

Bond Case Briefs

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WATER DISTRICTS - CALIFORNIA

Paradise Irrigation District v. Commission on State Mandates

Court of Appeal, Third District, California - October 1, 2018 - Cal.Rptr.3d - 2018 WL 4691078 - 18 Cal. Daily Op. Serv. 9890

After Commission on State Mandates denied test claims for subvention by water districts, the Superior Court dismissed water districts' petition for writ of mandate. Water districts appealed.

The Court of Appeal held that Proposition 218 did not undermine the authority of water districts to levy fees to cover costs of maintaining water infrastructure.

Proposition 218 did not undermine the authority of water districts to levy fees to cover costs of maintaining water infrastructure and complying with Conservation Act, although authority is subject to majority protest of water district customers, since voter-approval requirement did not apply to levying fees for water service.