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Issue #64

Local Control over Joint Powers Authorities at Risk with AB 1217

Legislation currently moving through the Senate could endanger the ability of local governments to determine for themselves the governance structure of joint powers authorities. [AB 1217 \(Daly\)](#) represents a very troubling precedent in using statewide legislation to alter the governance structure for a joint powers authority (JPA) that was established by participating local agencies. *For more, see Page 2.*



Storm Water Strategic Initiative Stakeholder Meeting Scheduled for July 7

Written Comments Due by July 24

The State Water Resources Control Board Storm Water Program is holding a [stakeholder meeting](#) and providing an opportunity for public comment on the Storm Water Strategic Initiative Proposal to develop a Storm Water Program work plan and Implementation Strategy. *For more, see Page 2.*

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Under current law, local public agencies can enter into a JPA at any time to jointly exercise any power common to the contracting parties for a mutually agreed upon purpose. These agreements are purely voluntary. The governance structure of a JPA is decided upon by the local agency participants at the time the JPA is formed. The very essence of such entities is local control.

If disputes subsequently arise about the governance structure or any other aspect of the voluntary agreement that created the JPA, mechanisms are provided under existing law to resolve them at the local level. Moreover, there are also clear provisions in this and other instances for any of the cooperating parties to withdraw from such voluntary agreements if they disagree with the governance or any other aspect of the JPA agreement.

With current law providing a mechanism to make any necessary changes to a JPA's governance or any other aspect of its operations, it begs the question why statewide legislation is necessary — particularly when that legislation is disturbingly precedent-setting in its interference in a matter that clearly falls within the scope of local control.

AB 1217 attempts to undermine existing law and unilaterally overrule a locally agreed upon governance structure that is part of the valid and voluntary formation agreement of a JPA — an entity that by definition has no relation to matters of statewide concern.

Local governments throughout California should be concerned about this measure, and strongly consider opposing it. Whatever the motivation for introducing this legislation, it is an attempt to intervene in a local matter that is best resolved at the local government level.

Next steps

AB 1217 will next be heard in the Senate Governance and Finance Committee on July 8. Cities are encouraged to send letters of opposition. A sample letter, along with the League's opposition letter, is available on the League's [website](#).

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The web-based stakeholder meeting will be on Tuesday, July 7 at 2 p.m.

Written comments can be sent either via email or regular mail and are due by noon on Friday, July 24 to [Jeanine Townsend](#), the board clerk.

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

The proposal is available [online](#).

Additional information is available on the Storm Water Strategic Initiative program [website](#).

For questions, please contact [Sarah Gatzke](#) at (916) 341-5517 or [Shuka Rastegarpour](#) at (916) 341-5576.
