

SYN. NO. _____

AGN. NO. _____

MOTION BY SUPERVISOR ZEV YAROSLAVSKY

JULY 17, 2007

Section 6 of Article XIII D of the California Constitution, a part of Proposition 218, requires that property related fees or charges shall not be imposed or increased unless such fee or charge is approved by either a majority vote of the owners of the affected properties or, at the option of the agency imposing the fee or charge, by a 2/3 vote of the voters residing in the area affected by the fee or charge. Fees for water, sewer and garbage collection are specifically exempted from these requirements.

Since passage of Proposition 218, the federal Clean Water Act has placed more responsibility on local governments to monitor and treat stormwater and urban runoff. This runoff washes pollution and debris into storm drains and eventually into creeks, rivers, bays and the Pacific Ocean, damaging aquatic habitat and depositing disease-causing bacteria in our creeks and along our beaches.

Senate Constitutional Amendment 12 (SCA 12, Torlakson) would include stormwater and urban runoff management along with sewer, water and trash collection in the list of utility fees that may be imposed or increased without voter approval. Passage of SCA 12 by the Legislature would give voters the opportunity to create an additional resource for local governments to fund stormwater and urban runoff

MOTION

MOLINA _____

BURKE _____

KNABE _____

ANTONOVICH _____

YAROSLAVSKY _____

management programs, and provide an important tool to protect our precious environmental resources.

Local governments such as the Los Angeles County Flood Control District would be able to levy a fee or charge on properties to address pollution caused by stormwater and urban runoff, thus improving the quality of life for County residents.

I, THEREFORE, MOVE that the Board of Supervisors express its support of SCA 12 (Torlakson), legislation which will provide an additional resource for local governments to fund stormwater and urban runoff management programs; and instruct our County legislative advocates to work vigorously in support of this important bill.

SN/ABK: Senate Constitutional Amend 12 Stormwater