



# LEGAL AFFAIRS COMMITTEE

January 31, 2023

## PREVAILING WAGE FOR FUELS MANAGEMENT

**AB 1717 (AGUILAR-CURRY (D))**  
**VETOED BY GOV NEWSOM (FALL, 2022)**

**REINTRODUCED AS: AB 338**

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Existing law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Existing law defines the term “public works” for purposes of requirements regarding the payment of prevailing wages to include construction, alteration, demolition, installation, or repair work done under contract and paid for using public funds, except as specified.

This bill would expand the definition of “public works” to include fuel reduction work paid for in whole or in part out of public funds performed as part of a fire mitigation project, as specified. By expanding the scope of a crime, the bill would impose a state-mandated local program.



# STREAMLINING DELIVERY OF CRITICAL WATER PROJECTS WHILE PROTECTING THE ENVIRONMENT TO MEET CHALLENGES OF CLIMATE CHANGE

## SB 23 (CABALLERO)

California is in a race against climate change. As the wets get wetter and dries get drier, our water systems must be prepared to ensure California can continue to thrive. Building water infrastructure for the 21st century requires regulatory frameworks to move quickly to keep up. **SB 23 identifies opportunities to improve and streamline the regulatory permitting process, while preserving established environmental protections, so these critical infrastructure projects are built at the pace and scale needed to prepare for climate change.**

SB 23 would streamline the regulatory permitting of water supply and flood risk reduction projects in four ways:



Reform the process by which an application for a Section 401 Water Quality Certification is deemed complete.



Require the review and approval of Section 401 Water Quality Certifications and Lake and Streambed Alteration Agreements to be completed within 180 days of submittal of a complete permit application.



Avoid duplicative planning efforts by allowing certain watershed management plans that are already developed and implemented to be used for mitigation required through Section 401 Water Quality Certifications.



Allow project applicants to voluntarily contribute resources to state permitting agencies in order to provide agencies with additional resources to meet the permitting deadlines established in the bill.



## ATMOSPHERIC RIVERS: RESEARCH, MITIGATION, AND CLIMATE FORECASTING PROGRAM

### AB 30 (WARD)

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Department of Water Resources (DWR) will research and develop methods to reoperate reservoirs to improve flood management and water supplies, related to atmospheric rivers and Forecast-Informed Reservoir Operations (FIRO). DWR will take “all actions to operate reservoirs” accordingly. The bill would require the department to research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.

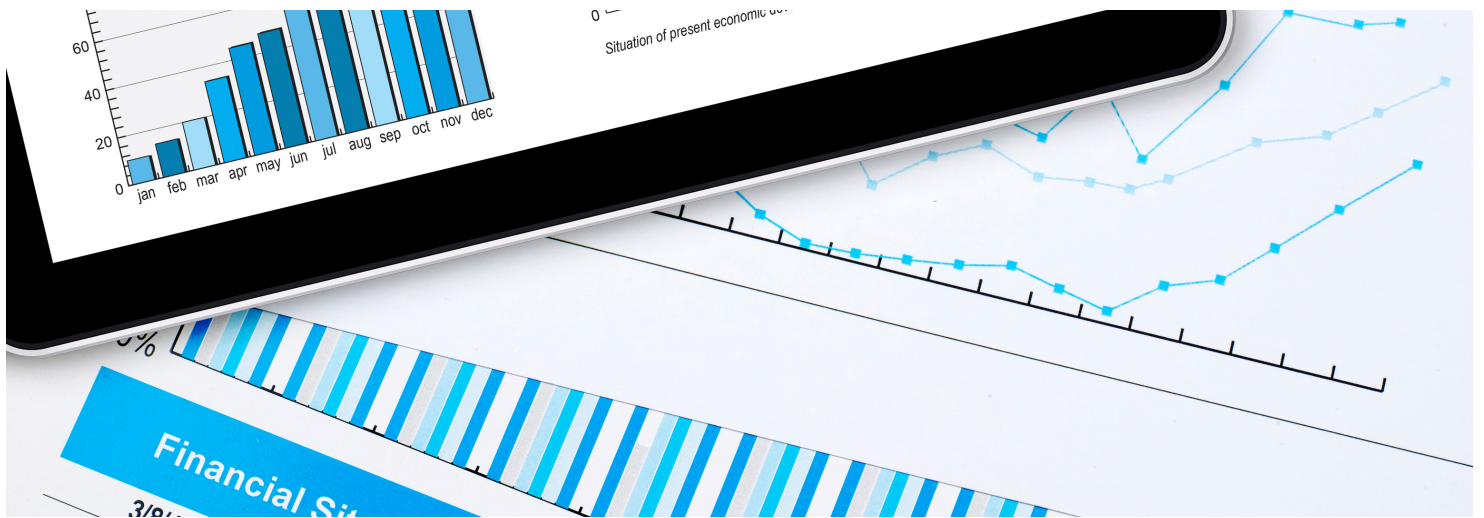
## PROPERTY-TAX COLLECTION OF WATER RATES

### ACWA PROPOSAL (AUTHOR TBD)

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Proposal to authorize water-only special districts to collect fixed charges via property-tax roll. Sewer agencies have authority to do this. Unpublished Court of Appeal decision says districts that are authorized to provide sewer service, but don't, can't use this currently





# TAXPAYER PROTECTION & GOVERNMENT ACCOUNTABILITY ACT

**BALLOT INITIATIVE #21-0042A1: INCLUDED ON THE BALLET FOR NOV 2024**

## SUMMARY:

The purported “Taxpayer Protection and Government Accountability Act,” a statewide initiative measure to amend the California Constitution sponsored by the California Business Roundtable (“CBRT”), is the most consequential proposal to limit the ability of the state and local governments to enact, modify, or expand taxes, assessments, fees, and property-related charges since the passage of Proposition 218 (1996) and Proposition 26 (2010). If enacted, public agencies would face a drastic rise in litigation that could severely restrict their ability to meet essential services and infrastructure needs. Ballot Initiative 21-0042A1 would result in the following for Special Districts:

- Change of Proposition 218 Fees: Redefined to be the minimum amount necessary to provide services. Potentially preventing the ability to save for the future including:
  - Reserves
  - Projects implemented in 3-5 years.
- Clear and convincing evidence for the need of services, with a higher legal threshold.
- Fees must be "reasonable" to the ratepayers. The term is currently undefined.

## POTENTIAL IMPACTS



CCWD would have to conduct a rate study every year and boards would adopt rates every year.



Restricting local services and infrastructure to the lowest and minimum amount possible will disproportionately impact the most underserved communities the hardest.



Prevents critical investments in climate adaptation and community resilience to address drought, flooding, and wildfire as well as reduce emissions and harmful pollutants.

