

AMENDED IN SENATE JUNE 10, 2015

AMENDED IN ASSEMBLY APRIL 20, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 951

Introduced by Assembly Member Wilk

February 26, 2015

An act to add Article 10 (commencing with Section 4859) to Chapter 3 of Part 3 of Division 5 of the Health and Safety Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 951, as amended, Wilk. Santa Clarita Valley Sanitation District. The County Sanitation District Act provides for the formation of county sanitation districts. Existing law, the Ralph M. Brown Act, requires the regular and special meetings of a legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, except that the local agency may meet in the closest meeting facility if it has no meeting facility within the boundaries of the territory over which the local agency exercises jurisdiction, or at its principal office if that office is located outside the territory over which the local agency exercises jurisdiction. *Under the Federal Water Pollution Control Act, each state is required to identify those waters for which prescribed effluent limitations are not stringent enough to implement applicable water quality standards and to establish, with regard to those waters, total maximum daily loads (TMDLs), subject to the approval of the United States Environmental Protection Agency,*

for certain pollutants at a level necessary to implement those water quality standards.

This bill would prohibit the *meeting* exception described above from applying to the Santa Clarita Valley Sanitation ~~District~~. *District when decisions are being made upon policy items relating to a total maximum daily load (TMDL) of any pollutant.* By imposing new duties on the Santa Clarita Valley Sanitation District, this bill would impose a state-mandated local program.

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

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Article 10 (commencing with Section 4859) is
2 added to Chapter 3 of Part 3 of Division 5 of the Health and Safety
3 Code, to read:

4
5 Article 10. Santa Clarita Valley Sanitation District
6

7 4859. (a) Paragraph (4) of subdivision (b) of Section 54954
8 of the Government Code does not apply to the regular and special
9 meetings of the Santa Clarita Valley Sanitation ~~District~~. *District*
10 *where decisions are being made upon policy items relating to a*
11 *total maximum daily load (TMDL) of any pollutant.*

1 (b) For purposes of this section, “meetings” has the same
2 definition as that term is defined in Section 54952.2 of the
3 Government Code.

4 SEC. 2. The Legislature finds and declares that a special law
5 is necessary and that a general law cannot be made applicable
6 within the meaning of Section 16 of Article IV of the California
7 Constitution because of the need to hold *certain* meetings of the
8 Santa Clarita Valley Sanitation District in a location within the
9 ~~boundaries~~ *boundaries* of the territory over which the district
10 exercises jurisdiction instead of at the principal office of the
11 district, which is over fifty miles away.

12 SEC. 3. The Legislature finds and declares that Section 1 of
13 this act, which amends Section 54954 of the Government Code,
14 furthers, within the meaning of paragraph (7) of subdivision (b)
15 of Section 3 of Article I of the California Constitution, the purposes
16 of that constitutional section as it relates to the right of public
17 access to the meetings of local public bodies or the writings of
18 local public officials and local agencies. Pursuant to paragraph (7)
19 of subdivision (b) of Section 3 of Article I of the California
20 Constitution, the Legislature makes the following findings:

21 Because of the need to hold *certain* meetings of the Santa Clarita
22 Valley Sanitation District in a location within the ~~boundaries~~
23 *boundaries* of the territory over which the district exercises
24 jurisdiction instead of at the principal office of the district, which
25 is over ~~fifty~~ 50 miles away, this act would further the purpose of
26 Section 3 of Article I of the California Constitution.

27 SEC. 4. No reimbursement is required by this act pursuant to
28 Section 6 of Article XIII B of the California Constitution because
29 the only costs that may be incurred by a local agency or school
30 district under this act would result from a legislative mandate that
31 is within the scope of paragraph (7) of subdivision (b) of Section
32 3 of Article I of the California Constitution.