

INLAND VALLEY DAILY BULLETIN

Claremont water supply battles heads to court

By [Liset Márquez](#), Inland Valley Daily Bulletin

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CLAREMONT >> Opening statements are expected to begin today in Claremont's fight to take over [ownership of the local water system](#) from [Golden State Water Co.](#)

Los Angeles Superior Court Judge Richard Fruin will preside over the trial, which is expected to take several weeks.

At the trial, both sides are expected to provide expert witnesses as well as review documentation before the judge decides — it's a bench trial — on whether the city has the right to take the Claremont Water System by eminent domain.

“Ultimately, the judge will rule in the city's favor if he believes it is in the public's best interest for the system to be owned by the city instead of Golden State Water Co.,” City Manager Tony Ramos said in a statement.

On [Nov. 4, 2014](#), voters overwhelmingly backed a bond known as Measure W that allows the city to borrow up to \$135 million to acquire the system, which serves more than 11,000 customers.

For decades, residents have asked the city to proceed with a takeover, but efforts didn't move forward until three years ago when water rates continued to escalate.

Claremont filed its eminent domain case Dec. 8, 2014. In the 43-page complaint, Claremont details the information about the water system it would acquire from Golden State Water.

In documents filed with the court last month, attorneys for Golden State argued that because its property is “electric, gas, or water public utility property,” this makes it different from typical eminent domain cases.

In most lawsuits, when a public entity is trying to condemn private property appropriated for public use, the argument for the public entity's acquisition “for the same or any other public use” is considered “more necessary.”

Attorneys for Golden State argue “the Eminent Domain Law gives greater protection to Golden State’s property because it is ‘water public utility property.’ ”

Golden State Water declined to comment, citing the pending litigation.

“Golden State will show that the city’s proposed condemnation is neither ‘more necessary’ than Golden State’s existing use, nor ‘necessary’ at all,” attorneys for Golden State wrote.

Mayor Sam Pedroza said residents have been patient with the city to get to this point.

“It feels like this issue was up front-and-center for years and then with the court process, things move at a snail’s pace,” he said. “We’re still moving forward ... one process step at a time.”

With overwhelming support from the public on the 2014 ballot measure, he said citizens have made it clear they want ownership of the Claremont water supply and the long-term stewardship of the system.

“Claremont people have seen the value of being under local control, not just for our usage, but in how we manage our resources,” he said.