



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  
Department No.: 054  
For Agenda Of: 4/6/2010  
Placement: Administrative  
Estimated Tme: 6/1/10-15 minutes  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors

**FROM:** Department Dr. Takashi Wada, MD, MPH, 681-5105  
Director(s) Director, Public Health Department  
Contact Info: Jennifer Bernstein, 681-4900  
Director of Environmental Health Services

And:

Department Scott D. McGolpin, 568-3010  
Director(s) Director, Public Works Department  
Contact Info: Mark A. Schleich, 882-3600  
Deputy Public Works Director

**SUBJECT:** County Service Area 12 (Mission Canyon Sewer District), Resolution Relative to Septic Management Administration Charges on the Tax Roll – First Supervisorial District

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:**

N/A

**Recommended Actions:**

That the Board of Supervisors:

Consider recommendations regarding County Service Area 12 (Mission Canyon Sewer District), resolution relative to Septic Management Administration Charges on the Tax Roll, First District, as follows:

- A. Receive report entitled *Mission Canyon Sewer District Septic Management Charges Fee Report for Fiscal Year 2010/11*;
- B. Approve Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines;
- C. Set a public hearing on the departmental agenda for June 1, 2010, in connection with the report entitled "*Mission Canyon Sewer District Septic Management Fixed Charges Fee Report*" filed

with the Clerk of the Board April 6, 2010, which proposes the septic system management charges, with no change proposed this year, for County Service Area 12; and

- D. Adopt, at the conclusion of the public hearing on June 1, 2010, the attached resolution establishing the septic system management charges for the County Service Area 12 (Mission Canyon Sewer District) and provide for collection on the Tax Rolls for Fiscal Year 2010/2011.

**Summary Text:**

The Public Health Department/Environmental Health Services manages septic tank system performance for inhabitants in Mission Canyon pursuant to County Code Section 22A. The attached resolution proposes no change to the existing rate of \$24 per year per septic system and further requests that the collection of the assessments be placed on the tax roll

**Background:**

Prior to 1984, wastewater disposal on developed parcels in the Mission Canyon area was handled entirely by on-site septic systems. However, due to development density, steep terrain, soil conditions and geology, septic system performance was poor in many cases. The Mission Canyon Sewer District (County Service Area 12) was formed to establish a sewer collection system for the lower areas of the canyon that were most affected by poorly performing septic systems. These parcels were connected to the public sewer system which flows to the city of Santa Barbara's El Estero wastewater treatment plant for treatment and disposal and are assessed a sewer service charge. The public sewer system is managed by the Public Works Department.

In addition to providing sewage collection, a separate function of CSA 12 was established to monitor remaining septic systems deemed functional but limited by the constraints listed above. A joint powers agreement with the city of Santa Barbara (JPA 12,554 dated October 2, 1984) addresses agency responsibilities including the receipt of septage from septic systems located in Mission Canyon. Parcels that remain on septic systems are assessed a septic maintenance charge for periodic inspections, monitoring, or other management functions. The septic maintenance functions are managed by the Public Health Department (Environmental Health Services). The septic system monitoring program was established when CSA 12 was created by Resolution No 84-72 on February 21, 1984 in order to track the performance of private wastewater disposal systems that did not hook up to the public sewer system, as addressed in Ordinance 3574 (Chapter 22A of the County Code) adopted by the Board on June 23, 1986.

Another requirement in formation of CSA 12 pursuant to County Code Section 22A-30 was that all existing development within the sewer service area was required to be connected to the sewer system by March 1, 1987. Failure to do so resulted in an annual penalty assessment of \$760 per parcel. This assessment affected four parcels. This charge for fiscal year 2010/2011 will be discontinued as the four parcels were connected utilizing these funds in fiscal year 2009/2010.

**Performance Measure:**

This service is mandated by Resolution 84-72 of the Board of Supervisors which established the septic tank maintenance area in Mission Canyon to provide improved septic system maintenance. Prior to 1999 this service consisted of a biennial survey by Environmental Health Services personnel to review operation of systems with homeowners and check for signs of surface failures. In 1999, the Board established the Voluntary Maintenance program in which qualified septic tank pumpers conduct an inspection of all tanks when they are pumped and provide a written report to the homeowner and

Environmental Health Services. Based on the success of this program in improving the operation of septic systems throughout the county, Environmental Health Services worked with the Mission Canyon Association to shift the focus of maintenance oversight in Mission Canyon from field surveys by county staff to a financial incentive for homeowners to provide routine maintenance of their systems. This revised approach to maintenance oversight provides a financial incentive to encourage regular pumping and inspection of septic tanks by licensed septic tank pumpers. Since July 2006 property owners in the septic tank maintenance area have been eligible for an \$85.00 “rebate” once every four years to partially offset the cost of pumping and inspection of their septic tanks. Additionally, by using private sector septic tank pumpers, there is no longer a need for county staff to coordinate with homeowners and conduct onsite surveys of private property.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:	\$ 5,688.00		\$ 5,688.00
Total	\$ 5,688.00	\$ -	\$ 5,688.00

These actions would not impact the General Fund. Adopting the attached resolution with the rate of \$24 per septic system is expected to generate approximately \$5,688 for 237 septic systems within the “septic maintenance area” is included in the FY 2010/2011 Requested Public Health Department Budget in the Environmental Health Services cost center. In FY 2009/2010, four parcels were connected to sewer that had been subject to penalty assessments for failure to connect in 1987. No other parcels are subject to the penalty assessment and therefore this assessment will be discontinued. The septic management fee has remained unchanged since 1984 and no change in the fee amount is proposed at this time. This action would not result in a need for additional facilities.

**Staffing Impacts:**

<b><u>Legal Positions:</u></b>	<b><u>FTEs:</u></b>
0	0

**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.”

Recommended publication dates are May 18 and May 25, 2010

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 June 1, 2010 at 9:00 a.m. or shortly thereafter, in the Board of Supervisors Hearing Room, on the Fourth Floor of the County Administration Building at 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) Septic Management Fixed Charges Fee Report 2010/2011. 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 and Santa Barbara office of the Public Health Department, Environmental Health Services, 225 Camino del Remedio, Santa Barbara, California. The proposed amount of each parcel can be obtained during business hours by a telephone call to the County Public Works Department, Resource Recovery & Waste Management Division, (805) 739-8750.

The public hearing to be held on June 1, 2010 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 6, 2010.

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., June 1, 2010. 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 6, 2010.

- C. Following Board approval Clerk of the Board to post the Notice of Exemption and forward a stamped copy to Resource Recovery and Waste Management, Attention Joddi Leipner.
- D. Direct the Clerk of the Board to forward certified minute order of the action and a signed and dated copy of the resolution to:
- PHD Contracts Unit, 300 N. San Antonio Road, Bldg. 8, Santa Barbara, Attn: Rose Davis
  - Public Works Department, Resource Recovery & Waste Management Division, 620 West Foster Road, Santa Maria, Attn: Martin Wilder

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- Public Works Department, Resource Recovery & Waste Management Division, Victoria Street, Attn: Mark Schleich

**Attachments:**

Resolution  
Notice of Exemption  
Fixed Charges Fee Report

**Authored by:**

Martin Wilder, Civil Engineer Manager, Public Works, x 8755

**cc:** Mark Paul, Deputy PW Deputy Director of Finance and Administration  
Mark Schleich, PW Deputy Director