

# 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:** 5/31/05  
**Department Name:** Public Works  
**Department No.:** 054  
**Agenda Date:** 7/12/05  
**Placement:** Administrative  
**Estimate Time:** 8/2/05 - 15 Minutes  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** Phillip M. Demery, Director  
Public Works Department  
Elliot Schulman, Director/Health Officer  
Public Health Department

**STAFF CONTACT:** Mark A. Schleich, Deputy Director Resource Recovery & Waste Management Div.  
Martin J. Wilder, Special Districts Manager  
Rick Merrifield, Director Environmental Health Services, x4900

**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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## Recommendation(s):

That the Board of Supervisors:

- A. Receive report entitled *Mission Canyon Sewer District Septic Management Charges Fee Report for Fiscal Year 2005/2006*.
- B. Approve Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines. (Post).
- C. Set a public hearing for August 2, 2005, in connection with the report entitled "*Mission Canyon Sewer District Septic Management Fixed Charges Fee Report*" filed with the Clerk of the Board July 12, 2005, which proposes the septic system management charges for County Service Area 12.
- D. Adopt at the conclusion of the public hearing on August 2, 2005, the attached resolution establishing the septic system management charges for County Service Area 12 (Mission Canyon Sewer District) and provide for collection on the Tax Rolls for Fiscal Year 2005/2006.

## 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:**

Prior to 1984, the 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. In addition to providing sewage collection, a separate function of the District 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 the District. Parcels served by the public sewer system are assessed sewer service charges while parcels with septic systems are assessed for periodic inspection and monitoring. The sewer collection functions are managed by the Public Works Department while 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.

This proposed action maintains the existing rate of \$24 per year per septic system and requests that the collection of the assessment be placed on the tax roll pursuant to Ordinance No. 3574. 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." The attached report lists the parcels being assessed the septic maintenance charge and the amount per parcel.

## **Mandates and Service Levels:**

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. Historically, this service has consisted of a biennial survey by Environmental Health Services personnel to review operation of systems with homeowners and check for signs of surface failures. This program has been successful in minimizing failures and improving homeowner knowledge of proper system operation.

In 1999, the Board established the Voluntary Maintenance program in which septic tank pumpers conduct an inspection of all tanks that 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, Environmental Health Services recently started working with the Mission Canyon Association to shift the focus of maintenance oversight in Mission Canyon from surveys by County staff to a financial incentive for homeowners to provide routine maintenance of their systems. This approach would encourage actual

pumping and inspection of septic tanks, using private sector septic tank pumpers. It would also reduce the need for county staff to coordinate with homeowners and conduct onsite surveys of private property.

**Fiscal and Facilities Impacts:**

This action would not impact the General Fund. The current rate of \$24 per septic system is expected to generate approximately \$6,096 for 254 septic systems. This fee has remained unchanged for a number of years. Environmental Health Services would continue to work with the Mission Canyon Association to divert the bulk of these funds back to homeowners by offering a financial incentive to have septic tanks pumped and inspected on a routine basis. No change in the fee amount is proposed at this time. This action would not result in a need for additional facilities.

**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 August 2, 2005 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 2005/2006. Copy of the said written report with the proposed amount set out therein can be seen during business hours at the Santa Maria Office of the Santa Barbara County Public Works Department, 2400 Professional Parkway, Suite 150, Santa Maria, California. The proposed amount of each parcel can be obtained during business hours by a telephone call to the County Public Works Department (805) 739-8750.

The public hearing to be held on August 2, 2005 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 July 12, 2005.

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., August 2, 2005. The address of the Clerk of the Board is: 105 East Anapamu Street, Santa Barbara, California 93101.

C. 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 North San Antonio Road, Bldg. 8, Santa Barbara, CA 93110, Attn: Margaret Granger
- Public Works Department, Attn: Martin Wilder

**Concurrence:**

Auditor-Controller  
County Counsel

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Public Health Department/Environmental Health Services Division  
(Lead Department/Division)

Based on a preliminary review of the project the following activity is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN(s) N/A Case No. N/A

LOCATION Mission Canyon Sanitation District

PROJECT TITLE Mission Canyon Septic Maintenance Rates for Fiscal Year 2005/2006

PROJECT DESCRIPTION The adoption of a resolution to set septic maintenance charges to be collected for Fiscal Year 2005/2006.

EXEMPT STATUS:(Check One)

Ministerial

Statutory

Categorical Exemption

Emergency Project (Sec. 15359)

No Possibility of Significant Effect [Sec. 15061 (b,3)].

Cite specific CEQA Guideline Section 15273

Reasons to support exemption findings (attach additional material, if necessary): CEQA does not apply to the modification of fees by public agencies which are for the purposes of maintaining service within existing service areas.

\_\_\_\_\_  
Department/Division Representative Date

NOTE: A copy must be posted at the Santa Barbara County Planning & Development Department at least 6 days prior to consideration of the activity by the decision-makers to comply with County CEQA guidelines and a copy must be filed with the County Clerk of the Board after project approval to begin a 35-day statute of limitations on legal challenges.

Distribution: Planning & Development Department

\_\_\_\_\_  
Date Filed with the County Clerk

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 THE ADMINISTRATION )  
OF INDIVIDUAL PRIVATE WASTEWATER DISPOSAL )  
SYSTEMS AND ACCEPTING A REPORT OF ) RESOLUTION NO. \_\_\_\_\_  
CHARGES PROPOSED FOR THE COLLECTION )  
ON THE TAX ROLLS )

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

WHEREAS, on July 12, 2005, 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 August 2, 2005 in the Board of 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 inspection, monitoring and administration of requirements for users of private wastewater disposal systems in County Service Area No. 12 for the 2005/2006 fiscal year shall be TWENTY FOUR DOLLARS (\$24.00) annually (\$2.00 per month) for each dwelling unit equivalent.

2. 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 \_\_\_\_\_, 2005, 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 \_\_\_\_\_