mortgage, encumber, transfer upon trust, or otherwise dispose of real or personal property.
- (d) Invest and reinvest funds of the district in a prudent manner.
- (e) Borrow money, contract debts, and issue bonds, notes, and debentures pursuant to Article 6 (commencing with Section 53387).
- (f) Perform any work, construction, or operation under its own superintendence or contract for the performance of that work by others, as authorized by law.
- (g) Make contracts for any and all purposes necessary or convenient for the full exercise of its powers.
- (h) Exercise the right of perpetual succession.
- (i) Adopt and affix a seal.
- (j) Levy assessments and issue bonds pursuant to the Improvement Act of 1911, (Division 7 (commencing with Section 5000) of the Streets and Highways Code), the Improvement Bond Act of 1915, (Division 10 (commencing with Section 8500) of the Streets and Highways Code), and the Municipal Improvement Act of 1913, (Division 12 (commencing with Section 10000) of the Streets and Highways Code). The district may also impose a special tax and issue bonds pursuant to the Mello-Roos Community Facilities Act of 1982, (Chapter 2.5 (commencing with Section 53311)), or impose fees or charges. The amount of any fee or charge shall not exceed the amount reasonably necessary to cover the cost of providing the service for which the fee or charge is imposed. The provisions of those principal acts shall govern all proceedings relating to the levy of the assessments, the issuance of bonds, and the retirement of the bonds under any of those principal acts.
- (k) Issue senior obligation bonds as authorized by this chapter.
- (l) Adopt regulations governing the use of district facilities and property.
- (m) Enter into joint powers agreements in accordance with Chapter 5 (commencing with Section 6500) of Division 7 of Title 1.

(Amended by Stats. 1986, Ch. 652, Sec. 2.)

53382.3. All contracts for the rehabilitation of any public facility estimated to cost in excess of five thousand dollars (\$5,000) shall be let to the lowest responsible bidder after competitive bidding. The legislative body may reject any and all bids and may call for new bids. The legislative body may have the work done by negotiated contract under any of the following circumstances:

- (a) If no proposals are received.
- (b) If the estimated cost of the work does not exceed the sum of five thousand dollars (\$5,000).
- (c) If the work consists only of architectural or engineering design services.
- (d) If the work consists of emergency work necessary in order to protect life and property.

(Added by Stats. 1985, Ch. 906, Sec. 1.)

53382.7. The county shall, if requested by the legislative body of a district created within the boundaries of a city, collect any assessments, taxes, fees, or charges imposed pursuant to subdivision (j) of Section 53382. If any of those assessments, taxes, fees, or charges are collected by the county, the county may deduct the reasonable costs incurred by the county in making those collections and shall remit the balance to the district.

(Added by Stats. 1985, Ch. 906, Sec. 1.)