



MEMORANDUM
ITEM NO. 9

DATE: MARCH 18, 2021
TO: BOARD OF DIRECTORS
FROM: TED JOHNSON, ASSISTANT GENERAL MANAGER
SUBJECT: AB 1195- SOUTHERN LOS ANGELES COUNTY REGIONAL WATER AGENCY

SUMMARY

On March 8, 2021, the External Affairs Committee discussed bills that may affect WRD operations. A bill of discussion was Assembly Bill (AB) No. 1195 introduced by Assemblymember Cristina Garcia.

AB 1195 creates the Southern Los Angeles County Regional Water Agency, which would have oversight of the Central Basin and West Coast Basin. The service area of the proposed agency would be “coextensive to the jurisdictional territory of the Water Replenishment District of Southern California.”

There are three primary concerns regarding the provisions of AB 1195. First, the powers and purposes enumerated for the proposed agency would duplicate certain powers and purposes held by WRD. This duplication of responsibilities is contrary to state policy regarding the efficient provision of local government services.

Second, the proposed governing board for the proposed agency would be appointed by entities that only represent a fraction of WRD’s service area. Specifically, the agency would be governed by a five-member board, with one appointee from each of the following:

- The Governor
- The LA County Board of Supervisors (the 3rd County District is not in WRD’s service area)
- The Gateway Cities Council of Governments
- The South Bay Cities COG and
- The San Gabriel Valley COG (33 jurisdictions in the COG are outside WRD’s service area; the City of Montebello is the only jurisdiction that overlaps between WRD’s service area and the COG)

Because the proposed Board of Directors for the Southern Los Angeles County Regional Water Agency would be appointed by elected officials, constituents would be precluded from electing officials to represent their interests. An appointed governing board reduces the accessibility and accountability of the agency to its constituents. Of greater concern, appointees could be from cities that do not even fall within the service area of the new agency.

For example, the San Gabriel Valley COG only has one city (Montebello) that is in WRD's service area. Yet, the San Gabriel COG would have authority to appoint a Board Member to the Southern Los Angeles County Regional Water Agency. Because the Board can be appointed by entities with jurisdictions that extend beyond the proposed agency's service area, it is possible that a majority of the Board (three members) could represent the interests of individuals that do not live within the service area.

Third, the bill's author states AB 1195 is meant to implement solutions proposed in a report from UCLA on Disadvantaged Communities. However, that report does not recommend creation of a regional drinking water agency. Further, the State Water Resources Control Board and WRD will soon undertake an analysis of the technical, managerial, and financial (TMF) capacity of drinking water systems serving disadvantaged communities. This analysis will provide solutions tailored for each drinking water system regarding TMF capacity issues and necessary infrastructure improvements. AB 1195 should not prejudge the outcome of this important work.

The External Affairs Committee voted 5-0 to "OPPOSE" the bill.

FISCAL IMPACT

None

EXTERNAL AFFAIRS COMMITTEE RECOMMENDATION

The External Affairs Committee recommends that the Board of Directors oppose AB1195.