

## Memorandum

To : The Conservancy  
The Advisory Committee

Date: July 9, 2007

From :   
Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director

Subject: **Agenda Item 12: Consideration of a resolution supporting SCA 12 introduced by Senators Torlakson and Yee, Coauthor: Senator Kuehl. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 6 of Article XIII D thereof, relating to local government finance.**

Staff Recommendation: That the Conservancy SUPPORT SCA 12 (TORLAKSON-YEE) as amended.

Background: The California Constitution, with the exception of fees or charges for sewer, water, and refuse collection services, conditions the imposition or increase of a property-related fee or charge upon approval by either a majority vote of the owners of the properties subject to the fee or charge 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.

This measure would additionally exclude fees and charges for stormwater and surface water drainage, urban runoff management from these approval requirements for the imposition or increase of a property-related fee or charge.

If passed, SCA 12 (TORLAKSON-YEE) would put a measure on the State ballot for voters to consider amending the State Constitution to allow local assessment fees for stormwater pollution control.