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SB-387 Santa Clarita Valley Water Agency: board of directors. (2019-2020)

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Senate Bill No. 387

CHAPTER 369

An act to amend Sections 8 and 9 of the Santa Clarita Valley Water Agency Act (Chapter 833 of the Statutes of 2017), relating to the Santa Clarita Valley Water Agency.

[Approved by Governor September 27, 2019. Filed with Secretary of State September 27, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 387, Wilk. Santa Clarita Valley Water Agency: board of directors.

Existing law establishes the Santa Clarita Valley Water Agency as the successor to 2 former water districts, and provides that it is governed by a board of directors initially composed of 15 members, 14 of whom are members of the governing boards of those 2 former water districts. Existing law divides the agency into 3 electoral divisions, and designates an initial director as a representative of the electoral division in which the director resides. If any initial director resigns, vacates, or is removed from office before the expiration of the director's initial term, existing law requires the board of directors to appoint a successor if there will be fewer than 4 members representing the electoral division in which the vacancy occurs.

This bill would instead require the board of directors to appoint a successor if there will be fewer than 3 members representing the electoral division in which the vacancy occurs.

Existing law establishes election procedures for the successors to the initial members of the board of directors. Existing law requires 2 directors to be elected for each electoral division at the 2020 general election and every 4 years thereafter, and one director to be elected for each electoral division at the 2022 general election and every 4 years thereafter.

This bill would require, under specified circumstances, one director to be elected for an electoral division at the 2020 general election and every 4 years thereafter, and 2 directors to be elected for that electoral division at the 2022 general election and every 4 years thereafter. If the specified circumstances do not occur, the bill would require one of the directors elected at the 2024 general election to be chosen by lot to serve a 2-year term, as provided.

To the extent this bill would impose additional duties on the board of directors of the Santa Clarita Valley Water Agency, the bill would impose a state-mandated local program.

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 Local Program: yes

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

SECTION 1. Section 8 of the Santa Clarita Valley Water Agency Act (Chapter 833 of the Statutes of 2017) is amended to read:

Sec. 8. (a) The agency shall be governed by a board of directors that shall initially consist of 15 members as follows:

(1) The five members of the Newhall County Water District board of directors in office as of December 31, 2017.

(2) The appointed member representing the purveyor described in subdivision (a) of Section 10 and the nine elected members of the Castaic Lake Water Agency board of directors in office as of December 31, 2017.

(b) Each elected member of the board of directors shall be a resident within the agency's service territory and shall hold office until a successor is elected pursuant to Section 9.

(c) Each of the initial members of the board of directors of the agency, except for the initial appointed member, are deemed to be designated as a director from the electoral division, as described in Section 5, in which the director's residence is located.

(d) Each of the initial members of the board of directors of the agency, except for the initial appointed member, shall hold office as follows:

(1) The initial terms of directors whose respective terms as a member of the Castaic Lake Water Agency or Newhall County Water District board of directors would have expired following the 2018 general election shall expire following the 2020 general election.

(2) The initial terms of directors whose respective terms as a member of the Castaic Lake Water Agency or Newhall County Water District board of directors would have expired following the 2020 general election shall expire following the 2022 general election.

(3) (A) If any elected initial member of the board of the agency resigns, vacates, or is removed from office before the expiration of the director's initial term, the board may, in its discretion, decide not to appoint a successor and eliminate the seat on the board. The board shall appoint a successor if the electoral division in which the vacancy occurs will have fewer than three members representing the electoral division on the board of directors.

(B) If the elimination of a seat pursuant to subparagraph (A) leaves only one director residing in an electoral division whose term expires following the 2020 general election, and if elimination of the seat occurs before the secretary of the agency provides notice to the county elections official pursuant to Section 10509 of the Elections Code, successors to the initial members of the board of directors shall be determined pursuant to paragraph (2) of subdivision (b) of Section 9.

SEC. 2. Section 9 of the Santa Clarita Valley Water Agency Act (Chapter 833 of the Statutes of 2017) is amended to read:

Sec. 9. (a) All elected successors of the initial members of the board of directors shall be elected at the time and in the manner provided in the Uniform District Election Law (Part 4 (commencing with Section 10500) of Division 10 of the Elections Code).

(b) (1) Except as provided in paragraph (2) and paragraph (2) of subdivision (c), successors to the initial members of the board of directors shall be elected by the voters for each electoral division as follows:

(A) Two directors elected for each electoral division at the 2020 general election, and at every election on that four-year election cycle thereafter.

(B) One director elected for each electoral division at the 2022 general election and at every election on that four-year election cycle thereafter.

(2) If the elimination of a seat, as provided for in Section 8, leaves only one director residing in an electoral division whose term expires following the 2020 general election, and if elimination of the seat occurs before the secretary of the agency provides notice to the county elections official pursuant to Section 10509 of the Elections Code, successors to the initial members of the board of directors shall be determined as follows:

(A) One director shall be elected for that electoral division at the 2020 general election and at every election on that four-year election cycle thereafter.

(B) Two directors shall be elected for that electoral division at the 2022 general election, and at every election on that four-year election cycle thereafter.

(C) For the other two electoral divisions, successors shall be determined as described in paragraph (1).

(c) (1) Each elected director shall have their primary residence in and be an elector in the electoral division they represent. Except as provided in paragraph (2), each elected director shall serve a four-year term from the date of taking office and until the election

and qualification of a successor. A director shall take office on the first Monday of the January after an election.

(2) Unless paragraph (2) of subdivision (b) applies, at the next regular meeting of the board following the 2020 general election, the board shall choose by lot the seat of one of the directors elected at the 2020 general election, which shall result in the director elected to that seat at the 2024 general election serving a two-year term. Subsequent elections for the seat of the director chosen by lot to serve a two-year term shall be conducted at the 2026 general election, and on that four-year election cycle thereafter.

(d) Any vacancy in the board of directors shall be filled by a majority vote of the remaining directors in accordance with subdivision (d) of Section 1780 of the Government Code.

(e) If a director's place of residence, as defined in Section 244 of the Government Code, is moved outside of that director's electoral division where elected from an electoral division, and if within 180 days of the move the director fails to reestablish a place of residence within the director's electoral division, it shall be presumed that a permanent change of residence has occurred and that a vacancy exists on the board of directors pursuant to Section 1770 of the Government Code.

SEC. 3. 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 are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.