



**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: Public Works/Flood Control
Department No.: 054
For Agenda Of: August 25, 2020
Placement: Set hearing for September 15, 2020 (first reading) and September 22, 2020 (second reading)
Estimated Time: 10 Minutes on September 15, 2020
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
Board of Directors, Flood Control

FROM: Department Scott D. McGolpin, Public Works Director, (805) 568-3010
Director(s)
Contact Info: Julie Hagen, Deputy Public Works Director, (805) 568-3999
Thomas D. Fayram, Deputy Public Works Director, (805) 568-3436

SUBJECT: **Proposed Fee Ordinances for the Public Works Water Resources Division - Flood Control District and Project Clean Water, All Supervisorial Districts**

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors and the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District set September 15, 2020 (ESTIMATED TIME: 10 MINUTES) to consider the following actions:

As the Board of Supervisors:

- a) Approve the introduction (first reading) of an Ordinance amending fees for Public Works Department services;
- b) Read the title, "An Ordinance Adopting a Schedule of Fees for Services Provided by the Department of Public Works, Water Resources Division - Project Clean Water in Connection With Providing Services Within the Jurisdiction of Santa Barbara County," and waive further reading of the Ordinance; and

- c) Set a hearing to the Administrative Agenda of September 22, 2020 to consider the following recommendations:
 - i. Consider and approve the adoption (second reading) of “An Ordinance Adopting a Schedule of Fees for Services Provided by the Department of Public Works, Water Resources Division - Project Clean Water in Connection With Providing Services Within the Jurisdiction of Santa Barbara County,” amending fees for Public Works Department services; and
 - ii. Find that the proposed actions are administrative activities of the County, which will not result in direct or indirect physical changes in the environment and is therefore not a “project” as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15273(a)(1) and 15378 (b)(5).

As the Board of Directors, of the Santa Barbara County Flood Control and Water Conservation District:

- d) Approve the introduction (first reading) of an Ordinance amending fees for Public Works Department services;
- e) Read the title, “An Ordinance Adopting a Schedule of Fees for Services Provided by the Department of Public Works, Water Resources Flood Control District in Connection With Providing Services Within the Jurisdiction of Santa Barbara County,” and waive further reading of the Ordinance; and
- f) Set a hearing on the Administrative Agenda of September 22, 2020 to consider the following recommendations:
 - iii. Consider and approve the adoption (second reading) of “An Ordinance Adopting a Schedule of Fees for Services Provided by the Department of Public Works, Water Resources Flood Control District in Connection With Providing Services Within the Jurisdiction of Santa Barbara County,” amending fees for Public Works Department services; and
 - iv. Find that the proposed actions are administrative activities of the District, which will not result in direct or indirect physical changes in the environment and is therefore not a “project” as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15273(a)(1) and 15378 (b)(5).

Summary Text:

The Public Works Water Resources Division – Flood Control District Development Review section and Project Clean Water Program provides development and plan check review services for the unincorporated areas of Santa Barbara County and when requested, for the Cities of Santa Maria, Lompoc, Buellton, Solvang, Santa Barbara, and Carpinteria. These activities are authorized and governed by various County and State codes and the cost of these services are supported primarily by permit fees.

Fees should be reviewed and updated to reflect the impact of inflation, other cost increases, and changes to service structure. The fees for the Public Works Water Resources Division - Flood Control District and Project Clean Water have not been studied or modified for at least a decade. Public Works hired MGT of America, Inc., a consulting firm with expertise in local government fee analysis, to comprehensively study the respective service fees. The goal of this fee study was to analyze all costs in order to determine whether

they are being appropriately recovered. The fee study used a combination of average annual case volumes, historical staff time requirements data, and estimates to determine a reasonable rate.

As a result of this effort, Public Works is recommending adoption of fee schedules with 100% cost recovery to satisfy your Board's policy of full cost recovery. The proposed fee schedules also combine like categories in an effort to better align with the schedules adopted by the Planning and Development Department in 2017.

Background:

Public Works, in accordance with State law and County policy, collects fees to defray the cost of providing required input into development, discretionary development, and Coastal Development permits that are issued by Planning and Development.

The proposed Public Works Water Resources Division - Flood Control District and Project Clean Water development review fees are mostly comprised of fixed fees. Fee categories that typically required a consistent level of effort are presented as fixed. To ensure fairness in the application of fees, those that can vary significantly based on project-specific factors are presented as deposit-based fees. Deposit-based fees are assessed an initial security deposit and then billed based on actual costs. The cost structure for these deposit-based projects are the hourly rates of the applicable staff performing the work. The current hourly rates for each job classification are referenced in the respective Fee Ordinances. Annual changes to these fees will be in accordance with the Consumer Price Index (CPI), also provided in the Ordinances.

Public Works Water Resources Division - Flood Control District

The Development Review Fees for Public Works Water Resources Division – Flood Control District have not been studied or modified since 2010. The Flood Control District continues to strive for timely issuance of condition letters and timely turn-around on Plan Checking of approved projects. Standard Conditions are available online and staff are available in both the North County and South County offices. Attachment A - Public Works Water Resources Division - Flood Control District Fee Ordinance is a compilation of fees collected by Water Resources and the Planning and Development Department outlining the proposed fee structure.

Public Works Water Resources Division - Project Clean Water

The Development Review Fees for Public Works Water Resources Division - Project Clean Water have not been modified since 2004. Since that time, costs have increased and new development requirements have been established by the State as a part of the County's required National Pollutant Discharge Elimination System (NPDES) Permit. This permit requires certain developments comply with post construction Best Management Practices (BMPs) to address Stormwater runoff quality and quantity. These BMPs are reviewed and approved by Project Clean Water prior to issuance of development and land use permits. Attachment B – Public Works Water Resources Division - Project Clean Water Fee Ordinance is a compilation of fees collected by the County Water Resources Division and the Planning and Development Department outlining the proposed fee structure.

Performance Measure:

In the spirit of Renew 2022, services that used to be provided by Project Clean Water staff of Public Works will now be performed by the Flood Control District Development Review Section of Public Works to increase efficiencies.

Fiscal and Facilities Impacts:

The total increase in fees on a fiscal-year basis for Public Works Water Resources Division – Flood Control District and Project Clean Water will be \$8,342 and \$19,022 respectively. The Fiscal Year 2020-21 budget was developed utilizing fees adopted in 2010 (Flood Control) and 2004 (Project Clean Water) plus CPI adjustments. If this action is adopted today the budget will be adjusted based on the proposed increases.

There are no facilities impacts.

Special Instructions:

After the August 25, 2020 Hearing direct the Clerk of the Board to:

1. Publish a Notice of Public Hearing pursuant to Section 6066 of the Government Code (publish notice on September 1 and 8, 2020) in the Santa Barbara News Press.

After the September 22, 2020 Hearing direct the Clerk of the Board to:

1. Send copies of the adopted Ordinances and copies of the minute order to the Public Works Department Water Resources Flood Control District, Project Clean Water, and County Counsel.
2. Publish a copy of each ordinance or summary of with names of the members of the Board of Supervisors voting for or against the Ordinances in the Santa Barbara News Press 15 days of adoption of the Ordinances.

Attachments:

Attachment A – Public Works Water Resources Division - Flood Control District Fee Ordinance
Attachment B – Public Works Water Resources Division - Project Clean Water Fee Ordinance
Attachment C – Cost of Service Study for Department of Public Works Water Resources Division –
Flood Control District and Project Clean Water
Attachment D – Notice of Public Hearing

Authored by:

Stephen Williams, Fiscal/Accounting Manager, Water Resources

cc: Julie Hagen, C.P.A., Public Works Deputy Director, Finance and Administration