



Express support for SB 231(Hertzberg, D- Van Nuys) – Local Government: Fees and Charges Communications and Legislation Committee
Item 8-7
March 13, 2017

Background

- Cost of stormwater management is greatly increasing, while legal uncertainty in funding mechanisms remain
- SB 231 promotes clarity in local funding for stormwater management



Background (cont'd)

- Proposition 218 has two approval requirements for property-related fees:
 - 1) a majority protest hearing; and
 - 2) election
- Fees for the following services require only a majority protest hearing:
 - **Water, sewer,** and refuse collection services
- Unclear to some whether stormwater systems are part of “**water**” or “**sewer**” systems

SB 231 (As Introduced)

- Adds definition of “sewer” to the Proposition 218 Omnibus Implementation Act to include stormwater systems
- Same definition already exists in California Public Utilities Code, Section 230.5

Metropolitan Policies and Principles

- Support public funding for watershed restoration and management programs that provide broad public benefits, including water quality, water supply and environmental improvement. *Policy Principles on Watershed Management (adopted 1995; updated 2000 and 2016)*

Metropolitan Policies and Principles cont'd)

- Support administrative/legislative action to promote the development of ... stormwater... as water resources, without compromising the operational, financial and water quality, regulatory and customer interests of Metropolitan and other water and wastewater agencies. *State Legislative Priority and Principle on Regional Water Resource Management (adopted January 2017)*

Support/Opposition

- Support:

- Water Foundation
- California State Association of Counties
- Contra Costa County

- Opposition:

- None Registered

Board Options

- Option 1:
 - Adopt CEQA determination
 - Support SB 231
- Option 2:
 - Take no position on SB 231

Staff Recommendation

- Option 1

