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AB-844 Green Empowerment Zone for the Northern Waterfront area of the County of Contra Costa. (2021-2022)

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Assembly Bill No. 844

CHAPTER 377

An act to add and repeal Chapter 34 (commencing with Section 7599.100) of Division 7 of Title 1 of the Government Code, relating to local government.

[Approved by Governor September 28, 2021. Filed with Secretary of State September 28, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 844, Grayson. Green Empowerment Zone for the Northern Waterfront area of the County of Contra Costa.

Existing law establishes procedures for the formation of infrastructure financing districts, enhanced infrastructure financing districts, infrastructure and revitalization financing districts, community revitalization and investment authorities, and public-private partnerships, as specified, to undertake various economic development projects, including financing public facilities and infrastructure, affordable housing, and economic revitalization.

This bill, until January 1, 2028, would authorize establishment of a Green Empowerment Zone for the Northern Waterfront area of the County of Contra Costa. The bill would authorize the Green Empowerment Zone to be composed of specified cities, upon adoption of a resolution by the city or county, and would provide for the Green Empowerment Zone to be governed by a board of directors. The bill would task the Green Empowerment Zone with various duties, including, among other things, identification of projects and programs that will best utilize public dollars and improve the economic vitality of the Northern Waterfront area of the County of Contra Costa in a coordinated effort to support the development of the clean energy economy.

The bill would require the Green Empowerment Zone to create and maintain an internet website that is managed and updated by an entity designated by the board of directors, produce a report each year that includes recommendations for action by the Legislature and the progress of the zone, and post the report on its internet website, as specified.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Contra Costa

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 34 (commencing with Section 7599.100) is added to Division 7 of Title 1 of the Government Code, to read:

CHAPTER 34. Green Empowerment Zone for the Northern Waterfront area of the County of Contra Costa

7599.100. (a) A Green Empowerment Zone for the Northern Waterfront area of the County of Contra Costa may be established. The geography of the zone shall extend to the territories of the cities listed in subdivision (c) and the unincorporated areas of the County of Contra Costa north of State Highway 4. The board of directors may, by majority vote, change the geography of the Green Empowerment Zone.

(b) The purpose of the Green Empowerment Zone is to build upon the comparative advantage provided by the regional concentration of highly skilled energy industry workers by prioritizing access to tax incentives, grants, loan programs, workforce training programs, and private sector investment in the renewable energy sector.

(c) The Green Empowerment Zone may include all of the following cities and the county upon the adoption of a resolution by the legislative body of each city and county that states the intent of the city or county to participate in the Green Empowerment Zone:

- (1) The City of Antioch.
- (2) The City of Benicia.
- (3) The City of Brentwood.
- (4) The City of Concord.
- (5) The City of Hercules.
- (6) The City of Martinez.
- (7) The City of Oakley.
- (8) The City of Pittsburg.
- (9) The City of Vallejo.
- (10) The County of Contra Costa.

(d) The board of directors may vote to include additional jurisdictions in the membership of the Green Empowerment Zone.

7599.101. (a) The Green Empowerment Zone shall be governed by a board of directors.

(b) The Green Empowerment Zone shall be comprised of representatives from seven stakeholder groups who shall serve as voting directors, as follows:

(1) Ten local government directors, one from each of the cities and the county set forth in subdivision (c) of Section 7599.100 that have adopted a resolution expressing its intent to participate in the Green Empowerment Zone. Each city and county shall select one representative who shall serve a two-year term.

(2) Five large employer directors, located within one or more cities or the county listed in subdivision (c) of Section 7599.100. Each of the five largest private employers in the fields of energy or manufacturing within the area of the Green Empowerment Zone shall select a representative who will serve a two-year term. Employer size shall be based upon data from the local workforce board.

(3) (A) Four state government directors who each shall be a resident of one of the cities or the county listed in subdivision (c) of Section 7599.100, and who also serve on one of the following state agencies or commissions:

- (i) The State Air Resources Board.
- (ii) The California Transportation Commission.
- (iii) The California Workforce Development Board.
- (iv) The California Energy Commission.

(B) Each board or commission shall select a representative to the Green Empowerment Zone who shall serve a two-year term.

(C) If the board is unable to identify a sufficient number of individuals who meet the residential and service qualifications for membership as a state government representative described in subparagraph (A), it may waive either or both by a majority vote.

(4) Five small business and economic development directors who shall represent existing economic and business development organizations that serve the cities or the county listed in subdivision (c) of Section 7599.100. These small business and economic development representatives shall be nominated by the Association of Bay Area Governments and confirmed by the board to serve two-year terms.

(5) Five directors from universities, laboratories, and foundations with specialized expertise and knowledge of green energy who shall, upon agreement by the regents, be nominated by the Office of the President of the University of California and confirmed by the board. These university, laboratory, and foundation representatives shall serve two-year terms.

(6) Five directors representing the five largest private sector organized labor organizations whose membership works in the cities and the county listed in subdivision (c) of Section 7599.100. Each union shall select its own representative to the Green Empowerment Zone board who shall each serve a two-year term.

(7) Five directors representing workforce development and public and private educational entities that serve cities or the county listed in subdivision (c) of Section 7599.100, at least one of whom shall be a representative from the California State University and at least one of whom shall be a representative from the California Community Colleges. These workforce development and education representatives shall be nominated by the Association of Bay Area Governments and confirmed by the board to serve two-year terms.

(8) Confirmation of a nominee for membership on the board of directors shall be by majority vote of the sitting members of the board.

(c) Every Member of the Legislature and of the United States Congress that represents a city listed in subdivision (c) of Section 7599.100 shall be ex officio voting members of the board of directors.

(d) A board chair and two deputy chairs shall be selected by a majority vote of the board. The chair and deputy chairs shall serve two-year terms. An individual may serve as chair or deputy chair more than once, however, they shall not serve consecutive terms. The chair and deputy chairs shall be chosen from among the following:

(1) One member shall be a Member of the Legislature who represents one or more of the cities or the county listed in subdivision (c) of Section 7599.100.

(2) One member shall be a representative from a local agency in a city or county listed in subdivision (c) of Section 7599.100.

(3) One member shall be a representative whose residence and place of employment is within one or more of the cities or the county listed in subdivision (c) of Section 7599.100.

(e) The Green Empowerment Zone shall also have an executive board comprised of the chair, deputy chairs, and up to seven members of the board of directors selected by a majority vote of the board of directors.

(f) The members of the board of directors shall serve without compensation.

(g) A member of the board of directors, including the chair, shall, upon identifying a conflict of interest, or a potential conflict of interest, regarding a matter before the board of directors of the Green Empowerment Zone, immediately and before consideration of the matter, do all of the following:

(1) Provide written notice to the chair regarding the interest that gives rise to the conflict of interest or potential conflict of interest. In the case of the chair, written notice shall be given to one of the deputy chairs.

(2) Recuse themselves from discussing or voting on the matter.

(3) Leave the meeting room until after discussion, vote, and any other consideration of disposition of the matter is concluded.

(h) A member of the board of directors shall not use the name of the Green Empowerment Zone on any letterhead, business code, or identification badge unless the person has been authorized to do so by the board of directors.

7599.102. The Green Empowerment Zone shall have the following duties:

(a) Identification of projects and programs that will best utilize public dollars and most quickly improve the economic vitality of the Northern Waterfront area of the County of Contra Costa, especially those that leverage federal, state, local, and private sector resources in a coordinated effort to support the development of the clean energy economy.

(b) Work with members of the state's congressional delegation and federal official, including any relevant federal interagency task force, to gain federal support for projects identified by the zone as critical to the region's energy economy.

(c) Partner with the University of California, the California State University, community colleges, and the state's other research and educational institutions, as well as private foundations, to provide guidance, advice, and encouragement in support of studies of particular interest and importance to the energy industry in the Northern Waterfront area of the County of Contra Costa.

(d) Review state policies and regulations to ensure they are fair and appropriate for the state's diverse geographic regions, including the Northern Waterfront area of the County of Contra Costa, and determine whether alternative approaches can accomplish goals in less costly ways.

(e) Make recommendations to the Governor that would improve the economic well-being of the region and the quality of life of its residents.

(f) Create and maintain an internet website that is managed and updated by an entity designated by the board of directors.

7599.103. (a) The board shall appoint a steering committee that, on or before January 1, 2023, shall develop metrics that shall be reported to the Legislature and state departments and agencies gauging the progress of the zone that shall include, but not be limited to, all of the following:

(1) The number of jobs gained and lost in each sector of the economy.

(2) The average wage of the jobs gained in each sector of the economy.

(3) The number and types of grants solicited and received by, or on behalf of, the zone.

(4) The type and amount of workforce training conducted in the zone, by whom it was provided, and the amount of capital investment attached to provision of that training.

(b) Commencing on January 1, 2023, and on or before January 1 of each year thereafter, the Green Empowerment Zone shall post the report described in subdivision (a) on its internet website and submit a letter to the Legislature informing the Legislature that the report has been posted.

7599.104. This chapter shall remain in effect only until January 1, 2028, and as of that date is repealed.

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances and challenges relating to economic development in the County of Contra Costa.