

North County Surface Water Treatment Plant Joint Powers Authority
Next Steps and County Counsel Involvement

Tulare County Counsel is the attorney for the County of Tulare. As such, the County Counsel is not authorized provide legal advice to individual citizens, community groups, or most special districts, including community services districts and public utility districts.

Because the County will be a party to the proposed Joint Powers Authority and accompanying agreement, County Counsel is authorized to facilitate the formation of the new authority in certain limited ways.

The following is a proposed action plan for formation of the North County Surface Water Treatment Plant Joint Powers Authority:

Step 1: Tulare County Counsel's Office prepares a draft joint powers agreement for creation of the new Joint Powers Authority, working off the draft prepared by RCAC.

Step 2: The draft agreement is circulated among stakeholders, and the special district (CSD or PUD) representatives submit the draft agreement to their attorneys for review and comment.

Step 3: The parties finalize the agreement, and the parties' governing boards approve the agreement.

Step 4: County Counsel will assist with the required filings once the Joint Powers Authority is formed.

Step 5: The parties appoint members to fill seats on the Joint Powers Authority board.

Step 6/concurrent: The projects to form new community service or public utility districts for Yettam, Monson, and Seville, or to incorporate them into existing community service or public utility districts, will continue to run concurrently with the above steps. Once local governance structures for Yettam, Monson, and Seville are established, the County will no longer be a member of the Authority or a party to the agreement.

If you would like more information on JPAs generally, please see Senate Local Government Committee's publication, "Governments Working Together, A Citizen's Guide to Joint Power's Agreements," available online at http://www.calafco.org/docs/Senate_LG_JPA_Report.pdf or the CALFCO presentation "LAFCOs and Joint Power Authorities," available online at http://www.calafco.org/files/2014%20Annual%20Conference/LAFCo_and_JPAs_Oct_2014.pdf