



WEST BASIN MUNICIPAL WATER DISTRICT
17140 S. Avalon Blvd., Suite 210
Carson, CA 90746

AGENDA NO. 19C

MAY 1, 2009 – Communications

Gray (Chair), Kwan

MAY 26, 2009 – Board Meeting

Prepared by: E.J. Caldwell

Submitted by: Ron Wildermuth

Approved by: Rich Nagel

ACTION CALENDAR

AB 1061 – CONSERVATION, COMMON INTEREST DEVELOPMENTS

SUMMARY:

As authored by Assembly Member Ted Lieu and sponsored by Metropolitan Water District (MWD), this bill would make provisions to Common Interest Development laws (also known as Home Owners Association (HOA) laws) to prohibit conflict from State statutes intended to support greater urban water conservation. Specifically, this bill would invalidate, or render unenforceable, any Common Interest Development governing order or provision that:

1. Prohibits or restricts the use of low water-using plants; and
2. Limits the ability to comply with the statutory water-efficient landscape ordinance requirements.

Staff Recommendation

In 2009, Governor Schwarzenegger proclaimed a statewide emergency due to the ongoing drought conditions. In his proclamation, the Governor again addressed the need to conserve water and called for a 20% reduction in the State's urban water use. Currently, almost 11 million Californians live in Common Interest Developments which place landscape restrictions that may differ from local and statewide conservation standards. This bill is intended to eliminate any such conflict and create equity between members of Common Interest Developments and their neighboring owners of single family homes.

This bill is co-sponsored by East Bay Municipal Utility District and Metropolitan Water District (MWD) and is supported by the Association of California Water Agencies, California Municipal Utilities Association, Natural Resources Defense Council, San Diego County Water Authority, Sierra Club of California, and Three Valleys Municipal Water District. At this time, there is no known opposition to AB 1061.

As AB 1061 is consistent with West Basin Municipal Water District's (West Basin) adopted policy principles regarding water conservation; **staff recommends a Support position.**

STRATEGIC BUSINESS PLAN IMPLEMENTATION:

Goal 1, Reliability – Maintain a level of local water reliability that supports the regional economy, our community and customer agency needs.

Goal 3, Water Quality – Provide high quality water that meets the needs of our customers.

COMMITMENT STATEMENT:

Water Reliability – West Basin is committed to innovative planning and investments to provide water supply reliability and drought protection.

Water Quality – West Basin is committed to providing safe, high quality water by meeting current and anticipated water quality requirements.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was reviewed by the Communications Committee on May 1, 2009 and recommended for approval at the May 26, 2009 Board meeting.

RECOMMENDED MOTION:

The Board adopts a Support position on AB 1061, as authored by Assembly Member Ted Lieu.

LIST OF EXHIBITS:

Exhibit "A" - Copy of AB 1061