



● **Board of Directors**  
***Communications and Legislation Committee***

5/11/2021 Board Meeting

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7-9

**Subject**

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Express opposition, unless amended, for AB 1195 (Garcia, C., D-Bell Gardens): drinking water; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

**Executive Summary**

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As amended April 6, 2021, AB 1195 (Garcia, C., D-Bell Gardens) appoints a commissioner and vests in that commissioner broad oversight powers and authorities intended to address failing public water systems in disadvantaged communities in southern Los Angeles County (**Attachment 1**). The bill also proposes an overly broad change to water rights of all public water systems throughout the state without a review of existing rights, their source, or a need to change any existing laws. Metropolitan supports efforts to make safe and affordable water available to all communities. However, provisions in AB 1195 could interfere with existing laws, vested rights, and overlap with established government structures and authorities.

**Details**

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**Background**

AB 1195 seeks to address the challenge facing small urban water systems in southern Los Angeles County that lack the technical, managerial, and financial capacity to ensure a reliable, safe, and affordable water supply to their communities. A recent University of California Los Angeles, Institute for the Environment and Sustainability study *Human Right to Water in Poor Communities of Color: Southern Los Angeles County* (UCLA study) identified 29 such community water systems that are located in close proximity and are at risk of failing by exceeding primary and secondary drinking water standards.

Since the passage of the Human Right to Water legislation (AB 685, 2012), the state and the Legislature have made the policy of ensuring a safe and affordable water supply for all Californians a priority. The State Water Resources Control Board (State Water Board) is vested with new authorities and funding in the Safe and Affordable Drinking Water Fund (SB 200, Monning) to help small disadvantaged public water systems comply with drinking water standards. The State Water Board does this through mandatory consolidations as well as by designating an administrator to manage a system, oversee investments in new treatment technology, and facilitate consolidation with other water agencies. Most of these efforts, however, have been focused on small systems located in rural disadvantaged communities.

AB 1195 intends to foster collaboration in southern Los Angeles County to address the complex problems of small, failing urban water systems. The bill requires the State Water Board appoint a commissioner to expend moneys from the Safe and Affordable Drinking Water Fund on behalf of the State Water Board to address the needs of public water systems within the jurisdictional boundaries of the Water Replenishment District of Southern California (WRD). A technical advisory board, made up of one member appointed by the State Water Board and the other appointed by unspecified entities, would advise the commissioner.

The commissioner would have the responsibility and authority to lead planning for long-term sustainability of public water systems in southern Los Angeles County, oversee the work of the WRD in assessing governance strategies in the region, oversee expenditures of all state funding for groundwater cleanup in the region, oversee the operations of the Central Basin Municipal Water District (CBMWD), a member agency of Metropolitan, and

require and direct an audit of the CBMWD. The bill provides no reimbursement to CBMWD for the state-mandated audit.

The bill would also vest the commissioner with additional powers. The bill does not limit the authority of the proposed commissioner, other than by a geographical location: the southern Los Angeles County area consistent with the service area of the WRD. The broad authority granted by the bill as currently drafted raises concerns given the commissioner's ability to:

- (1) Develop and submit to the State Water Board a plan for the long-term sustainability of public water systems in the designated area, without any limitation to particular public water systems or a system that is failing in some way.
- (2) Oversee CBMWD without provision for protecting that agency's membership and participation at Metropolitan.
- (3) Assist operators of public water systems, without limiting that authority to any particular public water system or a system that is failing in some way.
- (4) Evaluate public water systems and other water infrastructure in the region, without specifying failing public water systems and the particular water infrastructure or criteria for the water infrastructure that can be subject to such authority.
- (5) Oversee all state funding for groundwater cleanup on behalf of the State Board, without any criteria for such oversight.

In addition to the foregoing, AB 1195 restricts surface and groundwater rights of public water systems generally, without any reference to the applicability of jurisdiction over those water rights by the State Water Board, court judgments, watermasters, other statutes such as the Sustainable Groundwater Management Act, or Article X, Section 2 of the California Constitution. The bill proposes an overly broad change to water rights of all public water systems throughout the state without a review of existing rights, their source, or a need to change any existing laws. The proposed changes conflict with existing property rights. The proposed restrictions could potentially interfere with water rights that form the basis for conjunctive use and cyclic storage programs in the Metropolitan service area. The changes may also interfere with Metropolitan's rights and agreements in Central Valley groundwater storage programs. It is not clear why this provision is necessary.

Metropolitan staff proposes amendments to the bill to ensure the commissioner does not usurp, or create duplicative and overlapping duties or conflicts with the authority of the Los Angeles Local Agency Formation Commission, Metropolitan, its member agencies, WRD, or other existing agencies in the area in direct conflict with existing law. The role of the commissioner should be limited to assisting small failing water systems in identifying solutions and access available assistance through existing programs at the State Water Board. The proposed amendments strike the water rights provision as the intended purpose of the language is unclear given the bill's targeted focus on fostering collaboration and solutions to assist small urban water systems in southern LA County.

#### Suggested Amendments

Based on the concerns above, staff recommends opposing AB 1195 unless amended to address the impacts to water rights throughout the state and the overly broad authority over all public water systems and water infrastructure within the southern Los Angeles County region of Metropolitan's service area to a commissioner without any limitations. Amendments to AB 1195 include:

- (1) Strike Section 1 of the bill that seeks to restrict and redefine existing water rights.
- (2) Strike Section 116689(e) that would allow the Commission to oversee the activities of Central Basin Municipal Water District.
- (3) Define the scope of the bill to address the needs of the 29 small community water systems located in southern Los Angeles County that struggle to provide clean, reliable and affordable drinking water.

- (4) Add language to clarify that nothing in Section 116689 is intended to supersede existing water rights, the authority of Metropolitan, its member agencies, or the Los Angeles Local Agency Formation Commission, or other existing laws.

Last year, the Legislature appropriated funds for the WRD to assess small disadvantaged community water systems in southern Los Angeles County. The bill requires the commissioner to oversee the assessment. However, the Legislature might consider making AB 1195 a two-year bill so that the WRD can complete the assessment first, which could better inform a role for the commissioner. Both the findings from the WRD assessment and the UCLA study should prove helpful in identifying solutions to help the small struggling systems in the region.

AB 1195 is currently opposed by the Association of California Water Agencies, CBMWD, California Water Association (unless amended), Los Angeles and Orange Counties Building and Construction Trades Council (unless amended), and the Construction Trades Council (unless amended). It has no supporters on record at this time.

While Metropolitan's policies strongly support efforts to ensure ongoing access to safe and affordable drinking water to all residents within its service area, including disadvantaged communities, AB 1195 includes deeply problematic and overly broad provisions and powers that could interfere with existing laws, vested rights, and overlap established government structures and authorities. The proposed amendments above would address those concerns.

## Policy

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Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

By Minute Item 52205, dated December 8, 2020, the Board adopted the Legislative Priorities and Principles for 2021, Section I.B, Water Governance and Funding

## California Environmental Quality Act (CEQA)

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### CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA (Public Resources Code Section 21065, State CEQA Guidelines Section 15378) because the proposed action will not cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and involves legislative proposals that do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment (Public Resources Code Section 21065 and Section 15378(b)(1) of the State CEQA Guidelines).

### CEQA determination for Option #2:

None required

## Board Options

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### Option #1

Express opposition, unless amended, for AB 1195

**Fiscal Impact:** Unknown

**Business Analysis:** Work with the author and stakeholders to clarify the intent of the bill, and reserve the right to oppose it if issues cannot be worked out without potential adverse impacts to Metropolitan and its member agencies.

### Option #2

Take no position on AB 1195

**Fiscal Impact:** None

**Business Analysis:** Allow member agencies and other stakeholders to seek revisions to the bill, but this could leave Metropolitan without any opportunity to object to potential adverse impacts from the new law.

**Staff Recommendation**

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Option # 1

  
\_\_\_\_\_  
Sue Sims  
External Affairs Manager

4/30/2021  
Date

  
\_\_\_\_\_  
Jeffrey Knightlinger  
General Manager

4/30/2021  
Date

**Attachment 1 – AB 1195 as amended April 6, 2021**

Ref# ea12675414

**Attachment 1 - AB 1195 as amended April 6, 2021**

AMENDED IN ASSEMBLY APRIL 6, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL****No. 1195****Introduced by Assembly Member Cristina Garcia**

February 18, 2021

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An act to ~~add Division 9 (commencing with Section 20000) to the Water Code, amend Section 116681 of, to add Section 116351 to, and to add Article 9.5 (commencing with Section 116688) to Chapter 4 of Part 12 of Division 104 of, the Health and Safety Code, relating to water.~~

## LEGISLATIVE COUNSEL'S DIGEST

AB 1195, as amended, Cristina Garcia. ~~Southern Los Angeles County Regional Water Agency. Drinking water.~~

*The California Safe Drinking Water Act provides for the operation of public water systems and imposes on the State Water Resources Control Board various responsibilities and duties relating to the regulation of drinking water to protect public health.*

*Existing law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Existing law authorizes the state board to provide for the deposit into the fund of certain moneys and continuously appropriates the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients.*

*This bill would prohibit, once an operator of a public water system exercises water rights for the benefit of the public water system, those surface water rights or groundwater rights from being severed or otherwise separated from the public water system.*

*The bill would enact the Southern Los Angeles County Human Right to Water Collaboration Act, which would require the state board to appoint a commissioner to, among other things, expend moneys from the Safe and Affordable Drinking Water Fund on behalf of the state board for eligible purposes and recipients in southern Los Angeles County, within the jurisdictional boundaries of the Water Replenishment District of Southern California and in collaboration with the communities and operators of public water systems in the region. The bill would require the commissioner, on or before December 31, 2024, to develop and submit to the state board a plan for the long-term sustainability of public water systems in southern Los Angeles County, in collaboration with a technical advisory board, which the bill would create. The bill would require the technical advisory board to be composed of an unspecified number of members, with one member appointed by the state board and the remaining members appointed by unspecified entities.*

*In preparing the plan, the bill would require the commissioner, among other things, to oversee the work of the Water Replenishment District of Southern California in a specified assessment and to consult with the Los Angeles County Local Agency Formation Commission regarding effective public water system governance strategies in the region, as specified. The bill would require the commissioner to oversee the expenditure of all state funding for groundwater cleanup in the region and to oversee the operations of the Central Basin Municipal Water District in selling drinking water and recycled water to public water systems in its jurisdiction. The bill would authorize the commissioner to require the Central Basin Municipal Water District to pay for an audit directed by the commissioner. By imposing additional requirements on the Central Basin Municipal Water District, 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 no reimbursement is required by this act for a specified reason.*

~~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. Section 116351 is added to the Health and Safety*
- 2 *Code, to read:*

1 116351. Once an operator of a public water system exercises  
2 water rights for the benefit of the public water system, those surface  
3 water rights or groundwater rights shall not be severed or  
4 otherwise separated from the public water system.

5 SEC. 2. Section 116681 of the Health and Safety Code is  
6 amended to read:

7 116681. The following definitions shall apply to this ~~section~~  
8 ~~and section~~, Sections 116682, 116684, and ~~116686~~: 116686, and  
9 Article 9.5 (commencing with Section 116688):

10 (a) "Adequate supply" means sufficient water to meet residents'  
11 health and safety needs at all times.

12 (b) "Affected residence" means a residence within a  
13 disadvantaged community that is reliant on a water supply that is  
14 either inadequate or unsafe and that is not served by a public water  
15 system or state small water system.

16 (c) "Consistently fails" means a failure to provide an adequate  
17 supply of safe drinking water.

18 (d) "Consolidated water system" means the public water system  
19 resulting from the consolidation of a public water system with  
20 another public water system, state small water system, or affected  
21 residences.

22 (e) "Consolidation" means joining two or more public water  
23 systems, state small water systems, or affected residences into a  
24 single public water system.

25 (f) "Disadvantaged community" means a disadvantaged  
26 community, as defined in Section 79505.5 of the Water Code.

27 (g) "Domestic well" means a groundwater well used to supply  
28 water for the domestic needs of an individual residence or a water  
29 system that is not a public water system and that has no more than  
30 four service connections.

31 (h) "Extension of service" means the provision of service  
32 through any physical or operational infrastructure arrangement  
33 other than consolidation.

34 (i) "Infill site" means a site within the area served by a subsumed  
35 water system that, as of the date of consolidation, is adjacent to a  
36 parcel that is developed for qualified urban uses.

37 (j) "Qualified urban use" means any residential, commercial,  
38 public institutional, industrial, transit or transportation facility, or  
39 retail use, or any combination of those uses.

1 (k) "Receiving water system" means the public water system  
2 that provides service to a subsumed water system through  
3 consolidation or extension of service.

4 (l) "Safe drinking water" means water that meets all primary  
5 and secondary drinking water standards.

6 (m) "State small water system" has the same meaning as  
7 provided in Section 116275.

8 (n) "Subsumed water system" means the public water system,  
9 state small water system, or affected residences served by domestic  
10 wells consolidated into or receiving service from the receiving  
11 water system.

12 *SEC. 3. Article 9.5 (commencing with Section 116688) is added*  
13 *to Chapter 4 of Part 12 of Division 104 of the Health and Safety*  
14 *Code, to read:*

15  
16 *Article 9.5. Southern Los Angeles County Human Right to Water*  
17 *Collaboration Act*  
18

19 *116688. This article shall be known, and may be cited, as the*  
20 *Southern Los Angeles County Human Right to Water Collaboration*  
21 *Act.*

22 *116689. (a) The state board shall appoint a commissioner to*  
23 *implement the state board's Safe and Affordable Funding for*  
24 *Equity and Resilience (SAFER) Program established pursuant to*  
25 *Chapter 120 of the Statutes of 2019 in southern Los Angeles*  
26 *County, within the jurisdictional boundaries of the Water*  
27 *Replenishment District of Southern California and in collaboration*  
28 *with the communities and operators of public water systems in the*  
29 *region.*

30 *(b) In implementing the SAFER Program in southern Los*  
31 *Angeles County, the commissioner shall, on behalf of the state*  
32 *board, expend moneys from the Safe and Affordable Drinking*  
33 *Water Fund established pursuant to Section 116766, subject to*  
34 *the state board's approval, for the purposes, and to the eligible*  
35 *recipients, identified in Section 116766. The commissioner may*  
36 *take any reasonable action to accomplish those purposes. Pursuant*  
37 *to subdivision (f) of Section 116766, the commissioner shall make*  
38 *reasonable efforts to ensure that funds are used to secure the*  
39 *long-term sustainability of drinking water service and*  
40 *infrastructure, including, but not limited to, requiring adequate*

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1 *technical, managerial, and financial capacity of eligible applicants*  
2 *as part of funding agreement outcomes.*

3 *(c) (1) In addition to the authority established in subdivision*  
4 *(b), the commissioner may do either of the following:*

5 *(A) Assist operators of public water systems in operating and*  
6 *managing their public water systems, including, but not limited*  
7 *to, funding, technical assistance, and other collaboration that*  
8 *promotes economies of scale.*

9 *(B) Serve as an administrator of a public water system pursuant*  
10 *to Section 116686, or as a receiver of a public water system*  
11 *pursuant to court order, for a public water system that serves a*  
12 *disadvantaged community or that consistently fails or is at risk of*  
13 *doing so, as determined by the commissioner.*

14 *(2) The commissioner shall seek available funding from state*  
15 *and local sources to fund its activities.*

16 *(d) The commissioner shall, on or before December 31, 2024,*  
17 *develop and submit to the state board a plan for the long-term*  
18 *sustainability of public water systems in southern Los Angeles*  
19 *County, in collaboration with the technical advisory board*  
20 *established pursuant to Section 116690. In preparing the plan, the*  
21 *commissioner shall do all of the following:*

22 *(1) Oversee the work of the Water Replenishment District of*  
23 *Southern California in assessing the conditions of small public*  
24 *water systems in its jurisdiction pursuant to Item 3860-101-0001*  
25 *of Section 2.00 of the Budget Act of 2019 (Chapter 23 of the*  
26 *Statutes of 2019), including the sufficiency of each small public*  
27 *water system's water quality and water rights. The plan shall*  
28 *include evaluation of each small public water system's technical,*  
29 *managerial, and financial conditions, which may qualify the small*  
30 *public water system for some types of financial assistance.*

31 *(2) Review the assessment described in paragraph (1) and*  
32 *evaluate public water systems and other water infrastructure in*  
33 *the region. The evaluation shall include assessment of the physical*  
34 *conditions of groundwater wells and groundwater quality.*

35 *(3) Identify projects, processes, and systems that may assist*  
36 *public water systems that consistently fail or are at risk of doing*  
37 *so, as determined by the commissioner. For a public water system*  
38 *in a disadvantaged community, the commissioner may consider*  
39 *groundwater wells or groundwater quality that pose a risk to the*  
40 *public water system of consistently failing and identify actions*

1 *necessary to either assist that public water system or determine*  
2 *appropriate changes for the public water system in accordance*  
3 *with applicable law.*

4 *(4) Plan for the consolidation of public water systems that either*  
5 *consistently fail or are at risk of doing so, as determined by the*  
6 *commissioner. The plan shall include identification of a receiving*  
7 *water system operated by a municipality or other public agency,*  
8 *without regard to jurisdictional boundaries. The commissioner*  
9 *shall propose receiving water systems to the state board for*  
10 *consolidation proceedings pursuant to Section 116682. This*  
11 *paragraph does not preclude the operator of a public water system*  
12 *or a state small water system from proposing a voluntary*  
13 *consolidation for the identified subsumed water system.*

14 *(5) Consult with the Los Angeles County Local Agency*  
15 *Formation Commission regarding effective public water system*  
16 *governance strategies in the region and how the Los Angeles*  
17 *County Local Agency Formation Commission may facilitate*  
18 *consolidation of public water systems that consistently fail or are*  
19 *at risk of doing so, as determined by the commissioner.*

20 *(e) The commissioner shall oversee the operations of the Central*  
21 *Basin Municipal Water District in selling drinking water and*  
22 *recycled water to public water systems in its jurisdiction. The*  
23 *Central Basin Municipal Water District shall cooperate with the*  
24 *commissioner in exercising the commissioner's oversight*  
25 *responsibilities. The commissioner may require the Central Basin*  
26 *Municipal Water District to pay for an audit directed by the*  
27 *commissioner. The California State Auditor may cooperate with*  
28 *the commissioner regarding the audit using the findings of the*  
29 *California State Auditor's 2015 audit of the Central Basin*  
30 *Municipal Water District.*

31 *(f) The commissioner shall oversee, on behalf of the state board,*  
32 *the expenditure of all state funding for groundwater cleanup in*  
33 *the region. This oversight shall include identification, for basins*  
34 *in the region, of significant contaminants and potential remediation*  
35 *of perfluorooctane sulfonate (PFOS). The commissioner shall*  
36 *investigate a range of options to pay for remediating groundwater*  
37 *contamination in the region, including methods to hold polluters*  
38 *accountable for their groundwater contamination.*

39 *116690. (a) (1) The commissioner shall be advised by a*  
40 *technical advisory board of experts in water management or water*

1 *policy consisting of \_\_\_\_ members. Each member, except the*  
2 *member specified in paragraph (2), shall have at least five years*  
3 *of experience in a managerial level position with a water supplier,*  
4 *in operations, water quality, or finance, or as a general manager*  
5 *of a water supplier.*

6 *(2) One of the members shall be appointed by the state board*  
7 *and shall have at least one year of experience at a senior level of*  
8 *a nonprofit organization engaging communities in the region on*  
9 *water issues, which may include a member of the state board's*  
10 *SAFER Advisory Group.*

11 *(3) Each of the following entities shall appoint one member to*  
12 *the technical advisory board: \_\_\_\_.*

13 *(b) The technical advisory board may promote regional*  
14 *collaboration by developing alternatives for creating sustainable*  
15 *public water systems in the region, which the commissioner may*  
16 *consider in preparing the plan pursuant to subdivision (d) of*  
17 *Section 116689.*

18 *(c) (1) An entity appointing a member to the board may replace*  
19 *their member as required. If a board member office is declared*  
20 *vacant, the appointing entity shall appoint a successor.*

21 *(2) A majority of the members of the board may vote to request*  
22 *the replacement of another member of the board.*

23 *(d) An entity appointing a member to the board shall compensate*  
24 *the member commensurate with the entity's compensation policies*  
25 *and shall provide for out-of-pocket expenses and travel associated*  
26 *with the member's activities on the technical advisory board.*

27 *(e) (1) In December of each year, the technical advisory board*  
28 *shall select a president to serve a one-year term starting on the*  
29 *following January 1.*

30 *(2) The technical advisory board shall meet twice each month*  
31 *and as needed to address interventions and the need of the*  
32 *commissioner for the identification of operational and technical*  
33 *resources.*

34 *SEC. 4. No reimbursement is required by this act pursuant to*  
35 *Section 6 of Article XIII B of the California Constitution because*  
36 *a local agency or school district has the authority to levy service*  
37 *charges, fees, or assessments sufficient to pay for the program or*  
38 *level of service mandated by this act, within the meaning of Section*  
39 *17556 of the Government Code.*

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.~~

19 ~~(c) (1) The agency shall be governed by a five-member board~~  
20 ~~of locally elected officials in the agency's jurisdiction. Each of the~~  
21 ~~following shall appoint one member to the board:~~

22 ~~(A) The Governor.~~

23 ~~(B) The Los Angeles County Board of Supervisors.~~

24 ~~(C) The Gateway Cities Council of Governments.~~

25 ~~(D) The South Bay Cities Council of Governments.~~

26 ~~(E) The San Gabriel Valley Council of Governments.~~

27 ~~(2) If a board member is no longer a locally elected official, the~~  
28 ~~board member's office shall be declared vacant and the appointing~~  
29 ~~authority shall appoint a successor.~~

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

32 ~~(e) The board shall hire a general manager with at least five~~  
33 ~~years of experience in senior management of a water agency,~~  
34 ~~relevant technical expertise, and education in a professional field~~  
35 ~~related to water resources. The general manager may hire all other~~  
36 ~~agency staff as authorized by the board.~~

37 ~~20010. (a) The agency may serve the water needs of its region~~  
38 ~~through any of the following activities:~~

39 ~~(1) Operate public water systems or other water infrastructure.~~

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- 1 ~~(2) Consolidate operation of public water systems, as directed~~  
2 ~~by the State Water Resources Control Board pursuant to Section~~  
3 ~~116682 of the Health and Safety Code, or by an agreement with~~  
4 ~~the operator of a public water system.~~
- 5 ~~(3) Serve as an administrator of a public water system, as~~  
6 ~~directed by the State Water Resources Control Board pursuant to~~  
7 ~~Section 116686 of the Health and Safety Code, or as receiver of~~  
8 ~~a public water system, as directed by court order.~~
- 9 ~~(4) Integrate other water systems in the region into its operations,~~  
10 ~~by agreement with a water system or through eminent domain~~  
11 ~~proceedings, and subject to the approval of the Los Angeles County~~  
12 ~~Local Agency Formation Commission, as applicable.~~
- 13 ~~(5) Develop, construct, operate, and otherwise implement water~~  
14 ~~quality projects, including, but not limited to, stormwater~~  
15 ~~management, groundwater cleanup, or drinking water treatment~~  
16 ~~facilities.~~
- 17 ~~(6) Assist public water systems and mutual water companies in~~  
18 ~~operating and managing their water systems, including, but not~~  
19 ~~limited to, funding, technical assistance, and other collaboration~~  
20 ~~that promotes economies of scale.~~
- 21 ~~(7) Serve as an integrated water resource management group~~  
22 ~~or as a member of a larger integrated water resource management~~  
23 ~~group.~~
- 24 ~~(8) Represent the region's interests in water resources to the~~  
25 ~~County of Los Angeles, regional water agencies, the Southern~~  
26 ~~California Association of Governments, the State of California,~~  
27 ~~and the United States Government.~~
- 28 ~~(b) As a regional public agency, the agency shall have the legal~~  
29 ~~authorities common to public agencies, including, but not limited~~  
30 ~~to, all of the following:~~
- 31 ~~(1) To acquire surface water or groundwater rights.~~  
32 ~~(2) To sue or be sued.~~  
33 ~~(3) To enter into contracts.~~  
34 ~~(4) To employ its own legal staff, or engage outside counsel as~~  
35 ~~necessary.~~
- 36 ~~(5) To receive funds, including funds from private and local~~  
37 ~~governmental sources, contributions from public and private~~  
38 ~~sources, and state and federal appropriations.~~
- 39 ~~(6) To disburse funds through grants, public assistance, loans,~~  
40 ~~and contracts.~~

## 11

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

3 ~~(e) The agency may finance its operations by any of the~~  
4 ~~following:~~

5 ~~(1) Collect charges for the public water systems it operates from~~  
6 ~~their customers or owners.~~

7 ~~(2) Collect water rates, charges, fees, or established parcel~~  
8 ~~charges previously charged by a water system for which the agency~~  
9 ~~has assumed control and operates.~~

10 ~~(3) Accept grants, loans, or other financial or technical assistance~~  
11 ~~from other public agencies.~~

12 ~~20015. For purposes of this division, the following definitions~~  
13 ~~apply:~~

14 ~~(a) "Agency" means the Southern Los Angeles County Regional~~  
15 ~~Water Agency.~~

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

18 ~~(c) "Relevant technical expertise" means employment or~~  
19 ~~consulting for a total period of at least five years, before the date~~  
20 ~~of first appointment, in one or more positions materially responsible~~  
21 ~~for performing services relating to the management, operations,~~  
22 ~~engineering, construction, financing, contracting, regulation, or~~  
23 ~~resource management of a public water system.~~

24 ~~SEC. 2. No reimbursement is required by this act pursuant to~~  
25 ~~Section 6 of Article XIII B of the California Constitution because~~  
26 ~~a local agency or school district has the authority to levy service~~  
27 ~~charges, fees, or assessments sufficient to pay for the program or~~  
28 ~~level of service mandated by this act, within the meaning of Section~~  
29 ~~17556 of the Government Code.~~

30 ~~However, if the Commission on State Mandates determines that~~  
31 ~~this act contains other costs mandated by the state, reimbursement~~  
32 ~~to local agencies and school districts for those costs shall be made~~  
33 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
34 ~~4 of Title 2 of the Government Code.~~