

**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: 4/8/04
Department Name: Public Works
Department No.: 054
Agenda Date: 5/18/04
Placement: Administrative
Estimate Time: 6/1/2004 - 5 Minutes
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Phillip M. Demery, Director
Public Works Department

STAFF CONTACT: Mark A. Schleich, Deputy Director
Martin J. Wilder, Manager - x8750

SUBJECT: County Service Area 12 (Mission Canyon Sewer District), Resolution Relative to Sewer Connection Fees, Service Rates, and Administration 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 2004/2005*.
- B. Approve Public Works Department Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines. (Post).
- C. Set a public hearing for June 1, 2004, in connection with the report entitled "*Mission Canyon Sewer District Fixed Charges*" filed with the Clerk of the Board May 18, 2004, which proposes the service charges for County Service Area 12.
- D. Adopt at the conclusion of the public hearing on June 1, 2004, 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 2004/2005.

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) provides for wastewater collection in the Mission Canyon area of unincorporated Santa Barbara. The City of Santa Barbara, El Estero wastewater treatment plant provides wastewater treatment and disposal for CSA 12 rate payers. The county compensates the city for these services pursuant to Joint Powers Agreement No. 12,554 dated October 2, 1984. Sewer service charges are collected on the tax rolls to finance the city's costs as well as annual system maintenance, repairs, equipment depreciation and administration. This proposed action addresses the increases in city treatment and disposal costs only with no increases for the other functions mentioned above.

In addition, a minor assessment is collected by the Public Health Department to fund septic tank performance and maintenance tracking of district septic systems. The Public Health Department is not proposing any rate changes this year.

The City of Santa Barbara just completed 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 in fiscal year 2001/2002 and fiscal year 2002/2003 of 9.82% and 3.82% respectfully with no increase in fiscal year 2003/2004. The plan also calls for an additional 16% increase for fiscal year 2004/2005 with an annual rate adjustment of 4% thereafter.

Until fiscal year 2001/2002 sewer service rates were sufficient to accommodate expenditures. Last year CSA 12 generated \$217,788 in revenues for sewer services while city service charges totaled \$274,221. This reduced the CSA 12 fund balance by \$56,433, resulting in the current fund balance of \$487,846. Any further reduction to the fund balance may impede the districts ability to respond to emergencies. Therefore, staff recommends that the fund balance not be further reduced and that city of Santa Barbara rate increases (past and proposed) be passed onto the rate payers.

Current rates are \$276 annually per connection (\$23.00/month). In order to match city costs (including the 2004/2005 increase), rates need to be increased to \$404 annually per connection (\$33.67/month), an increase of \$128/year or \$10.36/month. Future adjustments for treatment and disposal services will be based on the action taken by the city in following their financial plan.

Sewer charges are generally billed 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 and 37 of the Ordinance also states "the Board of Supervisors shall cause to prepare a written report which shall contain a description of each parcel of real property in County Service Area 12 and the amount to be charged each parcel."

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 \$404.00 per single family dwelling connection will generate the amount of revenue required to match proposed city costs for fiscal year 2004/2005.

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 June 1, 2004, 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 2004/2005. 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, 123 East Anapamu Street, 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, Solid Waste and Utilities Division, (805) 739-8750.

The public hearing to be held on June 1, 2004 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 May 18, 2004.

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, 2004. The address of the Clerk of the Board is: 105 East Anapamu Street, Santa Barbara, California 93101. The objections or protests may also be filed at the hearing on June 1, 2004.

C. Direct the Clerk of the Board to forward a signed and dated copy of each resolution to Santa Barbara County, Department of Public Works, Solid Waste & Utilities Division, Attention Robyn Smith.

Concurrence:

Auditor-Controller
County Counsel

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 FOR)
ADMINISTRATION OF INDIVIDUAL PRIVATE)
WASTEWATER DISPOSAL SYSTEMS AND)
ACCEPTING A REPORT OF SERVICE CHARGES)
AND CONNECTION FEES PROPOSED FOR)
COLLECTION ON THE TAX ROLLS)

RESOLUTION NO. _____

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 inspection, monitoring and administering requirements for use of private wastewater disposal systems: and

WHEREAS, on May 18, 2004, 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 the 1st day of June 2004, 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 2004/2005 shall be FOUR HUNDRED FOUR (\$404.00) annually (\$33.67 per month) for each residential dwelling unit, and FOUR HUNDRED FOUR (\$404.00) annually (\$33.67 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 2004/2005 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 inspection, monitoring and administration of requirements for users of private wastewater disposal systems in County Service Area No. 12 for the 2004/2005 fiscal year shall be TWO DOLLARS (\$2.00) per month for each dwelling unit equivalent.
4. The charges for connection of a building sewer outside the public sewer service area for sewer in County Service Area No. 12 for the 2004/2005 fiscal year shall be ONE THOUSAND SIX HUNDRED FIFTY DOLLARS (\$1,650.00).

5. The charges for administration, review, investigation, notice and hearing regarding parcels for which owners have failed or refused to make connection in compliance with the rules, regulations and requirements applicable, shall be SEVEN HUNDRED SIXTY DOLLARS (\$760.00).

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this day of _____, 2004, 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 _____

To: Santa Barbara News Press – Sent via fax (805) 966-1421

Please publish the following public notification under Legal Notices on May 18, 2004 and May 25, 2004.

Please send bill to: County of Santa Barbara Public Works Department
Solid Waste & Utilities Division
Attn: Christy Angkahan
2400 Professional Parkway, Suite 150
Santa Maria, Ca. 93455

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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, 2004. The address of the Clerk of the Board is: 105 East Anapamu Street, Santa Barbara, California 93101. The objections or protests may also be filed at the hearing on August 20, 2002.

Sincerely,

Christy Angkahan
Departmental Assistant