

RESOLUTION NO. 2006-215

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE COACHELLA VALLEY WATER DISTRICT,
SEEKING TO PROTECT THE CONSTITUTION INTEGRITY
OF EMINENT DOMAIN PROCEEDINGS
BY OPPOSING PROPOSITION 90

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3 WHEREAS, the Coachella Valley Water District is committed to providing water and
4 water-related services to consumers at the lowest possible rates and fees; and

5 WHEREAS, Proposition 90 is a state constitutional amendment that will go before
6 California voters on the November 2006 ballot; and

7 WHEREAS, Proposition 90 would unreasonably limit the authority of state and local
8 governments — including agencies such as the Coachella Valley Water District — to acquire
9 property through eminent domain; and

10 WHEREAS, if approved by voters, Proposition 90 would require state and local
11 governments to pay property owners for “substantial” economic losses resulting from new laws
12 and rules, including environmental and clean water regulations; and

13 WHEREAS, Passage of Proposition 90 has the potential to drive up the costs of
14 infrastructure projects such as water treatment plants, flood control facilities and levees; and

15 WHEREAS, Enactment of Proposition 90 could expose consumers who rely upon public
16 water agencies to unreasonable costs and frivolous lawsuits; and

17 WHEREAS, Proposition 90 has the potential if adopted to impair the ability and undermine
18 the authority of public water agencies to decide when and where facilities are required to meet the
19 needs of their consumers.

20 NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Coachella
21 Valley Water District assembled in regular meeting this 10th day of October, 2006, that it hereby
22 joins with elected representatives of other members of the Association of California Water
23 Agencies in formally opposing Proposition 90 on the November ballot.
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