



Meeting Date: 07 / 24 / 07

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Martin R. Erickson Agenda Item No. I-3

Reviewed By: City Manager [Signature] City Attorney [Signature] Finance SW Other (Specify) _____

DATE: July 12, 2007

TO: City Council

FROM: Martin R. Erickson, Legislative Affairs Manager [Signature]
City Manager's Office

SUBJECT: **Support of State Constitutional Amendment (SCA) 12 (Torlakson and Yee):
Storm Water and Urban Runoff**

RECOMMENDATION

That City Council execute a letter of support for SCA 12 (Torlakson and Yee): Storm Water and Urban Runoff to make fees and charges for storm water and urban runoff management work the same as fees for refuse collection, wastewater treatment, and water.

DISCUSSION

SCA 12 amends the California Constitution to make fees and charges for storm water and urban runoff management work the same way as fees for refuse collection, wastewater treatment, and water.

Proposition 218, approved by California voters in 1996, requires either a majority of property owners or a two-thirds vote of residents in a specific area to raise property-related fees. Fees for water, wastewater, and refuse collection services were specifically exempted from the voter approval requirements, allowing an agency's governing board the ability to adjust these fees when necessary, subject to a protest process.

After Proposition 218 passed, the federal Clean Water Act placed more responsibility on local governments to monitor and treat storm water and urban runoff. This runoff washes pollution and debris into storm drains and eventually into creeks, rivers, bays, and oceans. This runoff can significantly damage aquatic habitat and has been attributed to beach closings and advisories.

SCA 12 provides voters the opportunity to create an additional resource for local governments to fund storm water and urban runoff management programs. These needs were not anticipated when

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Proposition 218 passed. Because runoff causes pollution and places public health at risk, storm water and urban runoff should be added to this short list of exemptions.

If approved by both houses of the State Legislature, SCA 12 would be placed before the California voters at the next regularly scheduled election.

FINANCIAL IMPACT

There is no financial impact at this time as this item involves pending State legislation.

Attachment #1 Letter in support of SCA 12 (Torlakson and Lee).

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July 24, 2007

The Honorable Tom Torlakson
State Senator
California State Senate
State Capitol, Room 5050
Sacramento, CA 95814

RE: Support of SCA 12 (Torlakson and Yee): Storm Water and Urban Runoff

Dear Senator Torlakson:

Please be advised that by this letter the City Council of the City of Oxnard confirms its support of SCA 12 (Torlakson and Yee). Oxnard's population of nearly 200,000 represents one-quarter of Ventura County's population. This constitutional amendment will assist the City Council to protect our coastal waters, and is important to our residents, the environmental stewards of these resources.

Proposition 218, approved by California voters in 1996, requires either a majority of property owners or a two-thirds vote of residents in a specific area to raise property-related fees. Fees for water, wastewater, and refuse collection were specifically exempted from these requirements.

After Proposition 218 passed, the federal Clean Water Act placed more responsibility on local governments to monitor and treat storm water and urban runoff. The Ventura Countywide Municipal Stormwater Program was issued its first urban runoff permit in 1994, and a benefit assessment program was developed to fund the implementation of permit requirements. The permit was renewed in 2000, and is currently under revision for a possible adoption in 2008. With each renewal of the permit, more stringent and burdensome requirements have been placed on municipalities, as well as increased programmatic and water quality monitoring, that cannot be fully funded under the existing benefit assessment.

The federal Clean Water Act has placed more responsibility on local governments to monitor and treat storm water and urban runoff, and Proposition 218 has limited the ability of local governments to raise revenue to fund the program. The City of Oxnard, and other cities in the Ventura Countywide Municipal Stormwater Program, recognize the potential for runoff to cause or contribute to water quality impacts, as evidenced by the 303(d)-listed waterbodies in the vicinity, and the numerous Total Maximum Daily Loads (TMDLs) being developed. The City of Oxnard is being hampered in its ability to proactively address these impairments by the lack of funds.

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SCA 12 provides voters the opportunity to create an additional resource for local governments to fund storm water and urban runoff management programs. SCA 12 will provide an important tool to protect the City of Oxnard's precious environmental resources.

Please do not hesitate to contact Martin R. Erickson, Legislative Affairs Manager at (805) 385-7870 should you have any questions about the City's efforts to maintain and enhance water quality in Ventura County.

Sincerely,

Dr. Thomas E. Holden
Mayor

Dean Maulhardt
Mayor Pro Tem

John C. Zaragoza
Councilmember

Andres Herrera
Councilmember

Timothy B. Flynn
Councilman

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