

ASSEMBLY BILL

No. 1195

Introduced by Assembly Member Cristina Garcia

February 18, 2021

An act to add Division 9 (commencing with Section 20000) to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1195, as introduced, Cristina Garcia. Southern Los Angeles County Regional Water Agency.

Existing law, the County Water District Law, authorizes the formation of county water districts and authorizes those districts to appropriate, acquire, and conserve water and water rights for any useful purpose and to operate water rights, works, properties, rights, and privileges useful or necessary to convey, supply, store, or make use of water for any purpose authorized by that law.

This bill would create the Southern Los Angeles County Regional Water Agency as a regional water agency serving the drinking water needs of the cities, unincorporated areas, and residents in the communities overlying the Central Basin and West Coast Basin aquifers in southern Los Angeles County. The bill would require the agency to serve the region as the leader in interagency collaboration on water resource issues and to be governed by a 5-member board of locally elected officials in the agency's jurisdiction, each appointed by a specified state or local entity. The bill would authorize the agency to serve the water needs of its region through specified activities, including, among others, operating public water systems or other water infrastructure and integrating other water systems in the region into its operations, as prescribed. The bill would authorize the agency to finance

its operations through specified means, including, among others, collecting water rates, charges, fees, or established parcel charges previously charged by a water system for which the agency has assumed control.

By imposing requirements on the Southern Los Angeles County Regional Water Agency, the Los Angeles County Local Agency Formation Commission, and other local agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Division 9 (commencing with Section 20000) is
2 added to the Water Code, to read:

3
4 DIVISION 9. SOUTHERN LOS ANGELES COUNTY
5 REGIONAL WATER AGENCY ACT

6
7 20000. This division shall be known, and may be cited, as the
8 Southern Los Angeles County Regional Water Agency Act.

9 20005. (a) The Southern Los Angeles County Regional Water
10 Agency is hereby created as a regional water agency serving the
11 drinking water needs of the cities, unincorporated areas, and
12 residents in southern Los Angeles County.

13 (b) The agency’s jurisdiction shall encompass all communities
14 overlying the Central Basin and West Coast Basin aquifers, with
15 a jurisdictional territory coextensive to the jurisdictional territory
16 of the Water Replenishment District of Southern California. The
17 agency shall serve the region as the leader in interagency
18 collaboration on water resource issues.

1 (c) (1) The agency shall be governed by a five-member board
2 of locally elected officials in the agency’s jurisdiction. Each of the
3 following shall appoint one member to the board:

- 4 (A) The Governor.
- 5 (B) The Los Angeles County Board of Supervisors.
- 6 (C) The Gateway Cities Council of Governments.
- 7 (D) The South Bay Cities Council of Governments.
- 8 (E) The San Gabriel Valley Council of Governments.

9 (2) If a board member is no longer a locally elected official, the
10 board member’s office shall be declared vacant and the appointing
11 authority shall appoint a successor.

12 (d) In December of each year, the board shall select a president
13 to serve a one-year term starting on the following January 1.

14 (e) The board shall hire a general manager with at least five
15 years of experience in senior management of a water agency,
16 relevant technical expertise, and education in a professional field
17 related to water resources. The general manager may hire all other
18 agency staff as authorized by the board.

19 20010. (a) The agency may serve the water needs of its region
20 through any of the following activities:

- 21 (1) Operate public water systems or other water infrastructure.
- 22 (2) Consolidate operation of public water systems, as directed
23 by the State Water Resources Control Board pursuant to Section
24 116682 of the Health and Safety Code, or by an agreement with
25 the operator of a public water system.
- 26 (3) Serve as an administrator of a public water system, as
27 directed by the State Water Resources Control Board pursuant to
28 Section 116686 of the Health and Safety Code, or as receiver of
29 a public water system, as directed by court order.
- 30 (4) Integrate other water systems in the region into its operations,
31 by agreement with a water system or through eminent domain
32 proceedings, and subject to the approval of the Los Angeles County
33 Local Agency Formation Commission, as applicable.
- 34 (5) Develop, construct, operate, and otherwise implement water
35 quality projects, including, but not limited to, stormwater
36 management, groundwater cleanup, or drinking water treatment
37 facilities.
- 38 (6) Assist public water systems and mutual water companies in
39 operating and managing their water systems, including, but not

1 limited to, funding, technical assistance, and other collaboration
2 that promotes economies of scale.

3 (7) Serve as an integrated water resource management group
4 or as a member of a larger integrated water resource management
5 group.

6 (8) Represent the region's interests in water resources to the
7 County of Los Angeles, regional water agencies, the Southern
8 California Association of Governments, the State of California,
9 and the United States Government.

10 (b) As a regional public agency, the agency shall have the legal
11 authorities common to public agencies, including, but not limited
12 to, all of the following:

13 (1) To acquire surface water or groundwater rights.

14 (2) To sue or be sued.

15 (3) To enter into contracts.

16 (4) To employ its own legal staff, or engage outside counsel as
17 necessary.

18 (5) To receive funds, including funds from private and local
19 governmental sources, contributions from public and private
20 sources, and state and federal appropriations.

21 (6) To disburse funds through grants, public assistance, loans,
22 and contracts.

23 (7) To adopt regulations or guidelines as needed to carry out
24 the powers and duties established in this division.

25 (c) The agency may finance its operations by any of the
26 following:

27 (1) Collect charges for the public water systems it operates from
28 their customers or owners.

29 (2) Collect water rates, charges, fees, or established parcel
30 charges previously charged by a water system for which the agency
31 has assumed control and operates.

32 (3) Accept grants, loans, or other financial or technical assistance
33 from other public agencies.

34 20015. For purposes of this division, the following definitions
35 apply:

36 (a) "Agency" means the Southern Los Angeles County Regional
37 Water Agency.

38 (b) "Public water system" has the same meaning as defined in
39 Section 116275 of the Health and Safety Code.

1 (c) “Relevant technical expertise” means employment or
2 consulting for a total period of at least five years, before the date
3 of first appointment, in one or more positions materially responsible
4 for performing services relating to the management, operations,
5 engineering, construction, financing, contracting, regulation, or
6 resource management of a public water system.

7 SEC. 2. No reimbursement is required by this act pursuant to
8 Section 6 of Article XIII B of the California Constitution because
9 a local agency or school district has the authority to levy service
10 charges, fees, or assessments sufficient to pay for the program or
11 level of service mandated by this act, within the meaning of Section
12 17556 of the Government Code.

13 However, if the Commission on State Mandates determines that
14 this act contains other costs mandated by the state, reimbursement
15 to local agencies and school districts for those costs shall be made
16 pursuant to Part 7 (commencing with Section 17500) of Division
17 4 of Title 2 of the Government Code.