



# ***CITY COUNCIL AGENDA REPORT***

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**MEETING DATE:** April 3, 2007

**ITEM NUMBER:**

**SUBJECT: REQUEST FOR LEGISLATIVE POSITIONS ON ASSEMBLY BILL 1457 (HUFFMAN) AND THE GROUNDWATER REPLENISHMENT SYSTEM**

**DATE: MARCH 19, 2007**

**FROM: CITY MANAGER'S OFFICE /ADMINISTRATION**

**PRESENTATION BY: ANN C. SHULTZ, LEGISLATIVE AND PUBLIC AFFAIRS MANAGER**

**FOR FURTHER INFORMATION CONTACT: ANN C. SHULTZ, (714) 754-5667**

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## **RECOMMENDATION:**

That the City Council decide whether to approve 1) a letter opposing Assembly Bill 1457 sponsored by Assemblyman Huffman and 2) a resolution supporting the Orange County Water District's and Orange County Sanitation District's Groundwater Replenishment System.

## **BACKGROUND:**

The Transportation Corridor Agency (TCA) has requested that their member cities send letters of opposition on Assembly Bill 1457. The Orange County Water District (OCWD) and Orange County Sanitation District (OCSD) have asked the City Council to adopt an updated resolution supporting their Groundwater Replenishment System. According to City Council Policy 000-8, given the fact that the League of California Cities has not taken a position on either the City Council must decide what, if any, action they wish to take on the two issues (see Attachment 1).

## **ANALYSIS:**

AB 1457 is a non-urgency bill that would prohibit road improvements or construction in or near any part of a state park, recreation area or monument, including parks, recreation areas and monuments leased by the state where the lessor reserved the right to build roads in the lease area. The bill does allow improvements that are deemed "necessary" for the 1) use of the park, 2) prevention of fires, or 3) construction and maintenance of utilities.

Respective analyses of the Bill by author Assemblyman Huffman and the TCA, are attached (see Attachment 2). The Bill has been read for the first time but has not yet been

scheduled for hearing. The League of California Cities has not taken a position on the Bill nor is it anticipated that it will. The TCA has asked that the Council send the attached letter of opposition to AB 1457 (see Attachment 3).

The Groundwater Replenishment System is a joint venture between OCWD and OCSD that will take highly treated sewer water from the OCSD that is currently sent to the ocean and purify it to near-distilled quality water using the state-of-the-art technologies of micro filtration, reverse osmosis, and ultraviolet and hydrogen peroxide disinfection. This will increase the supply of safe, reliable and high-quality water throughout the County. City Council unanimously adopted Resolution 00-2, supporting the Replenishment System in January 2000. OCWD and OCSD have now asked the Council to adopt the attached updated resolution in support of the project (see Attachments 4 and 5). Based on staff support there is no formal opposition to this project.

**ALTERNATIVES CONSIDERED:**

1. Do not approve letter of opposition to AB 1457.
2. Do not approve resolution of support for the Groundwater Replenishment System.

**FISCAL REVIEW:**

No fiscal review is necessary for this item.

**LEGAL REVIEW:**

The City Attorney has approved the resolution as to form.

**CONCLUSION:**

It is requested that the City Council determine whether to approve: 1) the letter opposing Assembly Bill 1547 and 2) the resolution supporting the Groundwater Replenishment System.

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ANN C. SHULTZ  
LEGISLATIVE AND PUBLIC AFFAIRS  
MANAGER

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THOMAS R. HATCH  
ASSISTANT CITY MANAGER

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KIMBERLY HALL BARLOW  
CITY ATTORNEY

DISTRIBUTION: League of California Cities  
TCA  
Phil Anthony, Chairman - Groundwater Replenishment System Joint  
Cooperative Committee  
Paul Shoenberger, President, Board of Directors  
Mesa Consolidated Water District  
Carol Proctor, Management Analyst

ATTACHMENTS: 1 [Council Policy 000-8](#)  
2 [TCA Analysis of AB 1457 – Fact Sheet \(Huffman\)](#)  
3 [Letter Opposing AB 1457](#)  
4 [Letter from OCWD](#)  
5 [Resolution of Support on GRS](#)