

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2167**

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**Introduced by Assembly Member Hill**

February 23, 2012

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*An act to amend Section 81428 of the Water Code, relating to water.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2167, as amended, Hill. Bay Area Water Supply and Conservation Agency. Agency: *financial matters*.

Under existing law, the City and County of San Francisco operates the Hetch Hetchy Project as a regional water delivery system, supplying water to persons and entities in San Francisco and the Counties of Alameda, San Mateo, and Santa Clara. Existing law, the Bay Area Water Supply and Conservation Agency Act, governs the formation and operation of the Bay Area Water Supply and Conservation Agency by 24 public entities that purchase water from San Francisco. The act authorizes the agency to ~~acquire water and water rights, and to take other specified actions relating to the regional water system.~~

~~This bill would state the intent of the Legislature to enact legislation to update the laws governing the agency relative to its authority to incur indebtedness and issue notes and bonds in order to carry out its functions.~~ *borrow money, incur indebtedness, and issue notes and bonds, including revenue bonds, as specified. The act requires the agency to publish a notice in a newspaper of general circulation at least 15 days before the meeting at which issuance of revenue bonds is to be considered, as specified.*

*This bill would change the requirement that the agency publish a notice to instead require the agency to publish the notice at least 20 days before the meeting.*

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 81428 of the Water Code is amended to  
2 read:

3 81428. (a) The agency may issue revenue bonds upon the  
4 adoption of an ordinance by a two-thirds vote of all of the members  
5 of the board present and voting which also represents at least 51  
6 votes determined pursuant to Section 81405. For the purposes of  
7 issuing bonds pursuant to this subdivision, the agency need not  
8 conduct an election or otherwise secure the approval of the voters  
9 within the boundaries of the agency.

10 (b) The agency shall publish a notice in a newspaper of general  
11 circulation at least ~~15~~ 20 days before the meeting at which issuance  
12 of revenue bonds is to be considered and shall provide an  
13 opportunity for public comments during that meeting and before  
14 the directors vote on the issuance of those bonds.

15 ~~SECTION 1. It is the intent of the Legislature to enact~~  
16 ~~legislation to update the laws governing the Bay Area Water Supply~~  
17 ~~and Conservation Agency relative to its authority to incur~~  
18 ~~indebtedness and issue notes and bonds in order to carry out its~~  
19 ~~functions.~~