

ASSEMBLY BILL

No. 2662

Introduced by Assembly Member Gatto

February 21, 2014

An act to add Section 10156 to the Public Utilities Code, relating to the Silver Lake Reservoir.

LEGISLATIVE COUNSEL'S DIGEST

AB 2662, as introduced, Gatto. Silver Lake Reservoir: drainage: civil penalty.

Under existing law, a municipality or municipal corporation may operate as a public utility to supply its own water service.

This bill would require, if the Los Angeles Department of Water and Power drains the Silver Lake Reservoir and the reservoir is not filled with water to at least 80% of its water capacity within 18 months of being drained, the Los Angeles Department of Water and Power to pay a civil penalty in the amount of \$100,000 per week for each week that the Silver Lake Reservoir is not filled with water to at least 80% of its water capacity to the City of Los Angeles to mitigate the effects of the drainage of the Silver Lake Reservoir on the Silver Lake neighborhood.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Silver Lake Reservoir.

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 10156 is added to the Public Utilities
- 2 Code, to read:

1 10156. (a) If the Los Angeles Department of Water and Power
2 drains the Silver Lake Reservoir, the reservoir shall be filled with
3 water to at least 80 percent of its water capacity within 18 months
4 of being drained.

5 (b) If the reservoir is not filled as required pursuant to
6 subdivision (a), the Los Angeles Department of Water and Power
7 shall pay a civil penalty in the amount of one hundred thousand
8 dollars (\$100,000) per week, for each week that the reservoir is
9 not filled with water to at least 80 percent of its water capacity, to
10 the City of Los Angeles to mitigate the effects of the drainage of
11 the Silver Lake Reservoir on the Silver Lake neighborhood.

12 (c) Funds paid pursuant to subdivision (b) shall not be payable
13 from rate-payer funds.

14 SEC. 2. The Legislature finds and declares that a special law
15 is necessary and that a general law cannot be made applicable
16 within the meaning of Section 16 of Article IV of the California
17 Constitution because of the unique circumstances surrounding the
18 Silver Lake Reservoir and the effects drainage of the reservoir
19 would have on the surrounding community.