

AMENDED IN SENATE AUGUST 28, 2001

AMENDED IN SENATE AUGUST 20, 2001

AMENDED IN SENATE JULY 19, 2001

AMENDED IN SENATE JUNE 26, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 864

Introduced by Assembly Member Thomson

February 22, 2001

An act to amend, repeal, and add Section 4730.3 of the Health and Safety Code, relating to sanitation districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 864, as amended, Thomson. Sanitation districts: City of West Sacramento.

Existing law provides for the composition of the board of directors of a sanitation district in the County of Sacramento, but specifies that if the district includes territory that is within a city, the board of directors shall be composed of the county board of supervisors and the presiding officer of the governing body of each of these cities.

This bill would provide that if the sanitation district also includes territory in the City of West Sacramento in Yolo County, the sanitation district board of directors shall also include the presiding officer of the governing body of the City of West Sacramento and, until January 1, 2005, or specified conditions are met, a member of the Yolo County Board of Supervisors whose district includes all, or the greater portion, of the population of the City of West Sacramento. It would also specify

the extent of the voting powers of the member of the Yolo County Board of Supervisors on all sanitation district matters that come before the sanitation district board of directors.

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

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

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 ~~(a) Historically, when a county sanitation district annexes land
4 in a neighboring county, the board of supervisors of the
5 neighboring county has at least one permanent representative on~~

6 (a) Under current law, when a county sanitation district first
7 annexes territory within an abutting county, the board of
8 supervisors of the abutting county has at least one representative
9 on the county sanitation board.

10 (b) The Sacramento Regional County Sanitation District, the
11 City of West Sacramento, and the County of Yolo have agreed that
12 it is in their best mutual interests for the Sacramento Regional
13 County Sanitation District to construct and utilize a sewer
14 interceptor line through the City of West Sacramento and a portion
15 of the unincorporated area of Yolo County to provide sewer service
16 to residents in the Natomas area of Sacramento County and to
17 residents in the City of West Sacramento.

18 (c) The County of Yolo Board of Supervisors has confirmed
19 that it is acting in furtherance of a continued positive and
20 constructive working relationship between it and the other
21 governmental entities within the Sacramento region by consenting
22 to the presiding officer of the City of West Sacramento holding the
23 permanent seat on the Sacramento Regional County Sanitation
24 District Board of Directors, and consenting to having a limited
25 term seat on the Board of Directors of the Sacramento Regional
26 County Sanitation District subject to limitations set forth in this
27 act.

28 SEC. 2. Section 4730.3 of the Health and Safety Code is
29 amended to read:

30 4730.3. (a) Notwithstanding Sections 4730, 4730.2, and
31 4832.5 or any other provision of law, the governing board of a



1 sanitation district in the County of Sacramento shall be constituted
2 in accordance with this section.

3 (b) The governing body of a sanitation district in the County of
4 Sacramento shall be a board of directors composed of an odd
5 number of not less than five members. If the district includes no
6 territory that is within a city, the Sacramento County Board of
7 Supervisors shall be the board of directors of the sanitation district.

8 (c) If the sanitation district includes territory that is within a
9 city, the board of directors of the sanitation district shall be
10 composed of the Sacramento County Board of Supervisors and the
11 presiding officer of the governing body of each of those cities. If
12 the sanitation district also includes territory in the City of West
13 Sacramento in Yolo County, the sanitation district board of
14 directors shall also include the presiding officer of the governing
15 body of the City of West Sacramento and the Member of the Yolo
16 County Board of Supervisors whose supervisorial district includes
17 all, or the greater portion, of the population of the City of West
18 Sacramento. If those members of the governing body of the
19 sanitation district constitute an even number, the Chairperson of
20 the Sacramento County Board of Supervisors shall have an
21 additional vote on the board of directors of the sanitation district.

22 (d) The governing body of each city that has a representative
23 on the board of directors of the sanitation district may designate
24 one of its members to act in the place of its presiding officer in the
25 absence, inability to act, or refusal to act, of its presiding officer.
26 The governing body of any of those cities may designate a member
27 of the county board of supervisors to serve as its representative
28 member on the board of directors of the sanitation district in the
29 place of the presiding officer of its governing body, in which case,
30 that supervisor shall have one vote for each city represented by that
31 supervisor. The Yolo County Board of Supervisors may designate
32 one of its members to act in the absence, inability to act, or refusal
33 to act, of the Member of the Yolo County Board of Supervisors
34 whose supervisorial district includes all, or the greater portion of,
35 the population of the City of West Sacramento.

36 (e) (1) The representative from the Yolo County Board of
37 Supervisors shall be entitled to vote on all sanitation district
38 matters that come before the sanitation district board of directors,
39 with the exception of the following:



1 (A) Any and all matters directly related to the setting of
2 sanitation district fees, rates, and charges for district ratepayers.

3 (B) Any and all matters directly related to the determination of
4 the ~~ultimate~~ composition of the sanitation district board of
5 directors *and the district's organizational structure*.

6 (2) Except for a lack of an entitlement to vote on the matters
7 specified in paragraph (1), the representative from the Yolo
8 County Board of Supervisors shall otherwise be entitled to fully
9 participate in the sanitation district board's consideration of these
10 matters as a member of the sanitation district board.

11 (f) This section shall remain in effect only until January 1,
12 2005, or until the date the board of directors of the sanitation
13 district notifies the Legislature that construction of a pipeline
14 facility in the unincorporated portion of Yolo County is completed,
15 whichever is later, and as of that date is repealed, unless a later
16 enacted statute, that is enacted before that date deletes or extends
17 that date.

18 SEC. 3. Section 4730.3 is added to the Health and Safety
19 Code, to read:

20 4730.3. (a) Notwithstanding Sections 4730, 4730.2, and
21 4832.5 or any other provision of law, the governing board of a
22 sanitation district in the County of Sacramento shall be constituted
23 in accordance with this section.

24 (b) The governing body of a sanitation district in the County of
25 Sacramento shall be a board of directors composed of an odd
26 number of not less than five members. If the district includes no
27 territory that is within a city, the Sacramento County Board of
28 Supervisors shall be the board of directors of the sanitation district.

29 (c) If the sanitation district includes territory that is within a
30 city, the board of directors of the sanitation district shall be
31 composed of the Sacramento County Board of Supervisors and the
32 presiding officer of the governing body of each of those cities. If
33 the sanitation district also includes territory in the City of West
34 Sacramento in Yolo County, the sanitation district board of
35 directors shall also include the presiding officer of the governing
36 body of the City of West Sacramento. If those members of the
37 governing body of the sanitation district constitute an even
38 number, the Chairperson of the Sacramento County Board of
39 Supervisors shall have an additional vote on the board of directors
40 of the sanitation district.



1 (d) The governing body of each city that has a representative
2 on the board of directors of the sanitation district may designate
3 one of its members to act in the place of its presiding officer in the
4 absence, inability to act, or refusal to act, of its presiding officer.
5 The governing body of any of those cities may designate a member
6 of the county board of supervisors to serve as its representative
7 member on the board of directors of the sanitation district in the
8 place of the presiding officer of its governing body, in which case,
9 that supervisor shall have one vote for each city represented by that
10 supervisor.

11 (e) This section shall become operative on January 1, 2005, or
12 on the date the board of directors of the sanitation district notifies
13 the Legislature that construction of a pipeline facility in the
14 unincorporated portion of Yolo County is completed, whichever
15 is later.

16 SEC. 4. Due to the unique circumstances concerning the City
17 of West Sacramento, the Legislature finds and declares that a
18 general statute cannot be made applicable within the meaning of
19 Section 16 of Article IV of the Constitution.

