



PUBLIC WORKS DEPARTMENT

CITY HALL

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CITY COUNCIL STAFF REPORT

Meeting: May 2, 2017

Subject

Letter of Support for State Senate Bill 231

Recommended Action

Direct staff to send a letter of support for Senate Bill 231 (Hertzberg): Stormwater Stewardship from the Mayor, as attached.

Discussion

Stormwater is a key source of local water supply and careful management is necessary due to California's continuing cycles of drought. Stormwater can also be a pollutant that runs off through sewers and other channels. Yet, local agencies are limited in the type of infrastructure they can fund to manage storm and flood waters.

The process to raise stormwater and many other fees were changed with the passage of Proposition 218 in November 1996. Many California agencies have struggled to increase stormwater fees due to the requirements of Proposition 218. Consequently, Cupertino and the majority of other agencies have not raised stormwater fees since 1996 despite significantly increased unfunded mandates by the State.

SB 231 maintains the strict transparency and accountability requirements in Proposition 218, which ensure that local fees be used only for the purposes for which they were collected and only in amounts necessary to meet local needs. It is also an important step toward smarter management of stormwater as an integral part of both sanitary sewer and water systems.

For these reasons, staff recommends that the City Council adopt a position of support on SB 231, and authorize the Mayor to send a letter of support of this important piece of legislation.

Sustainability Impact

A well supported stormwater pollution prevention program is a benefit to all of Cupertino and the overall better quality of life for Bay Area residents and the natural environment.

Fiscal Impact

The FY16/17 stormwater revenue will be approximately \$372,800 and \$671,000 was budgeted to meet State mandates. Currently the general fund subsidizes the difference between these two amounts.

If SB 231 is passed, Cupertino will have an efficient method to have right-sized stormwater fees introduced and supported for the purposes for which they were collected and only in amounts necessary to meet Cupertino needs.

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Reviewed by: Timm Borden, Director of Public Works
Approved for Submission by: David Brandt, City Manager

Attachments:
A – Sample Letter of Support