



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: April 21, 2015

Subject: SUPPORT Assembly Bill 1362 by Assembly Member Richard Gordon and APPROVE a letter of support.

RECOMMENDATION(S):

SUPPORT Assembly Bill 1362 (AB 1362) by Assembly Member Richard Gordon and co-authored by Senator Lois Wolk;

SUPPORT the introduction of a Constitutional Amendment that will provide equity with water and wastewater districts on establishing or raising fees to fund stormwater services; and

AUTHORIZE the Chair to send a letter of support to Assembly Member Gordon and Senator Wolk.

FISCAL IMPACT:

There is no fiscal impact of supporting this legislative effort.

BACKGROUND:

The California State Association of Counties is part of a coalition of statewide organizations in Sacramento working on a legislative effort to give stormwater agencies the same

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/21/2015** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Candace Andersen, District II
Supervisor
Mary N. Piepho, District III
Supervisor
Karen Mitchoff, District IV
Supervisor

ABSENT: Federal D. Glover, District V
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: April 21, 2015

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Mitch Avalon,
925-313-2203

authority as water districts and wastewater districts to fund their services. AB 1362 is a critical first step in this effort by providing a definition of stormwater for a future Constitutional Amendment.

In California, water is divided into 3 separate sectors: drinking water,

BACKGROUND: (CONT'D)

wastewater, and stormwater. Drinking water and wastewater services are provided by utility districts with the resources necessary to provide an efficient and effective service to society. Water districts and sanitary districts have the legal authority to establish a rate structure to pay for the construction, operation, maintenance and replacement of their utility system. The same is not true for stormwater and the revenue sources to fund stormwater services are inadequate to meet expected or required service levels.

The cost for the County to provide stormwater related services has increased dramatically over the last several years with no offsetting revenue source. The County is responsible for improving stormwater quality in our storm drain systems and creeks by removing pollutants such as mercury and trash, and building stormwater treatment facilities like grassy swales and green infrastructure projects along our roads. The County owns and operates miles of drainage pipes and ditches in seventeen unincorporated communities that are inadequate, old, and need replacing. The County Flood Control District is required to maintain flood capacity in its facilities while protecting and enhancing riparian and aquatic habitats.

Stormwater is viewed more and more as an essential resource that can augment our drinking water supplies and is critical in maintaining ecological health. As an essential resource more and more attention is placed on improving its quality and maintaining its infrastructure. Stormwater is becoming a vital service like drinking water and wastewater and should have a funding mechanism similar to the existing funding mechanism utilized by water districts and wastewater districts.

To achieve this parity, the Legislature must pass a Constitutional Amendment that would allow the voters of California to decide if the process to fund stormwater infrastructure and services should be similar to the current process used by water districts and wastewater districts. Assembly Bill 1362 would provide implementation guidance for the Constitutional Amendment.

CONSEQUENCE OF NEGATIVE ACTION:

Assembly Member Gordon and Senator Wolk would not know the County supports passage of AB 1362 and introduction of a Constitutional Amendment.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Support Letter - Wolk

Support Letter - Gordon