



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 16, 2023
Placement: Set Hearing
Estimated Tme: 10 minutes on June 6,
2023 on the Dept
Agenda and June 27,
2023 on the Admin
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, (805) 568-3010
Director(s)
Contact Info: Walter Rubalcava, Deputy Director – Water Resources, (805) 568-3436

SUBJECT: Flood Control Benefit Assessment Program for Fiscal Year 2023-24, All
Supervisory Districts

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

Set a hearing for June 6, 2023 (ESTIMATED TIME: 10 MINUTES) on the departmental agenda to consider recommendations regarding the Flood Benefit Assessment Program for Fiscal Year 2023-24 as follows:

- a) Consider the introduction (first reading) of an Ordinance (Attachment A) amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services imposing a Flood Control Benefit Assessments for Fiscal Year 2023-24;
- b) Read the title of Ordinance and waive further reading;
- c) Receive and file a Report (Attachment B) regarding Flood Control Benefit Assessment for Fiscal Year 2023-24;
- d) Set a hearing for June 27, 2023 on the administrative agenda to consider the following recommendations:

- i. Make a determination upon each assessment described in the Report filed by the Board at the June 6, 2023 meeting and direct staff to record the Report;
- ii. Adopt the Resolution (Attachment C) confirming Flood Control Benefit Assessment for Fiscal Year 2023-24 and direct staff to record the Resolution;
- 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 2023-24 (ordinance introduced on June 6, 2023); 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 State CEQA Guidelines Section 15273(a)(1, 2, 3, and 4); and direct staff to file the attached Notice of Exemption (Attachment D) with the Clerk of the Board.

Summary Text:

This item is on the agenda in order to set 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 the second hearing for adoption of the ordinance and resolution confirming the Flood Control Assessment for FY 2023-24. It is proposed that the rates in each Flood Zone be increased by 3.65% for Fiscal Year 2023-24 (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, including the counties of Los Angeles, Long Beach, and Anaheim.

The 2023-24 Benefit Assessment Report describes the concept and mechanism of the Benefit Assessment Program and represents the continued need for financing flood control services. The report will be kept on file with the Clerk of the Board until the conclusion of the hearings.

Staff recommends adoption of this ordinance amendment and resolution 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 reduced the District's tax revenue by about 60%. 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 voted to approve 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 and programs were 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.

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:

Budgeted: Yes

Fiscal Analysis

Narrative:

Benefit Assessment rates will generate approximately \$3,892,300 collectively within the Flood Control District's ten flood zones for FY 2023-24 and this revenue was included in the budget.

Special Instructions:

After the May 16, 2023 Hearing direct the Clerk of the Board to:

1. Publish the Notice of Public Hearing (Attachment E) pursuant to Section 6066 of the Government Code (publish notice on May 23, 2023 and May 30, 2023) in the Santa Barbara Newspress and the Santa Maria Times.
2. Email a copy of the minute order and a signed copy of the Notice of Public Hearing to clopez@countyofsb.org.

After the June 27, 2023 Hearing direct the Clerk of the Board to:

1. File and post the Notice of Exemption (Attachment E).
2. Send a certified copy of the Resolution to the Property Tax Division of the Auditor-Controller's Office.
3. Send a copy of the adopted Ordinance to the Flood Control District and County Counsel.
4. Send an original of the Resolution to the Flood Control District office, Attn: Christina Lopez
5. 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.
6. Send a copy of the stamped NOE to the Flood Control District office, Attn: Christina Lopez.
7. Send a copy of the minute order of these actions to the Flood Control District office, Attn: Christina Lopez.

Attachments:

- | | |
|----------------|--|
| Attachment A - | Ordinance Amending Ordinance 3150 |
| Attachment B - | FY 23-24 Benefit Assessment Report |
| Attachment C- | Resolution Confirming Flood Control Benefit Assessment for FY 2023-24 (two originals) |
| Attachment D - | Notice of Exemption |
| Attachment E - | Notice of Public Hearing |
| Attachment F - | Ordinance Amending Ordinance 3150 (strikethrough version) |

Authored by:

Walter Rubalcava, Deputy Director – Water Resources, (805) 568-3436

**PROPOSED RATES FOR FISCAL YEAR 2023-2024
FLOOD ZONE BENEFIT ASSESSMENT RATES & MINIMUM PARCEL ASSESSMENT PER CATEGORY**

| | Group A | | Group B | | Group C | | Group D | | Group E | |
|------------------|------------|-----------------|------------|-----------------|--|-----------------|------------|-----------------|------------|-----------------|
| | FY 2023-24 | | FY 2023-24 | | FY 2023-24 | | FY 2023-24 | | FY 2023-24 | |
| | \$/Ac | Min \$ Assmt | \$/Ac | Min \$ Assmt | \$/Ac ¹ (over 0.3 Ac only) | Min \$ Assmt | \$/Ac | Min \$ Assmt | \$/Ac | Min \$ Assmt |
| Bradley #3 | 53.42 | 16.03 | 40.06 | 12.02 | 0.00 | 8.06 | 2.00 | 0.59 | 0.19 | 0.05 |
| Guadalupe #3 | 28.28 | 8.47 | 21.22 | 6.38 | 0.00 | 4.26 | 1.07 | 0.33 | 0.11 | 0.03 |
| Lompoc City #2 | 119.32 | 35.80 | 89.48 | 26.83 | 0.00 | 17.91 | 4.49 | 1.34 | 0.42 | 0.12 |
| Lompoc Valley #2 | 46.60 | 13.96 | 34.92 | 10.47 | 0.00 | 6.97 | 1.74 | 0.52 | 0.18 | 0.04 |
| Los Alamos #1 | 59.25 | 17.78 | 44.45 | 13.32 | 0.00 | 8.88 | 2.22 | 0.66 | 0.22 | 0.05 |
| Orcutt #3 | 35.51 | 10.66 | 26.63 | 8.00 | 0.00 | 5.34 | 1.33 | 0.40 | 0.14 | 0.04 |
| Santa Maria #3 | 113.60 | 34.09 | 85.21 | 25.63 | 0.00 | 17.03 | 4.27 | 1.29 | 0.40 | 0.12 |
| SMR Levee | 30.65 | 9.20 | 22.99 | 6.90 | 0.00 | 4.61 | 1.14 | 0.36 | 0.12 | 0.03 |
| SantaYnez #1 | 26.18 | 7.86 | 19.63 | 5.89 | 0.00 | 3.92 | 0.97 | 0.30 | 0.11 | 0.03 |
| South Coast #2 | 199.41 | 59.83 | 149.55 | 44.86 | 0.00 | 29.91 | 7.47 | 2.25 | 0.74 | 0.22 |

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".