



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

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

Department Name: Flood Control
Department No.: 054
For Agenda Of: May 17, 2016
Placement: Set Hearing
Estimated Tme: 10 minutes on 6/21/16
on the Dept Agenda and
7/12/16 on the Admn
Agenda
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Flood Control and Water Conservation District

FROM: Department Scott D. McGolpin, Public Works Director, 568-3010
Director(s)
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436

SUBJECT: Flood Control Benefit Assessment Program for Fiscal Year 2016-17, All
Supervisorial Districts

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: N/A

Recommended Actions:

Set hearings to consider recommendations regarding the Flood Benefit Assessment Program for Fiscal Year 2016-17 as follows: (FOR JUNE 21, 2016 ESTIMATED TIME: 10 MINUTES)

- a) Consider the introduction (first reading) of an Ordinance amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services imposing Flood Control Benefit Assessments for Fiscal Year 2016-17; and
- b) Receive a Report regarding Flood Control Benefit Assessment for Fiscal Year 2016-17 and direct recordation.
- c) Set the second hearing on the administrative agenda to consider the following recommendations: (FOR JULY 12, 2016)
 - i. Make a determination upon each assessment described in the report ordered filed by the Board at the June 21, 2016 meeting;

- ii. Adopt the Resolution confirming Flood Control Benefit Assessment for Fiscal Year 2016-17 and authorize the Clerk of the Board to record a certified copy;
- iii. Consider adoption (second reading) of an Ordinance amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services imposing Flood Control Benefit Assessments for Fiscal Year 2016-17 (ordinance introduced on June 21, 2016); and
- iv. Find that the assessment revenue will be used for meeting operating expenses, including employee wage rates and fringe benefits, purchasing or leasing supplies, equipment, or materials, meeting financial reserve needs and requirements and obtaining funds for capital projects necessary to maintain service within existing service areas, and that the recalculation and imposition of the annual Flood Control Benefit Assessment are therefore exempt from California Environmental Quality Act pursuant to Guidelines Section 15273(a)(1, 2, 3, and 4), and direct staff to file the Notice of Exemption with the Clerk of the Board.

Summary Text:

The Board has set June 21, 2016 as the date for the first hearing to introduce an ordinance entitled, "An Ordinance Amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services"; and has set July 12, 2016 as the date of the second hearing. It is proposed that the rates in each zone be increased by 1.7% for Fiscal Year 2016-17 (table shown below) as determined by the State Department of Finance. This increase represents the Consumer Price Index (CPI) for all urban consumers for Los Angeles includes counties of Los Angeles, Orange, Riverside, San Bernardino, and Ventura.

A copy of the report will be kept on file with the Clerk of the Board until the conclusion of the hearings.

Adoption of this ordinance amendment is recommended to continue the current level of flood control services.

Background:

The Flood Control Benefit Assessment Program was developed after Proposition 13 passed in 1978 which seriously reduced the District's tax revenue to about 40% of its previous level. In response to the District's imminent financial situation and the need for supplemental funding, the Board of Directors moved and adopted the Flood Control Benefit Program on March 24, 1980 and began the program in 1980-1981 prior to voter consideration. The Board believed that delaying the decision would have made it impossible to continue maintenance of essential facilities operated by the District and to avoid an increased risk in flooding. On the November 4, 1980 Statewide General Election, the Board placed a ballot measure in each of the Flood Zones to continue the Program.

On November 4, 1980, Santa Barbara County residents approved, by vote, the levying of benefit assessments in each of the Flood Zones to help pay the cost of providing flood control services. This list of services/programs was identified as program priorities:

- Emergency Response

- Operation and Maintenance
- Storm Emergency Rehabilitation
- Dam Safety
- Debris Control
- Major Repair
- Correction of Flooding and Erosion Problems (new construction)
- Flood Plain Management
- Santa Ynez River Flood Warning System

The priorities established above were based on protection of life, protection of property, safety, economy, public service, and conservation.

The assessment brought the District funding to about 80% of the pre-Proposition 13 revenues. The ordinance that established the assessment program allows for annual increases in assessment rates up to the increase in the CPI for the preceding twelve months.

The CPI increases are intended to equalize service levels year-to-year by stabilizing buying power. The new benefit assessment rates prevent the devaluation of Flood Control District revenues from inflation. The CPI increase approved by the voters preserves the ability to deliver services to the public.

Then again in 1996 a measure was brought back to the voters to increase Benefit Assessment rates above the CPI and the measure passed only in the South Coast Flood Zone.

Fiscal and Facilities Impacts:

The revenue generated from the Benefit Assessment Program was included in the proposed 2016-17 budget in each of the ten flood zones.

Budgeted: Yes

Narrative:

Benefit Assessment rates will generate approximately \$3,342,782 collectively within the Flood Control District's ten flood zones for FY 2016-17 and this revenue was included in the proposed budget.

Special Instructions:

After the May 17, 2016 Hearing direct the Clerk of the Board to:

1. Publish the attached Notice of Public Hearing pursuant to Section 6066 of the Government Code (publish notice on June 7 and June 14, 2016) in the Santa Barbara Newspress and the Santa Maria Times; and
2. Send a copy of the minute order and a signed copy of the Notice of Public Hearing to the Flood Control District office, attn: Christina Lopez.

After the June 21, 2016 Hearing direct the Clerk of the Board to:

Send the 2016-17 Benefit Assessment Report to the County Clerk-Recorders office to be recorded.

After the July 12, 2016 Hearing direct the Clerk of the Board to:

1. File the attached Notice of Exemption (post).
2. Send a certified copy of the attached resolution to the County Clerk-Recorder office to be recorded.
3. File a certified copy of the attached resolution with the Property Tax Division of the Auditor-Controller's Office.
4. Submit a copy of recorded Resolution to the Flood Control District and County Counsel.
5. Submit a copy of adopted Ordinance to the Flood Control District and County Counsel.
6. Submit a copy of the recorded 2016-17 Benefit Assessment Report to the Flood Control District.
7. Publish a copy of the amended ordinance or summary of with names of the members of the Board of Directors voting for or against the amendment in the Santa Barbara Newspress within 15 days of adoption of the ordinance.
8. Send a copy of the stamped NOE to the Flood Control District office, Attn: Christina Lopez.
9. Send a copy of the minute order of these actions to the Flood Control District office, Attn: Christina Lopez.

Attachments:

- Attachment A - Notice of Public Hearing
- Attachment B - Resolution
- Attachment C - Ordinance Amending Ordinance 3150
- Attachment D - Ordinance Amending Ordinance 3150 (strikethrough version)
- Attachment E - Notice of Exemption
- Attachment F - 2016-17 Benefit Assessment Report

Authored by:

Thomas D. Fayram, Deputy Public Works Director, 568-3436

**PROPOSED RATES FOR FISCAL YEAR 2016-2017
FLOOD ZONE BENEFIT ASSESSMENT RATES & MINIMUM PARCEL ASSESSMENT PER CATEGORY**

	Group A		Group B		Group C		Group D		Group E	
	FY 2016-2017		FY 2016-2017		FY 2016-2017		FY 2016-2017		FY 2016-2017	
	\$/Ac	Min \$ Assmt	\$/Ac	Min \$ Assmt	\$/Ac ¹ (over 0.3 Ac only)	Min \$ Assmt	\$/Ac	Min \$ Assmt	\$/Ac	Min \$ Assmt
Bradley #3	41.64	12.50	31.23	9.37	0.00	6.29	1.56	0.46	0.15	0.04
Guadalupe #3	22.05	6.61	16.54	4.97	0.00	3.32	0.83	0.26	0.09	0.02
Lompoc City #2	93.01	27.91	69.75	20.92	0.00	13.96	3.50	1.05	0.33	0.10
Lompoc Valley #2	36.33	10.89	27.22	8.16	0.00	5.43	1.36	0.41	0.14	0.03
Los Alamos #1	46.19	13.86	34.65	10.38	0.00	6.93	1.73	0.51	0.17	0.04
Orcutt #3	27.68	8.31	20.76	6.23	0.00	4.16	1.04	0.31	0.11	0.03
Santa Maria #3	88.55	26.57	66.42	19.98	0.00	13.28	3.33	1.00	0.31	0.10
SMR Levee	23.89	7.17	17.92	5.38	0.00	3.60	0.89	0.28	0.10	0.02
SantaYnez #1	20.40	6.13	15.30	4.59	0.00	3.05	0.76	0.23	0.09	0.02
South Coast #2	155.44	46.64	116.58	34.97	0.00	23.32	5.83	1.75	0.58	0.17

GROUP A - Commercial Industrial.

GROUP B - Institutions and Apartments

GROUP C - Single-family residential and small multiple (2 to 4 units), cemeteries.

GROUP D - Irrigated agriculture, golf courses.

GROUP E - Dry farmed agricultural, vacant ground.

Note: A \$1.00 per parcel assessment is added per Resolution No. 82-209 pursuant to Government Code Sections 29304 and 51800.

¹Minimum assessment included up to 0.3-acre lot. Any single family "Group C" LOT AREA over 0.3 acres will be additionally charged in accordance with the schedule for "Group D".