

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 3/3/06
Department Name: Public Works
Department No.: 054
Agenda Date: 4/4/06
Placement: Administrative
Estimate Time: 4/18/06 -15 Minutes
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Phillip M. Demery, Director x3010
Public Works Department

STAFF CONTACT: Mark A. Schleich, Deputy Director x3605
Resource Recovery & Waste Management Division

SUBJECT: County Service Area 12 (Mission Canyon Sewer District), Resolution Relative to Sewer Connection Fees, Sewer Service Charges and the Collection of Said Charges on the Tax Roll - First Supervisorial District

Recommendation(s):

That the Board of Supervisors:

- A. Receive report entitled *Mission Canyon Sewer District Fixed Charges Fee Report for Fiscal Year 2006/2007*.
- B. Approve Public Works Department Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines. (Post).
- C. Set a public hearing for April 18, 2006, in connection with the report entitled "*Mission Canyon Sewer District Fixed Charges*" filed with the Clerk of the Board April 4, 2006, which proposes a sewer service charge increase of 3.4% (from \$534 to \$552 per connection per year) for County Service Area 12.
- D. Adopt at the conclusion of the public hearing on April 18, 2006, the attached resolution establishing service charges for County Service Area 12 (Mission Canyon Sewer District) and provide for collection on the Tax Rolls for Fiscal Year 2006/2007.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 2. A Safe and Healthy Community in Which to Live, Work, and Visit.

Executive Summary and Discussion:

The Mission Canyon Sewer District (County Service Area 12) was formed by the Board of Supervisors on February 21, 1984 by Resolution 84-72 and operates pursuant to Ordinance 3574, Mission Canyon Sanitary Disposal Systems (Chapter 22A of the County Code) adopted by the Board on June 23, 1986. CSA 12 provides for wastewater collection in the Mission Canyon area of unincorporated Santa Barbara and is regulated by Regional Water Quality Control Board (RWQCB) Waste Discharge Requirements Order R3-2004-0123. In addition, CSA 12 functions to assess the performance of existing septic systems within its boundaries. A separate assessment is collected by the Public Health Department to perform this function and is the subject of a separate Board action. The sewer service charge generates revenue to compensate the city of Santa Barbara for treatment and disposal services pursuant to Joint Powers Agreement No. 12,554 dated October 2, 1984 as well as to finance annual system maintenance, repairs, equipment depreciation, capital and operating reserves and administration.

The portion of the sewer assessment attributable to costs associated with services provided by the city of Santa Barbara is subject to increases planned by the city of Santa Barbara based on a 10-year financial plan for their wastewater operations. The plan identified shortfalls in operating costs, the need for additional capital improvements, increases in regulatory requirements and reduced interest earnings. The city in addressing these shortfalls approved rate increases as follows: Fiscal year 2001/2002, 10%, fiscal year 2002/2003, 4%, fiscal year 2003/2004, no increase, 2004/2005, 16%, and 4% increases thereafter.

Annual CSA 12 sewer service charges had been \$276 per connection since 1989/1990. Until fiscal year 2001/2002 sewer service rates were sufficient to accommodate expenditures. However, due to the city increases noted above, CSA 12 had deficits in fiscal years 2001/2002 through 2003/2004. Rate adjustments since fiscal year 2004/2005 have been adopted to properly address revenues and expenses. This action further accounts for the city's 4% annual increase as well as replenishment of the capital and operating reserves. The proposed CSA 12 rate increase is 3.4% (from \$534 to \$552 per connection per year). Future increases of similar amount are expected to account for the city's annual rate adjustments and reserve balance replenishment.

The proposed resolution also authorizes the collection of sewer service charges on the tax rolls pursuant to Ordinance No. 3574 adopted by board on June 23, 1986. Article IV, Section 22A-35 states "all charges for annual costs of providing public sewer service and septic tank maintenance not recovered through connection charges may be collected on the tax roll, in the same manner and at the same time as the county general ad valorem property taxes are collected." Section 22-A36 of the County Code states in part that "the Board of Supervisors shall cause to prepare a written report which shall contain a description of each parcel of real property in the public sewer service area which is receiving public sewer service and the amount of any charge for each parcel for each year." Section 22A-37 states in part that "upon the filing of such report, the county clerk-recorder shall fix a time, date, and place for a hearing on the report and for filing objections or protests hereto. The county clerk-recorder shall publish notice of such hearing as provided in Government Code Section 6066 prior to the date of the hearing."

Mandates and Service Levels:

No change in programs or service level is proposed for County Service Area 12 (Mission Canyon Sewer District) with this action.

Fiscal and Facilities Impacts:

An increase to the current annual sewer service charge to \$552.00 per single family dwelling connection will generate the amount of revenue required to match proposed city costs for fiscal year 2006/2007 and provide the recommended maintenance and operating reserve balance.

Special Instructions:

A. Request Clerk of the Board to publish notice of this hearing, per the copy attached, in the Santa Barbara News Press, as provided in Section 6066 of the Government Code. Section 6066 states that:

“Publication of notice to this section shall be once a week for two successive weeks. Two publications in a newspaper published once a week or oftener, with at least five days intervening between the respective publication dates not counting such publication dates, are sufficient. The period of notice commences upon the first day of publication and terminates at the end of the fourteenth day, including therein the first day.”

B. Notice to be published:

BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA
STATE OF CALIFORNIA
NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Board of Supervisors of the County of Santa Barbara, State of California, on April 18, 2006 at 9:00 a.m. or shortly thereafter, in the Board of Supervisors Hearing Room, Fourth Floor, 105 East Anapamu Street, Santa Barbara California, to take public testimony on the written report for proposed County Service Area 12 (Mission Canyon Sewer District) Fixed Charges Fee Report 2006/2007. Copy of the said written report with the proposed amount set out therein can be seen during business hours at the Santa Barbara Office of the Santa Barbara County Public Works Department, Resource Recovery & Waste Management Division, 130 East Victoria Street, Suite 100, Santa Barbara, California. The proposed amount of each parcel can be obtained during business hours by a telephone call to the County Department of Public Works, Resource Recovery & Waste Management Division, (805) 739-8750.

The public hearing to be held on Aril 18, 2006 is for the purpose of considering all objections or protests to the adoption of the proposed benefit assessment charges as set forth in said report or as modified by the Board of Supervisors on April 4, 2006.

Any objections or protests to the adoption of the proposed benefit assessment charges may be filed with the Clerk of the Board of Supervisors before the public hearing scheduled for 9:00 a.m., April 18, 2006. The address of the Clerk of the Board is: 105 East Anapamu Street, Santa Barbara, California 93101. Objections or protests may also be filed at the meeting on April 4, 2006.

- C. Direct the Clerk of the Board to forward a signed and dated copy of the resolution to Santa Barbara County, Department of Public Works, Resource Recovery & Waste Management Division, Martin Wilder.

Concurrence:

Auditor-Controller
County Counsel

Board letter authored by: Martin Wilder, Civil Engineer Manager, x8755
Public Works Department
Resource Recovery & Waste Management Division

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

RESOLUTION TO ESTABLISH CHARGES TO)
BE MADE IN COUNTY SERVICE AREA NO. 12)
(MISSION CANYON) FOR PUBLIC COMMUNITY)
SEWER CONNECTIONS AND SERVICE, AND)
ACCEPTING A REPORT OF SERVICE CHARGES)
AND CONNECTION FEES PROPOSED FOR) RESOLUTION NO. _____
COLLECTION ON THE TAX ROLLS)

WHEREAS, the Board of Supervisors of the County of Santa Barbara has heretofore established County Service Area No. 12 in the Mission Canyon Area of the unincorporated territory of the County to operate and maintain the public community sewer systems in that portion of County Service Area No. 12 where hook-ups to a community public system were required on or before September 1, 1987, and further to administer requirements for installation and use of private wastewater disposal systems in those portions of County Service Area No. 12 where such private systems now or hereafter are permitted and required; and

WHEREAS, the Board of Supervisors of the County of Santa Barbara has heretofore adopted Ordinance No. 3574, which among other things, establishes procedures for collecting various charges for the services to be rendered by County Service Area No. 12, in accordance with Government Code Sections 25210.77a through 25210.77f, and provides for periodic setting of the amount of such charges to cover the actual cost of services rendered, by Resolution of the Board of Supervisors; and

WHEREAS, such services include providing for wastewater collection, treatment and disposal; connection of building sewer to the public community sewer system; and

WHEREAS, on April 4, 2006, a report under Chapter 22A of the Santa Barbara County Code was filed with the Clerk of the Board listing cost of said services to the County, and setting the amount to be charged to each parcel of real property in County Service Area No. 12 for such services; and

WHEREAS, performance of said services directly benefits residents in County Service Area No. 12, at costs direct and indirect, to the County of Santa Barbara for which the County should be reimbursed; and

WHEREAS, a Public Hearing on the said report relating to proposed assessments within the County Service Area No. 12 was set for April 18, 2006, in the Supervisors Hearing Room, Fourth Floor, County Administration Building, Santa Barbara, California, and notice thereof published pursuant to Government Code Section 6066.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The charges for sewer service, including maintenance operation in County Service Area No. 12, for the Fiscal Year 2005/2006 shall be FIVE HUNDRED FIFTY TWO DOLLARS (\$552.00) annually (\$46.00 per month) for each residential dwelling unit, and FIVE HUNDRED FIFTY TWO DOLLARS (\$552.00) annually (\$46.00 per month) for each dwelling equivalent (as the same are established pursuant to

that certain "Joint Powers Agreement for Wastewater Collection, Treatment and Disposal in the Mission Canyon Area", between the County of Santa Barbara and the City of Santa Barbara).

2. The charges for connection of a building sewer to the sewer in County Service Area No. 12 for the 2006/2007 fiscal year shall be FIVE THOUSAND SIX HUNDRED THIRTY-THREE DOLLARS (\$5,633.00) for each dwelling unit or dwelling unit equivalent. In no event shall this charge be made where a sewer connection charge has already been paid.

3. The charges for connection of a building sewer outside the public sewer service area for sewer in County Service Area No. 12 for the 2006/2007 fiscal year shall be ONE THOUSAND SIX HUNDRED FIFTY DOLLARS (\$1,650.00).

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this day of _____, 2006, by the following vote:

AYES:

NOES:

ABSENT:

Chair, Board of Supervisors
County of Santa Barbara

ATTEST:
MICHAEL BROWN
CLERK OF THE BOARD

By _____

By _____

APPROVED AS TO FORM
STEPHEN S. STARK
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:
ROBERT W. GEIS, CPA
AUDITOR-CONTROLLER

By _____

By _____