

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

RESOLUTION NO. RES-07-0104

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2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH IN SUPPORT OF SENATE
5 CONSTITUTIONAL AMENDMENT 12 INTRODUCED BY
6 SENATORS TORLAKSON AND YEE, EXEMPTING NEW
7 OR INCREASED STORMWATER FEES OR CHARGES
8 FROM THE CALIFORNIA CONSTITUTIONS VOTER
9 APPROVAL REQUIREMENTS FOR PROPERTY RELATED
10 FEES AND CHARGES
11

12 WHEREAS, Proposition 218, approved by California voters in 1996,
13 requires either a majority of property owners or a two-thirds vote of residents in a specific
14 area to raise property-related fees; and

15 WHEREAS, fees for water, sewer, and garbage collection were specifically
16 exempted from these requirements; and

17 WHEREAS, after Proposition 218 passed, the federal Clean Water Act
18 placed more responsibility on local governments to monitor and treat stormwater and
19 urban runoff; and

20 WHEREAS, this runoff washes pollution and debris into storm drains and
21 eventually into creeks, rivers, bays, harbors, and oceans, and can significantly damage
22 aquatic habitat and has been attributed to beach closings and advisories; and

23 WHEREAS, State Senators Torlakson and Yee have introduced SCA 12, to
24 exempt new or increased stormwater and urban runoff management fees or charges from
25 the California Constitutions voter approval requirements for property-related fees and
26 charges and gives voters the opportunity to create an additional resource for local
27 governments to fund such programs; and

28 WHEREAS, Senate Constitutional Amendment 12 by Senators Torlakson

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1 and Yee amends the California Constitution to make fees for stormwater and urban runoff
2 management work the same way as fees for garbage collection, sewer, treatment, and
3 water;

4 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
5 follows:

6 Section 1. That the City Council hereby supports the passage of State
7 Senate Constitutional Amendment 12 - Property Related Fees and Charges by Senators
8 Torlakson and Yee, and directs the City Manager to advocate for passage of this bill.

9 Section 2. The City Clerk is directed to transmit a copy of this resolution
10 to Senators Torlakson and Yee, the members of the California Legislature representing
11 the Long Beach area, and other officials, agencies, entities, and individuals as
12 determined by the City Manager.

13 Section 3. This resolution shall take effect immediately upon its adoption
14 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

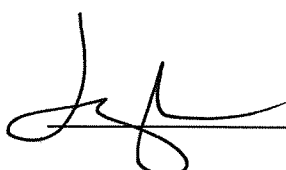
15 I hereby certify that the foregoing resolution was adopted by the City
16 Council of the City of Long Beach at its meeting of August 7, 2007 by the
17 following vote:

18 Ayes: Councilmembers: S. Lowenthal, DeLong, O'Donnell,
19 Andrews, Reyes Uranga, Gabelich,
20 Lerch.

21 _____
22 Noes: Councilmembers: None.

23 _____
24 Absent: Councilmembers: B. Lowenthal, Schipske.

25 _____

26 _____
27 _____
28  _____
City Clerk