



ACTION ITEM
June 19, 2019

TO: Board of Directors

FROM: Rob Hunter, General Manager

SUBJECT: AB 1752 (PETRIE-NORRIS): DOHENY DESALINATION FACILITY

STAFF RECOMMENDATION

Staff recommends the Board of Directors: Adopt a support position on AB 1752.

COMMITTEE RECOMMENDATION

This item was not presented to a Committee.

SUMMARY

Please see the attached Fact Sheet and Bill language.

Budgeted (Y/N): N/A	Budgeted amount: N/A	Core <u>X</u>	Choice <u> </u>
Action item amount:	Line item:		
Fiscal Impact (explain if unbudgeted):			



Cottie Petrie-Norris
ASSEMBLYMEMBER, SEVENTY-FOURTH DISTRICT

Assembly Bill 1752
Doheny Desalination Facility:
Orange County Water Supply Reliability

SUMMARY

AB 1752, as proposed to be amended, will authorize the South Coast Water District to access State bond and revolving funds to assist in the construction of the Doheny Desalination Facility located in Dana Point.

BACKGROUND

South Coast Water District is building a sustainable, resilient local water portfolio for south coastal Orange County. The Doheny Ocean Desalination Project enjoys strong, diverse local support. The district is eager to pursue a \$10-million grant from Prop. 1 along with assistance from the State Revolving Fund.

NEED FOR THE BILL

Current law only allows local design build projects to be funded under the Safe Drinking Water State Revolving Fund. This limited grant of funding authority expires on January 1, 2020. South Coast Water District would like to continue to access the State Revolving Fund and enjoy the opportunity to compete for a \$10M grant from Proposition 1.

SOLUTION

Authorize the South Coast Water District to utilize the full scope of available State funding sources to construct the Doheny Desalination Project. Additional detail on the project is included in the attached sponsor's fact sheet.

SUPPORT

South Coast Water District (sponsor)

OPPOSITION

None on File

CONTACT

Justice Rodriguez | Legislative Aide
Assemblymember Cottie Petrie-Norris
Justice.Rodriguez@asm.ca.gov | (916) 319-2074

LEGISLATIVE COUNSEL'S DIGEST

Bill No.
as introduced, _____.
General Subject: South Coast Water District.

Existing law, the County Water District Law, provides for the formation and operation of county water districts, and specifies the powers and purposes of those districts. Existing law authorizes a district to make and perform any agreement with the state or any agency thereof, any public or private corporation of any kind, and any person, for the joint construction, acquisition, disposition, or operation of any property or works of a kind that may be constructed, acquired, disposed of, or operated by the district.

Existing law authorizes a governmental agency to solicit proposals and enter into agreements with private entities for the design, construction, or reconstruction of, and to lease to private entities, specified types of fee-producing infrastructure projects. Existing law prohibits a state agency or specified governmental agencies from using this authorization to design, construct, finance, or operate a state project, as specified.

This bill would specifically authorize the South Coast Water District to contract for the Doheny Ocean Desalination Project, and would authorize the district to use the method described above relating to agreements with private entities for this project. The bill would also require the district to utilize a skilled and trained workforce in accordance with existing procedures.

This bill would make legislative findings and declarations as to the necessity of a special statute for South Coast Water District.

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



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An act to add Section 31049.1 to the Water Code, relating to local government.



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

SECTION 1. Section 31049.1 is added to the Water Code, to read:

31049.1. The South Coast Water District may contract for the Doheny Ocean Desalination Project in compliance with the following:

(a) Chapter 14 (commencing with Section 5956) of Division 6 of Title 1 of the Government Code, except that the Doheny Ocean Desalination Project shall not constitute a state project within the meaning of Section 5956.10 of the Government Code.

(b) Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

(c) This division.

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique needs of the South Coast Water Distract in meeting the water supply reliability needs of southern California.

