



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

Submitted on:  
(COB Stamp)

Department Name: Public Works/Laguna  
Department No.: 054  
For Agenda Of: 9/12/06  
Placement: Administrative  
Estimate Time:  
Continued Item: NO  
If Yes, date from:  
Vote Required: 4/5

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**TO:** Board of Directors, Laguna County Sanitation District  
**FROM:** Department Director: Phillip M. Demery, 3010  
Contact Info: Mark A. Schleich, Deputy Director, x3600  
Resource Recovery & Waste Management Division  
**SUBJECT:** Formation of an Improvement Zone within Laguna County Sanitation District for the Operation and Maintenance of a Sewage Lift Station for Tract 14,556, Fourth Supervisorial District

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**County Counsel Concurrence:**

As to form/legality:  Yes  No  N/A

**Auditor-Controller Concurrence:**

As to form:  Yes  No  N/A

**Recommended Action(s):**

That the Board of Directors:

- A. Accept on September 10, 2006 the EIR (95-EIR-01) and addendum (dated February 25, 2005) prepared for the Vintage Ranch project as adequate environmental review documents for this action pursuant to Section 15162 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA).
- B. Adopt on September 12, 2006 the attached resolution declaring the intention to establish Improvement Zone No. 1 for Vintage Ranch, Tract 14,556.
- C. Set a hearing on October 10, 2006 to consider adoption of a resolution establishing Improvement Zone No. 1 for Vintage Ranch, Tract 14,556 and authorizing the collection of the special assessment on the tax rolls.

**Summary:**

The Vintage Ranch housing project, Tract 14,556 on Orcutt Community Plan (OCP) Key Site 7, is unable to access the recently constructed Bradley-Solomon trunk sewer extension by gravity due to deep trench cuts, access through private property, and environmental impacts. Wastewater collection may alternatively be achieved through the use of a lift or pump station to move wastewater to an adjacent housing tract (Mesa Verde). From the Mesa Verde tract, wastewater will flow by gravity to the Bradley-Solomon trunk line.

**Background:**

New development is typically conditioned to provide necessary public improvements associated with utility services such as sewage collection. Gravity flow systems are preferred but in certain cases gravity may not be feasible. When this occurs, sewage pump stations are generally employed. Lift stations, however, require additional upkeep.

Administratively, the lift station could be operated by the property owners through a home owner's association as set up by the developer. However, Environmental Health Services now requires that lift stations be managed by public agencies. Pursuant to Section 4850 et seq. of the Health & Safety Code, the District may form zones within its boundaries to provide for operation and maintenance of facilities within the zone. Because the lift station will only serve the Vintage Ranch housing tract, it is proposed to assess the benefactors of the lift station a special fee to operate the portion of the tract's pressure collection system (lift station and force main) as an added service of the District. Homeowners in the tract would be funding operational costs to the District instead of their homeowner's association.

This action addresses the procedure to form Improvement Zone No. 1 to fund operation and maintenance of the Black Oak Road Sewer Lift Station to serve the Vintage Ranch housing tract and sets the initial per parcel rate. The rate would be subject to annual adjustment based on actual operating and maintenance costs including electrical costs. Revenues derived from the assessment shall not exceed funds necessary to provide this service, shall not be used for any other purpose, and shall not exceed the proportional cost attributable to each parcel. The Auditor-Controller's Office has assisted in the review of the assessment engineer's report and concurs with staff that the report adequately addresses operational, replacement, and depreciation costs. The developer of the tract has been conditioned to construct the lift station and appurtenant equipment, along with the remaining gravity system, per District standards. These facilities will become District facilities upon acceptance.

Environmental Impact Report (95-EIR-01) and addendum (dated February 25, 2005) were approved for the Vintage Ranch project (Case numbers TM 14,556/00TRM-00000-06003, 00-DP-027/00DVP-00000-06019, 05CUP-00000-00002, 03LLA-00000-00002) on March 9, 2005. The potential environmental impacts of extending sewer service to the project site and constructing and operating a sewage lift station to serve the Vintage Ranch Project were evaluated in 95-EIR-01 and the February 25, 2005 Addendum, and mitigation measures for these impacts were incorporated into the Conditions of Approval for the Vintage Ranch Project. The current project involves the creation of an improvement zone to fund the operation and maintenance of the sewage lift station.

CEQA Section 15162 allows the use of a previously adopted EIR or ND unless substantial evidence would require major revisions of the previous EIR or ND due to substantial changes in the proposed project because of: 1) new significant environmental effects or a substantial increase in the severity of previously identified significant effects; 2) substantial changes to the circumstances under which the project is undertaken due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or 3) new information of substantial importance. Section 15162 of the State CEQA Guidelines is found to be applicable to the formation of improvement zone to fund the District's operation and maintenance of the lift station, as no new significant environmental effects would occur, previously identified environmental effects will not increase in severity, and no new information of substantial importance will require revisions to the previously approved EIR and Addendum. No impacts previously found to be insignificant are now significant. Because the current project meets the conditions for the application of State CEQA Guidelines Section 15162, preparation of a new Environmental Impact Report or Negative Declaration is not required."

**Fiscal and Facilities Impacts:**

The addition of this assessment will provide revenue to accommodate operation and maintenance of the new lift station and appurtenant equipment. Property owners in the Vintage Ranch tract will be assessed the normal District sewer service charge in addition to the lift station charge, both on the tax roll. Initial estimated annual costs are \$8,296.50 per year. This amounts to a lift station assessment of \$159.55 per year for each of the 52 residential parcels.

Budgeted:  Yes  No

**Fiscal Analysis:**

Costs for construction are borne by the developer. One year's operating revenues are required to fund operating costs until first assessments are collected. Thereafter, revenues will be collected on the tax roll in an appropriate amount to fund costs as outlined in the Assessment Engineer's report. Annual adjustments to the per parcel rate will be made in the event operating and maintenance costs escalate.

**Staffing Impact(s):**

**Legal Positions:**

**FTEs:**

None

**Special Instructions:**

- A. Request the Clerk of the Board publish notice of the hearing, as set forth in item B, in the Santa Maria Times once per week for two successive weeks not more than 30 nor less than 10 days prior to the hearing in compliance with Section 4853 of the Health & Safety Code. Recommended publication dates are September 19 and September 26, 2006.

- B. Notice to be Published:

**BOARD OF DIRECTORS OF THE LAGUNA COUNTY SANITATION DISTRICT  
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, acting as ex-officio Board of Directors of the Laguna County Sanitation District, on Tuesday, October 10, 2006 at 9:00 a.m. or shortly thereafter, in the Board of Supervisors Hearing Room in the Betteravia Government Center at 511 East Lakeside Parkway, Santa Maria, California, to consider testimony regarding the adoption of a resolution creating Improvement Zone No. 1 to fund operation and maintenance of the Black Road Sewer Lift Station serving the Vintage Ranch housing tract (Tract 14,556). A copy of the proposed action and description of the assessment amount may be viewed during business hours at the Laguna County Sanitation District office located at 620 West Foster Road in the County of Santa Barbara Public Works Department building. This office may be contacted at (805) 739-8750.

Protests or objections to the adoption of the resolution may be filed before the public hearing with the Clerk of the Board located at 105 East Anapamu Street, Santa Barbara, CA 93101.

- C. Direct the Clerk of the Board to forward signed and dated copies of the resolutions to the Public Works Department, Resource Recovery & Waste Management Division, Laguna County Sanitation District, Attention: Martin Wilder

**Attachments: (list all)**

1. Resolution declaring the intention to establish Improvement Zone No. 1 for Vintage Ranch, Tract 14,556 with exhibits.

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2. Resolution establishing Improvement Zone No. 1 for Vintage Ranch, Tract 14,556, including exhibits and assessment engineer's report.

**Authored by:**

Martin Wilder, Civil Engineer Manager  
Public Works Department  
Resource Recovery & Waste Management Division  
Laguna County Sanitation District

**cc:**