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SB-1084 Mono County Tri-Valley Groundwater Management District. (2017-2018)

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Senate Bill No. 1084

CHAPTER 111

An act to amend Sections 401, 402, 403, 404, and 802 of the Mono County Tri-Valley Groundwater Management District Act (Chapter 844 of the Statutes of 1989), relating to groundwater management district.

[Approved by Governor July 16, 2018. Filed with Secretary of State July 16, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1084, Berryhill. Mono County Tri-Valley Groundwater Management District.

Existing law, the Mono County Tri-Valley Groundwater Management District Act, creates the Mono County Tri-Valley Groundwater Management District consisting of specified areas of eastern Mono County. The act requires the board of directors of the district to consist of 7 members, one member being a county supervisor and 6 members being residents of the district who are owners of real property within the district elected at large from the district, 3 of whom have on their property extraction facilities capable of pumping at least 100 gallons per minute exclusive of domestic use.

This bill would provide that the county supervisor member is an ex officio, nonvoting member of the board. The bill would add an additional elected member who is required to be a resident of the district and owner of real property within the district. The bill would provide that this additional member shall be elected initially at the November 3, 2020, general election and before the term of that elected member may be appointed by the board of directors, as specified.

The act requires the board to adopt rules for the carrying out of its business and authorizes the board to establish zones of benefit within the district.

This bill would instead authorize the board to adopt rules for the carrying out of its business and would provide certain purposes for which the board is authorized to establish zones of benefit within the district.

The act requires the board to appoint a Groundwater Advisory Board consisting of 15 persons, 5 each who reside in the Valleys of Benton, Chalfant, and Hammil, are eligible to vote, and reside within the boundaries of the district. The act requires 5 members of the advisory board to reside in each of the Valleys of Benton, Chalfant, and Hammil. The act requires the advisory board to adopt procedural rules and to meet at least once each quarter.

This bill would instead authorize the board to appoint the advisory board, would not specify the number of members of the advisory board, and would provide that to the greatest extent practicable, the board is required to appoint members to the advisory board so that the residents of each of the 3 valleys are equally represented. The bill would instead authorize the advisory board to adopt procedural rules and to meet, as specified.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 401 of the Mono County Tri-Valley Groundwater Management District Act (Chapter 844 of the Statutes of 1989) is amended to read:

Sec.401. (a) The board of directors of the district shall consist of eight members as follows:

(1) One member shall be a county supervisor appointed by the board of supervisors as an ex officio, nonvoting member.

(2) Four members shall be residents of the district who are the owners of record of real property located within the district. These members shall be elected at large from the district, except as provided in subdivision (d).

(3) Three members shall be residents of the district who are the owners of record of real property located within the district, and on which property there are extraction facilities capable of pumping at least 100 gallons per minute exclusive of domestic use. These members shall be elected at large from the district.

(b) A quorum of the board of directors shall be four of the voting members. Four affirmative votes of the board shall be required to take an action.

(c) Of the seven members of the board elected at large, terms of office shall be four years. Members of the board of directors may be reelected.

(d) The member added to the board by the act that added this subdivision shall be elected for an initial term at the November 3, 2020, general election. Until a member is elected to that seat on the board, the vacant seat may be appointed by the board pursuant to subdivision (f).

(e) Except as otherwise provided in this act, the Uniform District Election Law (Part 3 (commencing with Section 23500) of Division 14 of the Elections Code) shall apply to elections within the district.

(f) Except for the board member who is a supervisor, vacancies on the board shall be filled by appointment by a majority vote of the remaining directors as provided in Section 1780 of the Government Code. An appointment to fill a vacancy on the board shall be for the unexpired portion of the term of the office in which the vacancy occurs.

SEC. 2. Section 402 of the Mono County Tri-Valley Groundwater Management District Act (Chapter 844 of the Statutes of 1989) is amended to read:

Sec. 402. The board may adopt rules for the carrying out of its business. The board shall exercise the powers of the district as set forth in this act.

SEC. 3. Section 403 of the Mono County Tri-Valley Groundwater Management District Act (Chapter 844 of the Statutes of 1989) is amended to read:

Sec. 403. The board may appoint a Groundwater Advisory Board consisting of persons who are eligible to vote and who reside within the boundaries of the district. A quorum of the advisory board shall be a majority of the number of persons appointed to the advisory board. To the greatest extent practicable based on persons' interest in serving on the advisory board, the board shall appoint members to the advisory board so that the residents of each of the Valleys of Benton, Chalfant, and Hamill are equally represented.

SEC. 4. Section 404 of the Mono County Tri-Valley Groundwater Management District Act (Chapter 844 of the Statutes of 1989) is amended to read:

Sec. 404. (a) The advisory board may meet at least once each quarter at a location within the district and shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

(b) The advisory board may adopt procedural rules for the conduct of its business.

SEC. 5. Section 802 of the Mono County Tri-Valley Groundwater Management District Act (Chapter 844 of the Statutes of 1989) is amended to read:

Sec. 802. (a) The board may establish zones of benefit within the district for the purpose of carrying out activities including, but not limited to, planning, studies, or any management program of the district or any joint powers agency of which it is a member. Resolution of the board shall describe the boundaries of the zones of benefit.

(b) The board may amend zone of benefit boundaries by annexing property to or by withdrawing property from a zone, or may divide a zone into two or more zones. Resolutions of the board shall describe the boundaries of the amended or divided zones.

Zones of benefit created by annexation shall not include lands outside the boundaries of the district.