

SB 88 Case Study – City of Tulare/Pratt Mutual Water Company

Setting:

Pratt MWC served a severely disadvantaged unincorporated community, known as the Matheny Tract adjacent to the City of Tulare. The Matheny Tract, per the 2010 Census, has 349 housing units with a population of 1,225 people.

Timeline of events:

2005

December – Initial application for funding to reconstruct the water system by Self-Help Enterprises/Pratt MWC

2009

March – City of Tulare Board of Public Utilities approves future connection of Pratt MWC to City system

November – City submits an annexation application (I Street Industrial annexation) to LAFCO for the annexation of 461 acres of land (mostly for future industrial use) adjacent and directly to the north of the Matheny Tract

2010

February – Division of Drinking Water issues arsenic compliance order to Pratt MWC

February – Self-Help Enterprises/Pratt MWC converts pending funding application to an application for planning funds

July – In response to a contentious annexation process for the City's proposed industrial annexation, the City threatens to cease assisting Pratt MWC with the future connection to the City water system

August – City water provision to Matheny Tract is included as a LAFCO condition of approval to the City's I Street industrial annexation

October – \$490,000 of Prop 84 and State Revolving Fund (SRF) awarded for the planning and design of the water system

October – Tulare City Council approves future connection of water system and requests Extraterritorial Service Agreement (ESA) from LAFCO

November – ESA approved by LAFCO

2011

April – City and Pratt MWC sign an agreement regarding future consolidation of system into City

June – Change in City management

2012

March – Planning and design of water system improvements are completed

June – Self-Help Enterprises/Pratt MWC apply for construction funding

2013

August - \$4.9 million of Prop 84 funding awarded for the construction of the water system improvements

2014

July – City proposes a JPA with the County regarding water provision to Matheny Tract

2015

January – SB 88 introduced

April – County determines that a JPA is unnecessary

June – City sues Pratt MWC, Matheny Tract Committee and County of Tulare

June – SB 88 signed by Governor

July – Pratt MWC and Matheny Tract Committee file a cross-complaint against the City

August – The City drops the County off their lawsuit

August – State Water Resources Control Board (SWRCB) notifies the City and Pratt MWC that they have 6 months to voluntarily consolidate water systems

2016

February – City and Pratt MWC notify SWRCB that voluntary consolidation failed to be negotiated

February – City issues a water system report identifying impacts to the City system by growth within the City and the addition of the Matheny Tract

March – SWRCB holds two public hearings and issues a mandatory consolidation order

April – City issues a consolidation plan in compliance with the SWRCB order

May – Construction of system is completed

June – Matheny Tract connection to the City water system is turned on