

Part 2 Airport Districts

Chapter 1 General Provisions and Definitions

[Division 9, Aviation--Part 2, Airport Districts--Chapter 1, General Provisions and Definitions; added by Stats 1953 ch 151 §1.]

§ 22001. Citation of part

This part may be cited as the "California Airport District Act."

Added Stats 1953 ch 151 §1.

§ 22002. Purpose of part

The purpose of this part is to facilitate the formation of intercity and county airport districts having responsibility for the development of airports, spaceports, and air navigation facilities, the objective being to encourage airport and spaceport development by communities and to distribute the cost uniformly among all who benefit.

Added Stats 1953 ch 151 §1.

Amended Stats 2000 ch 191 §1 (AB 2252).

§ 22002.5. Section repealed 2000.

Added Stats 2000 ch 191 §2 (AB 2252). Repealed Stats 2000 ch 1056 §14 (SB 1136). The repealed section related to definitions.

§ 22003. Definitions and general provisions to govern construction

(a) Unless the context otherwise requires, the definitions and general provisions contained in this chapter govern the construction of this part.

(b) "Spaceport" and associated terms contained in this part shall be defined pursuant to Section 13999.1[Deering's] of the Government Code.

Added Stats 1953 ch 151 §1.

Amended Stats 2003 ch 627 §4 (AB 1532).

§ 22004. Airport districts authorized; Exercise of powers

Airport districts may be created, maintained, and managed as provided in this part and may exercise the powers expressly granted or necessarily implied.

Added Stats 1953 ch 151 §1.

§ 22005. What district may include

A district may lie within or include the territories of one or more counties. It may include one or more cities, all or any part of any city and any part of the unincorporated territory of any county.

Added Stats 1953 ch 151 §1.

§ 22006. Alteration of boundaries and annexation of contiguous territory

The boundaries of a district may be altered and outlying contiguous territory in the same or an adjoining county annexed to the district.

Added Stats 1953 ch 151 §1; Amended Stats 1965 ch 2043 §625.

§ 22007. Laws governing elections

Except as otherwise provided in this part, the law governing the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns, declaration of results, and all other particulars in respect to the calling and holding of general municipal elections in cities of the fifth and sixth class, so far as applicable, governs all district elections.

Added Stats 1953 ch 151 §1.

§ 22008. "District"

"District" means airport district, formed or proposed to be formed, pursuant to this part.

Added Stats 1953 ch 151 §1.

§ 22009. "Principal county"

"Principal county" means the county in which all of the territory of the district is situated, or if the territory is situated in more than one county, the county in which the greatest portion of the territory is situated.

Added Stats 1953 ch 151 §1.

§ 22010. "Affected county"

"Affected county" means any county in which the territory of the district is situated.

Added Stats 1953 ch 151 §1.

§ 22011. "Board"

"Board" means the board of directors of the district.

Added Stats 1953 ch 151 §1.

§ 22012. "Director"

"Director" means member of the board.

Added Stats 1953 ch 151 §1.

§ 22013. "Secretary"

"Secretary" means secretary of the board.

Added Stats 1953 ch 151 §1.

§ 22014. "Bond election"

"Bond election" means an election provided for in Article 2 (commencing with Section 22731) of Chapter 5.

Added Stats 1953 ch 151 §1; Amended Stats 1984 ch 144 §174.

§ 22015. "Formation election"

"Formation election" means an election provided for in Article 4 (commencing with Section 22226) of Chapter 2.

Added Stats 1953 ch 151 §1; Amended Stats 1984 ch 144 §175.

§ 22016. "Bond tax"

"Bond tax" means the tax levied pursuant to Chapter 6 (commencing with Section 22901) for the payment of the bonded indebtedness of the district.

Added Stats 1953 ch 151 §1; Amended Stats 1984 ch 144 §176.

§ 22017. "District tax"

"District tax" means the tax levied pursuant to Chapter 6 for the payment of expenses of, and claims against the district, other than the bonded indebtedness.

Added Stats 1953 ch 151 §1.

Chapter 2 Formation

Article 1 Resolution

[Division 9, Aviation--Part 2, Airport Districts--Chapter 2, Formation--Article 1, Resolution; added by Stats 1953 ch 151 §1.]

§ 22151. Resolution of intention; Adoption

The board of supervisors of each county desiring to form, or join in forming, a district shall adopt a resolution of intention to that effect.

Added Stats 1953 ch 151 §1.

§ 22152. Contents of resolution

Each resolution shall contain:

- (a) A statement of intention to form a district.
- (b) The boundaries of the district or some other designation of its territorial extent.
- (c) The name of the district.
- (d) The time and place for hearing objections to the formation of the district or to its extent. The time of the hearing shall not be less than 30 days after the adoption of the resolution.
- (e) The name of the newspaper in which the resolution shall be published.

Added Stats 1953 ch 151 §1.

§ 22153. Publication of resolution

Each resolution shall be published pursuant to Section 6061[Deering's] of the Government Code in the county concerned. The board of supervisors may order it published in more than one newspaper. Publication shall be at least 20 days before the date of hearing. The publication of the resolution constitutes the notice of the hearing.

Added Stats 1953 ch 151 §1; Amended Stats 1957 ch 357 §147.

Article 2 Investigation and Termination by Majority Protest

[Division 9, Aviation--Part 2, Airport Districts--Chapter 2, Formation--Article 2, Investigation and Termination by Majority Protest; added by Stats 1953 ch 151 §1.]

§ 22176. Application of District Investigation Law

Except as otherwise provided in this article, the District Investigation Law of 1933 applies to districts formed under this part.

Added Stats 1953 ch 151 §1.

§ 22177. Section 22178 to supercede Government Code Section 58680

Section 22178 of this code supersedes Section 58680[Deering's] of the Government Code, with respect to districts formed under this part.

Added Stats 1953 ch 151 §1.

§ 22178. When certain provisions of District Investigation Law not applicable

The requirements of the District Investigation Law for the mailing of the notice of hearing, and for the inclusion in the report of value and liability statements provided for in Article 3 of that law, do not apply to districts formed under this part if the board of supervisors of each affected county, prior to the hearing on the formation of the district, finds by resolution adopted by a four-fifths vote of its members that:

(a) In its opinion the probable assessments will not exceed the limitations prescribed in the District Investigation Law.

(b) The property to be assessed will be able to carry the assessments.

(c) The assessment limitations may be dispensed with.

Added Stats 1953 ch 151 §1.

Article 3 Hearing

[Division 9, Aviation--Part 2, Airport Districts--Chapter 2, Formation--Article 3, Hearing; added by Stats 1953 ch 151 §1.]

§ 22201. Protests or objections to formation; Filing

Written protests or objections to the formation of the district or to its extent within the county may be filed in the office of the clerk of the board of supervisors of any affected county at any time prior to the hour fixed for the hearing. At the hearing the board of supervisors shall consider only the protests or objections filed pursuant to this section.

Added Stats 1953 ch 151 §1.

§ 22202. Public hearing

The board of supervisors of each affected county shall hold a public hearing to consider the objections or protests at the time fixed for the hearing. The hearing may be continued by order of the board of supervisors entered on its minutes.

Added Stats 1953 ch 151 §1.

§ 22203. Overruling protests or objections

Each board of supervisors may overrule any protests or objections filed with it.

Added Stats 1953 ch 151 §1.

§ 22204. Exclusion of territory within county from district

*The board of supervisors of each affected county may exclude any territory within the county that in its opinion will not be benefited by inclusion in the district.

Added Stats 1953 ch 151 §1.

Article 4 Election

[Division 9, Aviation--Part 2, Airport Districts--Chapter 2, Formation--Article 4, Election; added by

Stats 1953 ch 151 §1.]

§ 22226. Resolution; Contents

If after the hearing the board of supervisors of each affected county determines that the district should be formed, each board, by resolution entered on its minutes, shall:

- (a) Define and describe the boundaries of the district or otherwise designate its territorial extent.
- (b) State the name of the district, which shall contain the words " _____
airport district."
- (c) Call an election in the county, or portion thereof within the district, for the purpose of determining whether the district shall be formed and to elect a board of five directors for the district if formed.
- (d) Fix the date of the election and the hours the polls will be open.
- (e) Establish election precincts and designate polling places for the election.
- (f) Appoint the election officers.

Added Stats 1953 ch 151 §1.

§ 22227. Publication of resolution

The resolution shall be published pursuant to Section 6066[Deering's] of the Government Code in each county and city in the district. The first publication shall be at least 30 days prior to the date of the election. The resolution may be published in more than one newspaper by order of the board of supervisors of the affected county.

Added Stats 1953 ch 151 §1; Amended Stats 1957 ch 357 §148.

§ 22228. Election proposition; Form

The proposition submitted at the election shall be "Shall the proposition to form
_____ Airport District under the California Airport District Act be adopted?"

Added Stats 1953 ch 151 §1.

§ 22229. Statutory provisions governing election

Except as otherwise provided in this article, the election shall be called, noticed, and conducted, candidates nominated, the vote canvassed, and the results declared in the manner prescribed by law for general municipal elections in general law cities and by the general laws so far as applicable.

Added Stats 1953 ch 151 §1; Amended Stats 1959 ch 603 §1, ch 643 §5.

§ 22229.1. Impartial analysis of proposed district; Approval by local agency formation commission

Within five days after the district formation election has been called, the legislative body which has called the election shall transmit, by registered mail, a written notification of the election call to the executive officer of the local agency formation commission of the county or principal county in which the territory or major portion of the territory of the proposed district is located. Such written notice shall include the name and a description of the proposed district, and may be in the form of a certified copy of the resolution adopted by the legislative body calling the district formation election.

The executive officer, within five days after being notified that the district formation election has been called, shall submit to the commission, for its approval or modification, an impartial analysis of the proposed district formation.

The impartial analysis shall not exceed 500 words in length and shall include a specific description of the boundaries of the district proposed to be formed.

The local agency formation commission, within five days after the receipt of the executive officer's analysis, shall approve or modify the analysis and submit it to the officials in charge of conducting the district formation election.

Added Stats 1970 ch 736 §94.

§ 22229.2. Submission of written arguments for or against district formation

The board of supervisors or any member or members of the board authorized by the board, or any individual voters or bona fide association of citizens entitled to vote on the district formation proposition, or any combination of such voters and associations of citizens, may file a written argument for or a written argument against the proposed district formation.

Arguments shall not exceed 300 words in length and shall be filed with the officials in charge of conducting the election not less than 54 days prior to the district formation election.

Added Stats 1970 ch 736 §95.

§ 22229.3. Selection of arguments for publication

If more than one argument for or more than one argument against the proposed district formation is filed with the election officials within the time prescribed, such election officials shall select one of the arguments for printing and distribution to the voters.

In selecting the arguments, the election officials shall give preference and priority in the order named to the arguments of the following:

(a) The board of supervisors or any member or members of the board authorized by the board.

(b) Individual voters or bona fide associations of citizens or a combination of such voters and associations.

Added Stats 1970 ch 736 §96.

§ 22229.4. Ballot pamphlet; Preparation; Distribution

The officials in charge of conducting the election shall cause a ballot pamphlet concerning the district formation proposition to be voted on to be printed and mailed to each voter entitled to vote on the district formation question.

The ballot pamphlet shall contain the following in the order prescribed:

(a) The complete text of the proposition.

(b) The impartial analysis of the proposition prepared by the local agency formation commission.

(c) The argument for the proposed district formation.

(d) The argument against the proposed district formation.

The election officials shall mail a ballot pamphlet to each voter entitled to vote in the district formation election at least 10 days prior to the date of the election. The ballot pamphlet is "official matter" within the meaning of Section 13303[Deering's] of the Elections Code.

Added Stats 1970 ch 736 §97.

Amended Stats 1994 ch 923 §188 (SB 1546).

§ 22230. Powers and duties at first election and thereafter

At the first election the board of supervisors of each affected county and its clerk have the powers and duties vested in the legislative bodies of cities and their clerks by the general laws described in Section 22229[Deering's]. Thereafter the board of directors of the district and its secretary have these powers and duties.

Added Stats 1953 ch 151 §1.

§ 22231. Canvass of returns

The canvass of the returns of the election shall be made at the time, in the manner, and by the officers prescribed by law for special elections in each affected county.

Added Stats 1953 ch 151 §1.

§ 22232. Declaration of result

If the canvass is made by an officer other than the board of supervisors of the affected county, the officer shall transmit the results to the board of supervisors. The board of supervisors shall declare the result of the election.

Added Stats 1953 ch 151 §1.

Article 5 Establishment of District

[Division 9, Aviation--Part 2, Airport Districts--Chapter 2, Formation--Article 5, Establishment of District; added by Stats 1953 ch 151 §1.]

§ 22256. Resolution of formation; Conditions

By a resolution entered on its minutes, the board of supervisors of each affected county shall declare the district formed if:

(a) A majority of the votes cast at the election is for the formation of the district.

(b) A majority of the votes cast in a majority in number of the cities included in whole or in part in the district, counting all of the unincorporated territory in each affected county as a city for this purpose, is for the formation of the district.

Added Stats 1953 ch 151 §1.

§ 22257. Contents of resolution

The resolution shall contain the name of the district and a description or other designation of its boundaries.

Added Stats 1953 ch 151 §1.

§ 22258. Recording and filing

A certified copy of the resolution shall be recorded in the office of the recorder of each affected county .

Added Stats 1953 ch 151 §1. Amended Stats 1973 ch 665 §11.

Amended Stats 1998 ch 829 §52 (SB 1652).

§ 22259. When formation complete

Upon the filing with the Secretary of State, the formation of the district is complete.

Added Stats 1953 ch 151 §1.

Chapter 3 Internal Organization

Article 1 Board of Directors

[Division 9, Aviation--Part 2, Airport Districts--Chapter 3, Internal Organization--Article 1, Board of

Directors; added by Stats 1953 ch 151 §1.]

§ 22401. Governing body; Number and residence of directors

A board of five directors is the governing body of the district. Each director shall be a resident of the district.

Added Stats 1953 ch 151 §1; Amended Stats 1979 ch 398 §1.

§ 22402. Election of directors

Each district shall hold a general district election, governed by the provisions of the Uniform District Election Law for the election of directors on the first Tuesday after the first Monday in November of each odd-numbered year.

Added Stats 1953 ch 151 §1; Amended Stats 1963 ch 760 §1; Stats 1967 ch 29 §45, operative January 1, 1969.

§ 22402.5. Section repealed

Added by Stats 1961 ch 1667 §1 and repealed by Stats 1967 ch 29 §45.1, operative January 1, 1969.

§ 22403. Official oath

Within 30 days after notice of election or appointment each member of the board shall qualify by taking the official oath of office and filing it with the clerk of the principal county.

Added Stats 1953 ch 151 §1.

§ 22404. Term of office

The terms of office of directors elected at the formation election are governed by the provisions of the Uniform District Election Law.

Added Stats 1953 ch 151 §1; Amended Stats 1963 ch 760 §2; Stats 1967 ch 29 §47, operative January 1, 1969.

§ 22405. Section repealed

Added by Stats 1953 ch 151 §1, amended by Stats 1963 ch 760 §3, and repealed by Stats 1967 ch 29 §47.1, operative January 1, 1969.

§ 22406. Filling vacancies; Term of office of appointee

* The board shall fill any vacancies occurring in the office of director. The appointee shall hold office for

the balance of the term and until his successor is elected and qualified.

Added Stats 1953 ch 151 §1.

§ 22406.5. Section repealed

Added by Stats 1963 ch 760 §4, amended by Stats 1967 ch 28 §7.5, effective April 6, 1967, and repealed by Stats 1976 ch 1437 §16. See Elec C §§27000[Deering's] et seq.

§ 22407. Compensation; Allowance of traveling and other expenses

Each member of the board of directors shall receive compensation in an amount not to exceed one hundred dollars (\$100) for each attendance at the meeting of the board held within the district, which amount shall be fixed from time to time by the board. No director, however, shall receive pay for more than four meetings in any calendar month.

Each director shall be allowed, with the approval of the board, all traveling and other expenses necessarily incurred by the member in the performance of the member's duties.

Added Stats 1953 ch 151 §1; Amended Stats 1963 ch 760 §5; Stats 1984 ch 175 §1; Stats 1985 ch 1180 §3.

§ 22408. First meeting

The board shall hold its first meeting in the meeting room of the board of supervisors of the principal county at 10 a.m. on the first Monday after the formation of the district.

Added Stats 1953 ch 151 §1.

§ 22409. Meetings; Special meetings; Rules

At its first meeting the board shall provide for the time and place of holding its meetings and the manner in which special meetings may be called. The board may establish rules for its proceedings.

Added Stats 1953 ch 151 §1.

§ 22410. Quorum

A majority of the board constitutes a quorum for the transaction of business.

Added Stats 1953 ch 151 §1.

Article 2 Officers and Employees

[Division 9, Aviation--Part 2, Airport Districts--Chapter 3, Internal Organization--Article 2, Officers and Employees; added by Stats 1953 ch 151 §1.]

§ 22436. President; Selection; Powers and duties

At its first meeting the board shall choose one of its members president. The president shall sign all contracts on behalf of the district and perform such other duties as may be imposed by the board.

Added Stats 1953 ch 151 §1.

§ 22437. Other officers; Appointment; Terms of office; Compensation

At its first meeting or as soon thereafter as practicable, by a majority vote the board shall appoint a general manager, a secretary, a district counsel, and an auditor. These officers shall serve at the pleasure of the board. The board shall fix their compensation.

Added Stats 1953 ch 151 §1.

§ 22438. Secretary; Powers and duties

The secretary shall countersign all contracts on behalf of the district and perform such other duties as may be imposed by the board.

Added Stats 1953 ch 151 §1.

§ 22439. General manager; Powers and functions

The general manager has the following powers and functions:

- (a) Full charge and control of the construction, maintenance, and operation of the physical properties of the district.
- (b) Except as otherwise provided in this article, full power to employ and discharge all employees and assistants at pleasure, prescribe their duties, and, subject to the approval of the board, to fix their compensation.
- (c) Such other duties as may be imposed by the board.

Added Stats 1953 ch 151 §1.

§ 22440. Report of general manager

The general manager shall report to the board in accordance with rules and regulations adopted by the board.

Added Stats 1953 ch 151 §1.

§ 22441. Auditor; Powers and duties

The auditor shall install and maintain a system of auditing and accounting which shall competently and at all times show the financial condition of the district. He shall draw warrants to pay demands made against the district if the demands have been approved by at least three directors.

Added Stats 1953 ch 151 §1; Amended Stats 1963 ch 760 §6.

§ 22442. Depositories; Designation; Security; Powers

The board shall designate depositories for the custody of the funds of the district. A depository shall give security sufficient to secure the district against possible loss and shall pay the warrants drawn by the auditor for demands against the district under such rules as the board may prescribe.

Added Stats 1953 ch 151 §1.

§ 22443. Official bond

The general manager, secretary, auditor, and all other employees or assistants of the district who may be required to do so by the board, shall give bonds to the district conditioned for the faithful performance of their duties as the board may prescribe.

Added Stats 1953 ch 151 §1.

Chapter 4 Powers and Duties

[Division 9, Aviation--Part 2, Airport Districts--Chapter 4, Powers and Duties; added by Stats 1953 ch 151 §1.]

§ 22551. Exercise of powers by board

Except as otherwise provided in this part, the powers of the district shall be exercised by the board.

Added Stats 1953 ch 151 §1.

§ 22552. Perpetual succession

A district has perpetual succession.

Added Stats 1953 ch 151 §1.

§ 22553. Powers of district

A district may do all of the following:

- (a) Sue and be sued, except as otherwise provided by law, in all actions and proceedings in all courts and tribunals of competent jurisdiction.
- (b) Adopt a seal and alter it at pleasure.
- (c) Provide and maintain public airports, spaceports, and landing places for aerial and space reentry traffic.
- (d) Acquire by purchase, condemnation, donation, lease, or otherwise, real or personal property necessary to the full or convenient exercise of any of its powers or purposes.
- (e) Improve, construct or reconstruct, lease, furnish or refurnish, use, repair, maintain, control, sell, or dispose of the property of the district, including any buildings, structures, lighting equipment, and all other equipment and facilities necessary for those purposes.

Added Stats 1953 ch 151 §1.

Amended Stats 2000 ch 191 §3 (AB 2252).

§ 22553.2. Requirement of spaceport designation

No district may exercise any of the authority granted under this part for the development of spaceports unless it has been designated as a spaceport pursuant to Section 15348.5[Deering's] of the Government Code.

Added Stats 2000 ch 1056 §15 (SB 1136).

§ 22553.5. Sale or lease of district property

- (a) The board of directors may, from time to time, cause to be sold or leased property of the district which in its opinion is not needed for the district's affairs.
- (b) Such sales, at the discretion of the board of directors, may be on time, provided at least 20 percent of the total consideration be paid in cash at the time of the transaction and the remainder thereto be paid within 10 years and evidenced by a promissory note payable to the order of the district bearing interest at the rate of at least 5 percent per annum secured by a first mortgage, first deed of trust, or other prior encumbrance upon the property being sold.
- (c) Property may be leased for any purpose and to any party whenever the board of directors finds that such lease does not interfere with use of such property for the purposes of the district or with the operations of the district. All rents and other consideration received by the district shall be paid into its general fund for the use of the district.

Added Stats 1963 ch 760 §7; Amended Stats 1974 ch 449 §1.

§ 22554. Additional powers

A district may also:

- (a) Employ legal counsel, in addition to its district counsel, and provide all necessary custodians, employees, engineers, and attendants for the proper maintenance of the property of the district and the conduct of the affairs of the district, for any of its purposes.
- (b) Borrow money, incur indebtedness, issue bonds or other evidence of the indebtedness, and refund or retire any indebtedness of the district.
- (c) Cause to be levied and collected, taxes for the purpose of maintaining and carrying on the operations of the district and paying its obligations.
- (d) Make contracts, employ labor, and do all acts necessary or convenient for the full exercise of any of the powers of the district.

Added Stats 1953 ch 151 §1; Amended Stats 1963 ch 760 §8.

§ 22555. Rules and regulations governing airports

The board shall make all rules governing the use of the airports and spaceports, landing places for aerial traffic, and other aerial facilities of the district that the board determines to be necessary.

Added Stats 1953 ch 151 §1.

Amended Stats 2000 ch 191 §4 (AB 2252).

§ 22556. Fees, tolls, and rentals

The board may charge and collect fees, tolls, and rentals for the use of all or a part of the aerial facilities of the district in such amounts and at such rates as, so far as possible, will produce revenues sufficient to pay the operating expenses of the district, provide for repairs and depreciation of the properties of the district, pay the interest on the bonded indebtedness of the district, and provide a sinking or other fund for the payment of the principal of the indebtedness as it becomes due.

Added Stats 1953 ch 151 §1.

§ 22557. Issuance of temporary negotiable notes; Interest; Maturity; Maximum amount

(a) The district may issue temporary negotiable notes bearing interest at a rate not exceeding 8 percent per annum. However, these notes shall be general obligations of the district payable from revenues and taxes, unless paid from other available funds of the district, in the same manner as bonds of the district. The maturity of the notes shall not be later than 20 years from the date thereof, and the total aggregate amount of the notes outstanding at any one time shall not exceed 2 percent of the assessed valuation of the taxable property in the district, or if the assessed valuation is not obtained, 2 percent of the county auditor's estimate of the assessed valuation of the taxable property of the district evidenced by his or her certificate. The total aggregate amount of these notes outstanding at any one time shall further not exceed the sum of five hundred thousand dollars (\$500,000).

(b) Any note proposed to be issued pursuant to subdivision (a) with a term longer than five years shall not be issued until after a public hearing is conducted with respect to the issuance and a resolution is adopted approving the issuance. At least 15 days prior to the public hearing, the board shall cause notice of the hearing to be published pursuant to Section 6061[Deering's] of the Government Code in a newspaper published in the principal county. The resolution shall be subject to referendum pursuant to Section 9340[Deering's] of the Elections Code and shall so provide. Within 15 days after adoption of the resolution of issuance, the board shall cause the resolution to be published at least once in a newspaper of general circulation published in the principal county, or if there is none, posted in at least three public places in the district.

Added Stats 1963 ch 760 §5; Amended Stats 1979 ch 398 §2.

Amended Stats 1994 ch 923 §189 (SB 1546).

§ 22557.5. Issuance of temporary negotiable notes by Big Bear Airport District

(a) Notwithstanding Section 22557[Deering's], the Big Bear Airport District may issue temporary negotiable notes bearing interest at a rate not exceeding the maximum rate permitted pursuant to Section 53531[Deering's] of the Government Code. These notes shall be general obligations of the district payable from revenues and taxes, unless paid from other available funds of the district, in the same manner as bonds of the district. The notes shall mature not later than 20 years from the date thereof, and the total aggregate amount of notes outstanding at any one time shall not exceed 2 percent of the assessed valuation of the taxable property in the district, or if the assessed valuation is not obtained, 2 percent of the county auditor's estimate of the assessed valuation of the taxable property of the district evidenced by the auditor's certificate. The total aggregate amount of notes outstanding at any one time shall further not exceed one million five hundred thousand dollars (\$1,500,000).

(b) Any note proposed to be issued pursuant to subdivision (a) with a term longer than five years shall not be issued until after a public hearing is conducted with respect to the issuance and a resolution is adopted approving the issuance. At least 15 days prior to the public hearing, the board shall cause notice of the hearing to be published pursuant to Section 6061[Deering's] of the Government Code in a newspaper published in the principal county. The resolution is subject to referendum pursuant to Section 9340[Deering's] of the Elections Code and shall so provide. Within 15 days after adoption of the resolution of issuance, the board shall cause the resolution to be published at least once in a newspaper of general circulation published in the principal county, or if there is none, posted in at least three public places in the district.

Added Stats 1985 ch 78 §1, effective June 18, 1985.

Amended Stats 1994 ch 923 §190 (SB 1546).

§ 22558. Employment of airport police

In addition to all other powers authorized by this part, the Santa Maria Public Airport District may do both of the following:

(a) Employ airport police officers in accordance with subdivision (d) of Section 830.33[Deering's] of the Penal Code.

(b) Pursuant to Chapter 4[Deering's] (commencing with Section 6300) of Division 7[Deering's] of

Title 1[Deering's] of the Government Code, apply for, establish, operate, and maintain a foreign trade zone and subzones thereto, and allow in the foreign trade zone and the subzones thereto any properties and businesses that are located either within or outside the geographic boundaries of the district and that are located within either the County of Santa Barbara or the County of San Luis Obispo.

Added Stats 1973 ch 48 §2, effective May 15, 1973.

Amended Stats 1989 ch 1165 §46.

Amended Stats 1998 ch 396 §1 (SB 2099).

§ 22559. Resolution changing name of district

The board may by resolution change the name of the district. Certified copies of such resolution shall be recorded in each county within which some portion of the territory of the district is situated and shall be transmitted to the Secretary of State and to the clerk of each such county.

Added Stats 1979 ch 398 §3.

Chapter 4.5 Claims

[Division 9, Aviation--Part 2, Airport Districts--Chapter 4.5, Claims; Chapter added by Stats 1959 ch 1727 §52.]

§ 22601. Presentation of claim for money or damages against district

All claims for money or damages against the district are governed by Part 3 (commencing with Section 900) and Part 4 (commencing with Section 940) of Division 3.6 of Title 1[Deering's] of the Government Code except as provided therein, or by other statutes or regulations expressly applicable thereto.

Added Stats 1959 ch 1727 §52; Amended Stats 1963 ch 1715 §56.

Chapter 5 Bonds

Article 1 General

[Division 9, Aviation--Part 2, Airport Districts--Chapter 5, Bonds--Article 1, General; added by Stats 1953 ch 151 §1.]

§ 22701. "Board of supervisors"

As used in this chapter, "board of supervisors" means the board of supervisors of the principal county.

Added Stats 1953 ch 151 §1.

§ 22702. Issuance and sale of bonds; Purposes

District bonds may be issued and sold pursuant to this chapter for all of the following purposes:

- (a) Raising money for purchasing real property for airport and spaceport purposes.
- (b) Building and purchasing buildings or structures including hangars, or making alterations, additions, or repairs to the buildings or structures.
- (c) Restoring or rebuilding buildings or structures damaged or destroyed by fire or other public calamity.
- (d) Supplying buildings, structures, and hangars with furnishings and necessary apparatus.
- (e) Improving the grounds of airports and spaceports.
- (f) Acquiring and maintaining lighting equipment and all other equipment, devices, and facilities necessary or convenient for the airports and spaceports.
- (g) Liquidating any indebtedness incurred for these purposes or refunding any valid outstanding indebtedness of the district evidenced by bonds or warrant.
- (h) Paying all costs and expenses incident to the bond election, including engineering, architectural, legal charges, fiscal agent's charges and interest during construction and for a period of not to exceed 12 months after the date of completion of construction.

Added Stats 1953 ch 151 §1; Amended Stats 1957 ch 1377 §2.

Amended Stats 2000 ch 191 §5 (AB 2252).

§ 22703. Bond election; Authority to call; Addition

If the board deems it advisable it may call an election and submit to the electors of the district the question whether district bonds shall be issued and sold. The board shall call a bond election upon the filing with the board of a petition signed by 10 percent of the registered voters of the district.

Added Stats 1953 ch 151 §1.

§ 22704. Manner of bond election

The board shall call and conduct the bond election in the manner prescribed by this chapter.

Added Stats 1953 ch 151 §1.

§ 22705. Order calling election; Signing

The order calling the bond election shall be signed by a majority of the directors.

Added Stats 1953 ch 151 §1.

§ 22706. Contents of order

In the order calling the bond election, the board may submit to the electors as one proposal the question of issuing bonds for all or any of the purposes described in this article, or it may submit as separate questions the issuance of bonds for any of these purposes, singly or in such combinations as it directs in the order.

Added Stats 1953 ch 151 §1.

§ 22707. Bonds declared to be legal investments

When bonds issued pursuant to this part have been investigated and certified by any authorized officer of the state and are declared to be legal investments for savings banks, they may be purchased or received in pledge for loans by savings banks, building and loan companies, trust companies, insurance companies, guardians, conservators, executors, administrators, and special administrators, or by any public officer of the state or of any county or other municipal or corporate body in the state having or holding funds which they may legally invest or loan.

Added Stats 1953 ch 151 §1; Amended Stats 1979 ch 730 §108, operative January 1, 1981.

§ 22708. Signatures on bonds; Validity where officer ceases to be such before delivery

If any officer whose signature, countersignature, or attestation appears on the bonds or coupons ceases

to be such officer before the delivery of the bonds to the purchaser, the signature, countersignature, or attestation is valid and sufficient for all purposes as if he had remained in office until the delivery of the bonds. The signature on the coupons of the person who is auditor at the date of the bonds is valid although the bonds may be attested by a different person who is auditor at the time of their delivery.

Added Stats 1953 ch 151 §1.

Article 2 Bond Election

[Division 9, Aviation--Part 2, Airport Districts--Chapter 5, Bonds--Article 2, Bond Election; added by Stats 1953 ch 151 §1.]

§ 22731. Notice of election; Posting

A notice of the bond election, signed by a majority of the directors, shall be posted in three public places in the district not less than 20 days before the election and shall be published in each affected county pursuant to Section 6063[Deering's] of the Government Code.

Added Stats 1953 ch 151 §1; Amended Stats 1957 ch 557 §149.

§ 22732. Contents of notice

The notice shall contain:

- (a) The time and place of holding the bond election.
- (b) The names of the election officers.
- (c) The hours the polls will be open.
- (d) A statement of the purpose for which the election is held.
- (e) The amount and denomination, the rate of interest, and the term, not exceeding 40 years, of the proposed bonds.

Added Stats 1953 ch 151 §1.

§ 22733. Election precincts; Establishment; Change

For the purpose of the bond election, the board may divide the district into election precincts and may change the precincts as often as occasion requires.

Added Stats 1953 ch 151 §1.

§ 22734. Election officers; Appointment by board

The board shall appoint one inspector, one judge, and two clerks of election in each precinct.

Added Stats 1953 ch 151 §1.

§ 22735. Appointment of officers by electors

If the board fails to appoint the election officers, or if those appointed are not present at the opening of the polls, the electors present may appoint them and they shall conduct the election.

Added Stats 1953 ch 151 §1.

§ 22736. Compensation of election officers

The board may fix the compensation of the election officers but not exceeding seven dollars (\$7) for each election officer.

Added Stats 1953 ch 151 §1.

§ 22737. Hours when polls to be open

The polls shall be open on election day from 8 a.m. until 8 p.m.

Added Stats 1953 ch 151 §1.

§ 22738. Who may vote

Every resident of the district, who is a qualified elector of the county, and who is registered in the precinct where the election is held at least 30 days before the election, may vote in the election.

Added Stats 1953 ch 151 §1.

§ 22739. Ballots; Forms; Expense of printing and distributing

The secretary shall obtain uniform ballots for the bond election. No other form of ballot shall be used. The expense of printing and distributing the ballots to the polling places shall be paid as other current expenses of the district are paid.

Added Stats 1953 ch 151 §1.

§ 22740. Contents of ballots

The ballot shall contain the following:

(a) "Official ballot provided by the board of directors of the ' _____ airport district' to be used in the bond election of said district in the county of _____, State of California, on the _____ day of _____, 19 _____."

(b) Other matters required by law.

(c) "Bonds--Yes" and "Bonds--No."

Added Stats 1953 ch 151 §1.

§ 22741. Booth or private room to be provided

The board shall provide a booth or private room in which the voter may prepare his ballot in secret.

Added Stats 1953 ch 151 §1.

§ 22742. Electioneering near polls prohibited

No electioneering shall be carried on within 100 feet of the polls.

Added Stats 1953 ch 151 §1.

§ 22743. Marking ballot

Each voter shall put a cross[x] upon his ballot with pencil or ink after the words "Bonds--Yes" or "Bonds--No" to indicate whether he has voted for or against the issuance of the bonds.

Added Stats 1953 ch 151 §1.

§ 22744. Depositing ballot; Entering voter's name on list

After marking his ballot the voter shall hand it to the inspector. The inspector, in the presence of the voter, shall deposit the ballot in the ballot box. The judge or clerks shall enter the voter's name on the poll list.

Added Stats 1953 ch 151 §1.

§ 22745. Elector's oath

Any person offering to vote may be challenged by any elector of the district. In the case of a challenge the judge or clerks of the election shall administer to the person challenged an oath substantially as follows: "You do swear that you are a citizen of the United States, that you are 21 years of age, that you have resided in this State one year, in this county 90 days, and in this airport district 30 days preceding this election, and that your name is on the great register of this county and was on the great register of a precinct in this airport district at least 30 days before this election, and that you have not before voted this day." If the person challenged takes this oath his vote shall be received. Otherwise his vote shall be rejected.

Added Stats 1953 ch 151 §1.

§ 22746. Official poll and tally lists

The secretary shall provide the election officers with official poll and tally lists.

Added Stats 1953 ch 151 §1.

§ 22747. Heading of poll list

The heading of the poll list shall read "Official poll list of _____ airport district for the airport district bond election on the _____ day of _____ 19____." Under this heading shall be arranged three columns. The heading of the first column shall read "Write your name as it appears on the great register of this county." The heading of the second column shall read "Write your residence, street and number, city, and airport district." The heading of the third column shall read "Are you a qualified registered voter in this airport district?" The person offering to vote shall write his name on the first column of the poll list, give his residence in the second, and in the third shall write the word "Yes" or "No." If he writes the word "No" he shall not be permitted to vote. Persons writing the word "Yes" may be challenged pursuant to this article.

Added Stats 1953 ch 151 §1.

§ 22748. Heading of tally list

The heading of the tally list shall read "An official tally list of _____ airport district for the airport district bond election held on the _____ day of _____ 19____." It shall be arranged so that the propositions to be voted on at the election may be set forth. It shall be vertically ruled to provide for the counting of votes under a tally system. The heading of the final

column shall read "Total votes cast for the bonds" and "Total votes cast against the bonds." A space shall be provided at the bottom of the page for the signatures of the election officers. Over these signatures shall be printed the words "We hereby certify that this is a correct report of the election held in _____ airport district in the county of _____ on the _____ day of _____ 19 _____."

Added Stats 1953 ch 151 §1.

§ 22749. Canvass of ballots

The election officers shall publicly canvass the votes immediately after closing the polls. They shall fill out the tally sheet and certify the correctness of the canvass. They shall make, sign, and deliver a certificate of the result of the election and transmit it to the clerk of the board of supervisors.

Added Stats 1953 ch 151 §1.

§ 22750. Transmission of returns; Canvass of returns

The election officers shall transmit the returns of the election to the board of directors. The board shall meet and canvass the returns on the seventh day after the election at 2 p.m.

Added Stats 1953 ch 151 §1.

Article 3 Bond Issuance

[Division 9, Aviation--Part 2, Airport Districts--Chapter 5, Bonds--Article 3, Bond Issuance; added by Stats 1953 ch 151 §1.]

§ 22776. Approval of bond issuance at election; Certification of board proceedings

If two-thirds of the votes cast at the election were for the issuance of bonds, the board shall enter that fact in its minutes. The board shall certify all of the board proceedings to the board of supervisors.

Added Stats 1953 ch 151 §1.

§ 22777. Bond issuance by supervisors; Provision for payment of bonds

The board of supervisors shall issue the district bonds in the number and amount specified in the bond proceedings. The board of supervisors shall provide that the bonds are payable out of the interest and sinking fund of the district, naming the fund, and that the money for redemption of the bonds and payment of the interest shall be raised by taxation upon the taxable property in the district.

Added Stats 1953 ch 151 §1.

§ 22778. Form of bonds and coupons; Manner of execution; Time of payment of principal

By an order entered in its minutes, the board of supervisors shall:

- (a) Prescribe the form of the bonds and of the interest coupons.
- (b) The manner in which the bonds shall be executed.
- (c) Fix the time when all or any part of the principal of the bonds is payable.

Added Stats 1953 ch 151 §1.

§ 22779. Total amount of bonds

The total amount of bonds issued shall not exceed 15 percent of the taxable property of the district as shown by the last equalized assessment books of the affected counties.

Added Stats 1953 ch 151 §1.

§ 22780. Term of bonds

The term of bonds shall not exceed 40 years.

Added Stats 1953 ch 151 §1.

§ 22781. Payment in lawful money

The bonds shall be payable in lawful money of the United States as to principal and interest.

Added Stats 1953 ch 151 §1.

§ 22782. Place of payment

The board of supervisors may make the principal and interest of the bonds payable at the office of the treasurer of the principal county, at such other place within the United States as the board may designate, or at the county treasurer's office or such other designated place at the option of the bondholders. The place of payment shall be specified in the bonds. The expense of paying the principal and interest other than at the office of the county is a charge against the district funds, to be paid out of the tax for the payment of the bonds.

Added Stats 1953 ch 151 §1.

§ 22783. Sale of bonds; Time; Amount

The bonds shall be sold at the times and in the amounts prescribed by the board of supervisors, but for not less than par.

Added Stats 1953 ch 151 §1.

§ 22784. Advertisement for bids

Before selling all or any part of the bonds, the board of supervisors shall advertise for bids pursuant to Section 6066[Deering's] of the Government Code in a newspaper of general circulation published in the principal county, or if no such newspaper is published in the county, in some newspaper published in another county.

Added Stats 1953 ch 151 §1; Amended Stats 1957 ch 357 §150.

§ 22785. Award of purchase; Rejection of bids; Sale after rejection

If satisfactory bids are received the bonds offered for sale shall be awarded to the highest bidder. If no bids are received or the board of supervisors determines that the bids received are not satisfactory as to price or responsibility of the bidders, the board of supervisors may reject all bids received and either re-advertise or sell the bonds at private sale.

Added Stats 1953 ch 151 §1.

§ 22786. Disposition of proceeds

The proceeds of the sale of the bonds shall be deposited in the treasury of the principal county to the credit of the improvement fund of the district, and may be withdrawn for the purposes for which the bonds were voted as other district money is withdrawn.

Added Stats 1953 ch 151 §1.

Article 4 Cancellation of Unsold Bonds

[Division 9, Aviation--Part 2, Airport Districts--Chapter 5, Bonds--Article 4, Cancellation of Unsold Bonds; added by Stats 1953 ch 151 §1.]

§ 22811. Petition; Who may make

If any bonds remain unsold for six months after having been offered for sale, the board of directors of the

district for which the bonds were issued or of a district containing any territory which at the time of the bond election was embraced within the district for which the bonds were issued, may petition the board of supervisors to cause the unsold bonds to be withdrawn from the market and canceled.

Added Stats 1953 ch 151 §1.

§ 22812. Fixing time for hearing

Upon receiving a petition signed by a majority of the members of the board of directors, the board of supervisors shall fix a time for hearing the petition. The hearing shall be held not more than 30 days after receipt of the petition.

Added Stats 1953 ch 151 §1.

§ 22813. Publication of notice of time and place of hearing

The board of supervisors shall publish a notice stating the time and place of the hearing and the object of the petition in general terms, pursuant to Section 6062[Deering's] of the Government Code in a newspaper published in the district or, if there is no such newspaper, in a newspaper published at the county seat of an affected county.

Added Stats 1953 ch 151 §1; Amended Stats 1957 ch 357 §151.

§ 22814. Hearing; Order cancelling bonds; Effect of order

At the time and place designated in the notice, or at any subsequent time to which the hearing is postponed, the board of supervisors shall hear any reason that may be submitted for or against the granting of the petition. If the board of supervisors deems it for the best interest of the district named in the petition that the unsold bonds be canceled, it shall make and enter an order in its minutes that the unsold bonds are canceled. Thereafter the bonds and the vote by which they were authorized to be issued have no validity whatever.

Added Stats 1953 ch 151 §1.

Article 5 Revenue Bonds

[Division 9, Aviation--Part 2, Airport Districts--Chapter 5, Bonds--Article 5, Revenue Bonds; Article added by Stats 1963 ch 760 §10.]

§ 22850. Authority to issue as evidence of debt; Special obligations; Recitals on bonds

In addition to any other powers of the district to finance improvements and to provide an independent method of financing from that contained in any other sections of the California Airport District Act, subject to the provisions of this article a district may borrow money to provide funds to pay all costs of any public improvement authorized by this part and may issue revenue bonds to evidence the indebtedness created

by such borrowing.

Such revenue bonds shall constitute special obligations and evidence a special indebtedness of the district which shall be a charge upon and payable as to the principal thereof, interest thereon, and any premiums upon the redemption of any thereof, solely from such revenues and funds as are specified therein and in the proceeding for their issuance. They shall not constitute general obligations of the district, and they shall neither constitute obligations nor evidence any indebtedness of any other public agency of which the district may be a part or of the State.

All such bonds shall recite upon their face the substance of the preceding portions of this section and shall also recite upon their face that they are issued under this article.

Added Stats 1963 ch 760 §10.

§ 22851. Issuance under Revenue Bond Law of 1941

Revenue bonds under this article shall be authorized, issued and sold under the provisions of the Revenue Bond Law of 1941 (Chapter 6 (commencing with Section 54300), Part 1, Division 2, Title 5, Government Code).

Added Stats 1963 ch 760 §10.

Chapter 6 Taxation

[Division 9, Aviation--Part 2, Airport Districts--Chapter 6, Taxation; added by Stats 1953 ch 151 §1.]

§ 22901. "Board of supervisors"

As used in this chapter, "board of supervisors" means the board of supervisors of the principal county.

Added Stats 1953 ch 151 §1.

§ 22902. Estimate of money required for district purposes; Transmission to supervisors and county auditor

If the revenues of the district are inadequate to pay the interest or principal of the bonded indebtedness of the district as it becomes due, or to pay any other expenses of or claims against the district, the board of directors shall transmit to the board of supervisors and the county auditor a written estimate of the minimum amount of money required for the payment of the principal and interest of the bonded indebtedness as it becomes due, and of the minimum amount of money required by the district for any other purpose.

Added Stats 1953 ch 151 §1.

§ 22903. Transmission of money estimates

The board shall transmit the estimates to the board of supervisors and the county auditor at least 15 days before the first day of the month in which the board of supervisors is required to levy taxes for county purposes.

Added Stats 1953 ch 151 §1.

§ 22904. Annual tax levy; Name of tax

Annually, after receiving the estimates, the board of supervisors shall levy a tax sufficient for the payment of the principal and interest on the bonded indebtedness, designated as the "... airport bond tax," and a tax sufficient for the payment of all other expenses of, and claims against, the district, designated as the "... airport district tax."

The bond tax shall be levied annually until the bonded indebtedness is fully paid. The district tax shall be levied annually until all other expenses of and claims against the district are fully paid.

Added Stats 1953 ch 151 §1.

§ 22905. Bond tax; Amount

The bond tax shall be sufficient to pay the interest on the bonds for the year and the portion of the principal becoming due during the year. The bond tax shall also be sufficient to raise annually for the first half of the term of the bonds a sum sufficient to pay the interest for that period, and, during the balance of the term, sufficient to pay the annual interest and to pay annually a proportion of the principal equal to the amount produced by dividing the total amount of outstanding bonds by the number of years the bonds then have to run.

Added Stats 1953 ch 151 §1.

§ 22906. Disposition of proceeds; Payments; Bonds and coupons

The proceeds of the bond tax shall be paid into the treasury of the principal county to the credit of the district interest and sinking fund and shall be used only for the payment of the principal and interest on the bonds. The treasurer of the principal county shall pay the principal and interest on the bonds upon the warrant of the auditor of the principal county out of this fund. The county auditor shall cancel and retain the bonds and coupons when he draws his warrants on the treasurer in favor of the owners.

Added Stats 1953 ch 151 §1.

§ 22907. District tax; Rate

The rate of the district tax levied in any one year shall not exceed twenty cents (\$0.20) on each one hundred dollars (\$100) of assessed valuation of the real and personal property in the district, exclusive of the bond tax.

Added Stats 1953 ch 151 §1.

§ 22908. Lien of taxes

The bond and district taxes shall be levied on all the taxable property in the district. They shall be levied by the board of supervisors and collected by the tax collector of the principal county at the time and in the manner and form as county taxes are levied and collected. The proceeds of the taxes shall be paid to the district. The taxes become delinquent at the same time as county taxes and bear the same penalties for delinquency. The taxes are a lien on all taxable property in the district, have the same force and effect as liens for county taxes, and their collection shall be enforced by the same means as liens for county taxes.

Added Stats 1953 ch 151 §1.

§ 22909. Imposition of special tax

A district may impose a special tax pursuant to Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code. The special taxes shall be applied uniformly to all taxpayers or all real property within the district, except that unimproved property may be taxed at a lower rate than improved property.

Added Stats 1991 ch 70 §11 (SB 158).

Chapter 7 Effect of Alterations of District Boundaries

[Division 9, Aviation--Part 2, Airport Districts--Chapter 7, Effect of Alterations of District Boundaries; Chapter, consisting of §§22951-22954, was added by Stats 1953 ch 151 §1 and repealed by Stats 1965 ch 2043 §335.]

§ 22951-22954. Sections repealed

Added by Stats 1953 ch 151 §1 and repealed by Stats 1965 ch 2043 §335.

Chapter 8 Dissolution

[Division 9, Aviation--Part 2, Airport Districts--Chapter 8, Dissolution; Chapter, consisting of §§22975-22979, was added by Stats 1953 ch 151 §1 and repealed by Stats 1965 ch 2043 §336.]

§ 22975-22979. Sections repealed

Added by Stats 1953 ch 151 §1 and repealed by Stats 1965 ch 2043 §336.