

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: 3/3/06
Department Name: Public Works
Department No.: 054
Agenda Date: 4/4/06
Placement: Administrative
Estimate Time: 4/18/06 - 15 Minutes
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Phillip M. Demery, Director x3010
Public Works Department

Elliot Schulman, Director/Health Officer x5105
Public Health Department

STAFF CONTACT: Mark A. Schleich, Deputy Director x3605
Resource Recovery & Waste Management Division

Rick Merrifield, Director x4900
Environmental Health Services

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

Recommendation(s):

That the Board of Supervisors:

- A. Receive report entitled *Mission Canyon Sewer District Septic Management Charges Fee Report for Fiscal Year 2006/2007*.
- B. Approve Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines. (Post).
- C. Set a public hearing for April 18, 2006, in connection with the report entitled "*Mission Canyon Sewer District Septic Management Fixed Charges Fee Report*" filed with the Clerk of the Board April 4, 2006, which proposes the septic system management charges, with no change proposed this year, for County Service Area 12.

- D. Adopt at the conclusion of the public hearing on April 18, 2006, 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 2006/2007.

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:

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.

Background:

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.

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 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 began working 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 updated approach to maintenance oversight is now under development and is expected to improve septic system performance by encouraging regular pumping and inspection of septic tanks. Additionally, by using private sector septic tank pumpers, there will no longer be a 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 \$5,784 for 241 septic systems within the district. This 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.

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 April 18, 2006 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 2006/2007. 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 April 18, 2006 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 4, 2006.

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., April 18, 2006. 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 4, 2006.

- 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, Attn: Margaret Granger
 - Public Works Department, Resource Recovery & Waste Management Division, 620 West Foster Road, Santa Maria, Attn: Martin Wilder

Concurrence:

Auditor-Controller
County Counsel

Board letter authored by: Rick Merrifield, Director x4900
Environmental Health Services

Martin Wilder, Civil Engineer Manager x8755
Public Works Department
Resource Recovery & Waste Management Division

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 April 4, 2006, 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 April 18, 2006, 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 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 _____, 2006, 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 _____