

**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:** 2/27/03  
**Department Name:** PW/Laguna Sanitation District  
**Department No.:** 054  
**Agenda Date:** 4/8/03  
**Placement:** Administrative  
**Estimate Time:** 5/13 - 30 min, 6/3, 5 min  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Directors  
Laguna County Sanitation District

**FROM:** Phillip M. Demery, Director  
Public Works

**STAFF CONTACT:** Mark A. Schelich, Deputy Director - ext 3605  
Martin J. Wilder, District Manager - ext 8755

**SUBJECT:** Laguna County Sanitation District Board Ordinance and Resolution Relative to Collection of Service Charges, Connection Fees and Trunk Line Fees on the Tax Rolls; Fourth and Fifth Supervisorial Districts

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**Recommendation(s):**

That the Board of Directors:

- A. Set a public hearing on the departmental agenda for May 13, 2003 to do the following:
  - 1. Introduce the first reading of an ordinance amending Ordinance No. 3130 which established service charges, connection fees and other rules and regulations for the Laguna County Sanitation District;
  - 2. Approve the Notice of Exemption pursuant to Section 15273 of the California Environmental Quality Act (CEQA) Guidelines;
  
- B. Set a public hearing on the departmental agenda for June 3, 2003 to adopt the following:
  - 1. The attached ordinance (second reading) entitled "An Ordinance Amending Ordinance No. 3130", which establishes service charges, connection fees and other rules and regulations for the Laguna County Sanitation District;
  - 2. A resolution relative to the collection of service charges and connection fees on the tax rolls.

**Alignment with Board Strategic Plan:**

The recommendation(s) are primarily aligned with Goal No. 1, "An Efficient Government Able to Respond Effectively to the Needs of the Community" and Goal No. 2, "A Safe and Healthy Community in Which to Live, Work, and Visit."

## **Executive Summary and Discussion:**

This action sets May 13, 2003 as the hearing to introduce the ordinance (first reading) entitled, “An Ordinance Amending Ordinance 3130, the Laguna County Sanitation District Service Charges, Connection Fees and other Rules and Regulations” and sets June 3, 2003 as the hearing for the second reading of the ordinance for its adoption.

The ordinance submitted to the Board for approval amends those portions of Ordinance No. 3130, which established fees, charged by the District, for providing public wastewater service as described in the following paragraphs.

### **Service Charge**

The Laguna County Sanitation District provides sewer service to customers in unincorporated areas of Santa Maria, the community of Orcutt and a small portion within the city of Santa Maria. The District’s ongoing operation and maintenance for collection, treatment and disposal services is funded by service charges. The service charges are collected on the tax rolls and are based on flow, biological loading and type of facility being served as described in Section 29-36 of the County Code. The types of facilities charged for service are single-family residences, multiple-family residences, schools, and commercial establishments. The user charge is distributed among all customers by facility type as required by the State Water Resources Control Board (SWRCB).

In fiscal year 2002/2003 all of the upgrades to the plant necessary to comply with Regional Water Quality Control Board (RWQCB) Order No. 01-042 to reduce total dissolved solids (TDS) levels in the effluent were completed. The newly commissioned Class IV Tertiary plant requires greater operation, maintenance and replacement (OM&R) effort than the previously classified as a Class III Biofiltration plant. These improvements require a substantial amount of electrical use compared with the old plant. The resulting increase in energy costs represent the proposed increase in the service charges and are based on the formulation used in the Parson’s & Associates rate study received by the Board in FY 2001/2002 and state requirements.

The changes are as follows:

Dwelling Type	FY 2001/02 Monthly Charge	FY 2002/03 Monthly Charge
Single Family Residence	\$20.07	\$22.15
Multiple Family/Condo/Mobile	\$18.08	\$19.95
Commercial	Based on facility type and flow	Based on facility type and flow
Schools per Staff/Student	\$0.92	\$1.18

In comparison, the only other Class IV Tertiary plant in the county has a monthly service charge of \$38.33 for single-family residences. The average service charge for a single-family residence by all wastewater treatment facilities in the county is \$23.66 per month while the median service charge is \$23.00 per month.

### **Connection Fee**

A connection charge or fee has been established by the District to provide a mechanism for new customers to pay a fair share of existing facilities as well as additional capacity improvements. The current connection fee is \$3,627 per equivalent residential unit (ERU). The proposed ordinance includes an annual escalation

factor based on the Construction Cost Index published by *Engineering News Record* on March 3, 2003, which was 1.9%. Therefore, the connection fee for fiscal year 2003/2004 will be \$3,696. In addition, the proposed ordinance will adjust the connection fee for multiple-family units to 90% of the single-family dwelling charge to properly reflect the difference in flow between the two types of residential units. The connection fees for fiscal year 2002/2003 will therefore be as follows:

Dwelling Type	Fiscal Year 2001/2002	Fiscal Year 2002/2003
Single Family Residence	\$3,627	\$3,696
Multiple Family/Condo/Mobile	\$3,264	\$3,326
Commercial	Based on facility type and size	Based on facility type and size

**Dutard-Solomon Trunk Line Fee**

The Dutard-Solomon Trunk Line was completed in March of 2002. It replaced the main lift station constructed in 1962, which was planned for removal in 1990. The trunk line is designed to convey existing and anticipated wastewater flows per development outlined in the Orcutt Community Plan. The proposed ordinance will increase the trunk line fee by the same construction cost index described above. The change is shown in the table below:

Dwelling Type	Fiscal Year 2001/2002	Fiscal Year 2002/2003
All Residential	\$571	\$582
Commercial	Based on facility type and size	Based on facility type and size

**Mandates and Service Levels:**

There is no change in programs or service level with this action for Fiscal Year 2003/2004. Service levels will increase with the completion of the treatment plant improvements.

**Fiscal and Facilities Impacts:**

The first amended ordinance will increase the service charge for a single-family residence from \$20.07 per month to \$22.15 per month and from \$18.08 to \$19.95 per month for multiple family units. Commercial rates will continue to be based on flow and biological loading per facility type and measured flow. The connection and trunk fees will increase based on the ENR Construction Cost Index of 1.9%.

**Special Instructions:**

A. Government Code § 6066 Publication:

Clerk of the Board to publish notice of the meeting and the hearing, as set forth below in item B, in the Santa Maria Times on April 22, 2003, and on May 13, 2003, as provided in Section 6066 of the Government Code. Section 6066 states that:

“Publication of notice pursuant 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, is 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 DIRECTORS OF THE LAGUNA COUNTY SANITATION DISTRICT  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA  
NOTICE OF FIRST PUBLIC MEETING AND PUBLIC HEARING

Notice is hereby given that public meetings will be held by the Board of Directors of the Laguna County Sanitation District, County of Santa Barbara, State of California, on May 13, 2003, at 9:00 a.m. or shortly thereafter, in the Board of Supervisors Hearing Room, 511 East Lakeside Parkway, Santa Maria, California, and on June 3, 2002, at 9:00 a.m. or shortly thereafter, in the Board of Supervisors Hearing Room, 105 East Anapamu Street, Santa Barbara, California, to take public testimony on the proposed service charges for Laguna County Sanitation District. Copy of the written report with the proposed amounts 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 public meeting to be held on May 13, 2003 is for the purpose of taking testimony on the proposed service charges for the Laguna County Sanitation District.

The public hearing to be held on June 3, 2003, is for the purpose of considering all objections or protests to the adoption of the proposed service charges and for the adoption of service charges as set forth or as modified by the Board of Directors at the June 3, 2003 public hearing.

Any objections or protests to the adoption of the proposed service charges or amendments to the County Code may be filed with the Clerk of the Board of Directors before the public hearing scheduled for 9:00 a.m., May 13, 2003. 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 3, 2002.

C. Clerk of the Board to forward a certified copy of the amended ordinance and the resolution to Santa Barbara County, Department of Public Works, Solid Waste & Utilities Division, attention Sheila Engellenner.

**Concurrence:**

Auditor-Controller  
County Counsel

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. 3130 ADOPTED NOVEMBER 19, 1979, WHICH ESTABLISHED SERVICE CHARGES, CONNECTION CHARGES, AND OTHER RULES AND REGULATIONS FOR THE LAGUNA COUNTY SANITATION DISTRICT AS AMENDED BY ORDINANCE NO. 4419 ADOPTED JUNE 4, 2002. THIS AMENDING ORDINANCE INCREASES THE MONTHLY SERVICE CHARGE FOR SINGLE FAMILY DWELLING AND DUPLEX DWELLING UNITS FROM \$20.07 TO \$22.15 AND THE MONTHLY SERVICE CHARGE FOR AN APARTMENT, CONDOMINIUM, OR MOBILE HOME FROM \$18.08 TO \$19.95. THIS AMENDING ORDINANCE INCREASES THE CONNECTION FEE FOR AN APARTMENT, CONDOMINIUM, TRAILER SPACE OR MOBILE HOME DWELLING UNIT FROM \$3,264 TO \$3,326 AND THE CONNECTION FEE FOR SINGLE FAMILY OR DUPLEX DWELLING UNIT FROM \$3,627 TO \$3,696. THIS AMENDING ORDINANCE INCREASES THE CONNECTION FEE FOR NON-RESIDENTIAL DEVELOPMENT BASED ON RESIDENTIAL UNIT EQUIVALENTS (RUE) FROM \$3,627 PER THOUSAND SQUARE FEET TO \$3,696 PER THOUSAND SQUARE FEET. THIS AMENDING ORDINANCE INCREASES THE DUTARD-SOLOMON TRUNK SEWER FEE FROM \$571 TO \$582 PER RUE.**

The Board of Directors of the Laguna County Sanitation District does ordain as follows:

Section 1. Section 1 of Article I of Ordinance No. 4142 as amended by Ordinance No. 4419, is amended to read as follows:

- c. The Dutard-Solomon Trunk Sewer Fee for residential dwelling units in such area is \$582 for each dwelling. The Dutard-Solomon Trunk Sewer Fee for commercial buildings, hotels, motels, schools, and institutions in such area is \$582 for each equivalent residential unit (RUE) for each commercial facility.

Section 2 of Article I of Ordinance No. 3130, as amended by Ordinance No. 4419, is amended to read as follows:

Section 2. The service charge for single family dwellings and duplexes is \$22.15 per calendar month for each dwelling unit.

Section 2. Section 3 of Article I of Ordinance No. 3130 as amended by Ordinance No. 4419, is amended to read as follows:

Section 3. The service charges for trailers, mobile homes, condominiums and apartment dwelling units is \$19.95 per calendar month for each trailer space, mobile home space, condominium, or apartment dwelling unit.

Section 3.

Section 4 of Article I of Ordinance No. 3130, as amended by Ordinance 4419, is amended to read as follows:

Section 4.

- a. The service charge for schools, public and private, is \$14.16 per person per year to be computed on the basis of a 10,272 total person count of students plus teaching, administrative and maintenance staff personnel.

- b. The service charge for all commercial customers discharging waste to the District's sewer system shall be dependent on biochemical oxygen demand and suspended solids based on facility type and flow volume. In order to recover the fixed cost of providing service, the minimum charge for commercial customers shall be equal to the minimum flat rate charge.

Section 4.

Section 2 of Article II of Ordinance No. 3130, as amended by Ordinance 4419, is amended to read as follows:

Section 2. The connection charge for each trailer space in a mobile home park or each mobile home dwelling unit, apartment dwelling unit, duplex dwelling or condominium dwelling unit is \$3,326.

Section 5.

Section 3 of Article II of Ordinance No. 3130, as amended by Ordinance No 4419, is amended to read as follows:

Section 3. The connection charge for residential dwelling is \$3,696 for each dwelling.

Section 6.

Section 4 of Article II of Ordinance No. 3130, as amended by Ordinance No. 4419, is amended to read as follows:

Section 4. The connection charge for commercial building, hotels, motels, schools, and institutions is \$3,696 per thousand square feet for each residential unit equivalent.

Section 7.

Section 2 of Article IV of Ordinance No. 3130 as amended by Ordinance No. 4419 is amended to read as follows:

Section 2. For the purpose of the collection of the service charges on the tax roll, the service charges specified in Article I hereof shall become operative and effective commencing July 1, 2003, for the Fiscal Year 2003/2004 and shall continue in effect and be operative for each fiscal year thereafter.

Section 7. The foregoing charges shall be in effect during the 2003/2004 budget year.

Section 8.

Except as herein amended, Ordinance No. 3130 as amended by Ordinance No. 4419, shall remain in full force and effect.

Section 9.

This Ordinance shall take effect and be in force THIRTY (30) days from the date of its passage; and before the expiration of FIFTEEN (15) days after its passage, it or a summary of it, shall be published once, with the names of the members of the Board of Directors voting for and against the same, in the Santa Maria Times, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Laguna County Sanitation District, County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_ 2003, by the following vote:

- AYES
- NOES:
- ABSTAIN:
- ABSENT:

\_\_\_\_\_  
Chair, Board of Directors,  
Laguna County Sanitation District

ATTEST:  
MICHAEL BROWN  
CLERK OF THE BOARD

By \_\_\_\_\_

APPROVED AS TO FORM:  
STEPHEN S. STARK  
County Counsel

APPROVED AS TO ACCOUNTING FORM:  
ROBERT W. GEIS, CPA  
Auditor-Controller

By \_\_\_\_\_  
Deputy Counsel

By \_\_\_\_\_  
Deputy

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF SANTA BARBARA,  
STATE OF CALIFORNIA  
EX-OFFICIO BOARD OF DIRECTORS OF  
LAGUNA COUNTY SANITATION DISTRICT

IN THE MATTER OF ADOPTING A REPORT )  
LISTING SERVICE AND CONNECTION )  
CHARGES IN LAGUNA COUNTY )  
SANITATION DISTRICT AND PROVIDING )  
FOR COLLECTION ON THE TAX ROLLS )

RESOLUTION NO. \_\_\_\_\_

WHEREAS, on May 13, 2003, a report under Health and Safety Code Section 5473 was filed with the Clerk of the Board; and

WHEREAS, notice of said hearing has been published pursuant to Government Code Section 6066; and

WHEREAS, it appears to be in the best interest of the public and to the inhabitants of said District that the charges for connections and service within said District be collected on the County Tax Roll; and

WHEREAS, the charges for such connections and service appear to be reasonable and proper.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED as follows:

1. That the foregoing recitations are true and correct.
2. That the connection and service charges fixed by Ordinance No. \_\_\_\_\_ and set out in said report, and each of them, be collected at the same time and in the same manner and by the same persons as, together with and not separate from the general taxes, for the Laguna County Sanitation District.
3. That the Clerk be and is hereby authorized and directed to file a copy of said report with the County Auditor-Controller on or before August 29, 2003 with a statement endorsed thereon over his signature that it had been finally adopted by the Board of Directors in accordance with Health and Safety Code Section 5473.4
4. That the Tax Collector be and is hereby authorized and directed to include the amount of said charges on bills for taxes levied against the respective lots and parcels of land in Laguna County Sanitation District.



PASSED AND ADOPTED by the Board of Directors of the Laguna County Sanitation District, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2003 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Chair, Board of Directors  
Laguna County Sanitation District

ATTEST:  
MICHAEL BROWN  
CLERK OF THE BOARD

BY \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
STEPHEN S. STARK  
County Counsel

APPROVED AS TO ACCOUNTING FORM:  
ROBERT W. GEIS, CPA  
Auditor-Controller

BY \_\_\_\_\_

BY \_\_\_\_\_