

Assembly Bill No. 951

CHAPTER 342

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.

[Approved by Governor September 28, 2015. Filed with
Secretary of State September 28, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 951, 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 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.

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

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

Article 10. Santa Clarita Valley Sanitation District

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

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

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

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

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

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district under this act would

result from a legislative mandate that is within the scope of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution.

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