

ASSEMBLY BILL

No. 928

Introduced by Assembly Member Solorio

February 22, 2007

An act to amend Sections 4, 17, and 20.6 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), as amended by Chapter 218 of the Statutes of 2006, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 928, as introduced, Solorio. Water: Orange County Water District.

The Orange County Water District Act contains provisions that prescribe the duties of the Board of Directors of the Orange County Water District.

This bill would make technical, nonsubstantive changes to these provisions of law.

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. Section 4 of the Orange County Water District
- 2 Act (Chapter 924 of the Statutes of 1933), as amended by Section
- 3 1 of Chapter 218 of the Statutes of 2006, is amended to read:
- 4 Sec. 4. (a) The government of the district shall be vested in
- 5 the board of directors to consist of 10 members to be elected or
- 6 appointed pursuant to this act, ~~and~~ a president, a first vice president,
- 7 and a second vice president to be appointed from the 10 members
- 8 of the board of directors and to hold office at the pleasure of the
- 9 board of directors.

1 (b) The board of directors shall appoint, by a majority vote, a
 2 general manager, a secretary, treasurer, and auditor, and shall
 3 define their duties and fix their compensation. Each of these
 4 officers shall serve at the pleasure of the board. The county assessor
 5 and county tax collector of the County of Orange shall perform
 6 the duties of the office of assessor and tax collector for the district
 7 without additional compensation being paid by the district, in order
 8 to carry out the provisions of this act.

9 (c) The district may appoint and employ an attorney or attorneys
 10 and an engineer or engineers for the district and other officers and
 11 employees for the district that, in the judgment of the district, may
 12 be deemed necessary, and prescribe their duties and powers and
 13 compensation.

14 SEC. 2. Section 17 of the Orange County Water District Act
 15 (Chapter 924 of the Statutes of 1933), as amended by Section 2 of
 16 Chapter 218 of the Statutes of 2006, is amended to read:

17 Sec. 17. (a) The board of directors, on or before the first
 18 meeting of the board of supervisors of Orange County in August
 19 of each year, shall ~~furnish~~ *provide* the board of supervisors and
 20 the auditor of Orange County with an estimate in writing of the
 21 amount of money needed for the initiated or authorized purposes
 22 of the district for the current fiscal year, including the purchase of
 23 supplemental water for the replenishment of groundwater supplies
 24 of the district and amounts necessary for the payment of the
 25 principal of, and interest on, any bonded debt of the district as it
 26 becomes due.

27 (b) (1) The amount of the general assessment levied during any
 28 year, excluding the amounts necessary for the payment of the
 29 principal of, and interest on, any bonded debt of the district, shall
 30 not exceed twenty cents (\$0.20) for each one hundred dollars
 31 (\$100), or fraction thereof, of assessable property in the district,
 32 excluding personal property, according to the last assessment rolls
 33 of Orange County.

34 (2) A tax rate in excess of eight cents (\$0.08) for each one
 35 hundred dollars (\$100), or fraction thereof, of assessable property
 36 in the district, excluding personal property, according to the last
 37 assessment rolls of Orange County, shall not be established unless
 38 authorized by an affirmative vote of eight of the members of the
 39 Board of Directors of the Orange County Water District.

1 (3) The general assessments provided for in this section shall
2 not exceed eight cents (\$0.08) for each one hundred dollars (\$100),
3 or fraction thereof, of mineral rights, where the mineral rights are
4 assessed separately from the land.

5 (4) All funds derived from a general assessment in excess of
6 those derived from eight cents (\$0.08) for each one hundred dollars
7 (\$100), or fraction thereof, of assessable property in the district of
8 any general assessment shall be deposited and applied to the water
9 reserve fund.

10 (c) The amounts deposited and applied to the water reserve fund
11 shall be used solely and exclusively for all of the following
12 purposes:

13 (1) The purchase of supplemental water for the replenishment
14 of the groundwater supplies of the district.

15 (2) Acquiring, constructing or developing intrusion prevention
16 projects, spreading grounds or basins, wastewater reclamation and
17 water salvage projects, canals, conduits, pipelines, wells, or other
18 works useful or necessary for the purposes of the district and to
19 carry out the provisions of this act.

20 (3) Acquiring any real or personal property or rights or privilege
21 therein useful or necessary for the foregoing projects or works or
22 for the purposes of the district and to carry out the provisions of
23 this act.

24 (d) In addition to the purchase of supplemental water for the
25 groundwater supplies of the district from the water reserve fund
26 and from the replenishment fund, the board of directors may
27 purchase water for the replenishment of the groundwater supplies
28 of the district from the general fund upon the affirmative vote of
29 at least eight members of the board of directors.

30 SEC. 3. Section 20.6 of the Orange County Water District Act
31 (Chapter 924 of the Statutes of 1933), as amended by Section 3 of
32 Chapter 218 of the Statutes of 2006, is amended to read:

33 Sec. 20.6. (a) For the purpose of constructing, purchasing,
34 leasing or otherwise acquiring storage sites, water treatment or
35 purification facilities, pumping stations, injection wells, spreading
36 grounds, lands, canals, conduits, or other facilities, rights and
37 privileges useful or necessary for the purposes of the district, and
38 otherwise carrying out this act, and before any purposes or projects
39 are instituted and carried out, the board of directors of the district
40 shall determine whether any purpose or project is feasible ~~and,~~

1 necessary, and of general benefit to the lands in the district, and
2 shall also estimate and determine the amount of money necessary
3 to be raised for each purpose or project.

4 (b) For the purpose of ascertaining the feasibility, necessity,
5 and general benefit of any purpose or project and the amount of
6 money necessary to be raised, the board of directors shall cause
7 engineering investigations, surveys, examinations, drawings, plans,
8 and reports to be made as shall furnish the proper basis for the
9 purpose or project and its estimated cost.

10 (c) The engineering investigations, surveys, examinations,
11 drawings, plans, and reports, and estimated cost, may reflect that
12 the works necessary for a completed purpose or project shall be
13 constructed progressively during a period of years. All engineering
14 investigations, surveys, examinations, drawings, plans, and reports
15 shall be made under the direction of a licensed engineer or
16 geologist, and shall be certified by him or her. All data obtained
17 by Orange County Flood Control District and all other available
18 engineering data may be considered in all of the engineering
19 investigations. The engineering investigations, surveys,
20 examinations, drawings, plans, and reports, as applicable, shall be
21 included in a report of a licensed engineer or geologist, to be
22 approved by the board of directors prior to the beginning of work
23 on the purpose or project.