

# 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:** 5/4/02  
**Department Name:** Fire  
**Department No.:** 031  
**Agenda Date:** 6/4/02  
**Placement:** Departmental  
**Estimate Time:** 45 Minutes  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** John M. Scherrei  
Fire Chief

**STAFF CONTACT:** Andy Rosenberger  
x5554

**SUBJECT:** Adjust Fees for Hazardous Materials Business Plans, Hazardous Waste Control, and Underground Storage Programs

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## **Recommendation(s):**

That the Board of Supervisors:

1. Approve the attached Fee Resolution for the Hazardous Materials Business Plan Program
2. Approve the attached Fee Resolution for the Hazardous Waste Control Program
3. Approve the attached Fee Resolution for the Underground Storage of Hazardous Substances Program
4. Approve attached Fee Schedules, effective as of July 1, 2002, which increases fees by 4% due to the increased cost of living.
5. Adopt the attached Notice of Exemption under the California Environmental Quality Act

## **Alignment with Board Strategic Plan:**

*{Double-click here}* The recommendation(s) are primarily aligned with Goal No. 2. Ensure the Public Health and Safety and Provide Essential Infrastructure.

## **Executive Summary and Discussion:**

At your Board's May 14, 2002 meeting you approved the Fire department's request to hold a public hearing to consider fee adjustments to the present fee schedules which support, in part, the regulation of the storage and use of hazardous materials in Santa Barbara County. The required public noticing procedures and posting has been performed. The Santa Barbara County Fire Department implements state mandated hazardous materials control laws throughout Santa Barbara County under the auspices of the Unified Program administered by California Environmental Protection Agency (Cal/EPA). Under the Unified Program each county must have an agency certified by Cal/EPA to implement the hazardous materials

control laws contained in the Health and Safety Code. In Santa Barbara County the Fire Department is the Certified Unified Program Agency (CUPA). The purpose of the Unified Program is to reduce fragmentation and duplication in the business inspection process, as well as, implement the single-fee system required by the State under the Unified Program.

At your Board's hearing of June 5, 2001, you approved a 4% fee adjustment to cover salary increases which occurred during Fiscal Year 00/01.

During the current Fiscal Year 01/02, the Office of the Auditor-Controller and the Fire Department are conducting a full fee study with respect to the hazardous materials fees. The results of that study and additional Board requested information will be presented this fall. In the interim, the Fire Department is proposing a 4% fee increase effective July 1, 2002, which reflects the cost of living adjustment (COLA) increases that have occurred in Fiscal Year 01/02. The actual COLAs during FY 01/02 were 4.9%. However, due to efficiencies which have resulted in a reduction in overhead costs, and an increased collection rate, the Fire Department recommends adoption of a 4% fee increase as reflected in the associated resolutions. We intend to bring the full fee study results and a recommendation for fee changes to your Board once budget hearings are completed.

The attached Expenditure and Revenue History shows that the proportionate share of fee revenues from businesses and the General Fund's proportionate share for the Unified Program have remained roughly the same from Fiscal Year 96/97 (the fiscal year the Fire Department was designated as the CUPA) to the 02/03 Fiscal Year. From FY 96/97 to FY 02/03, revenues from businesses are projected to increase a total of \$258,000, or 37%, while the General Fund contribution for the Hazardous Materials programs is projected to increase by \$56,000, or 16%. If General Fund support for the Unified Program implementation were completely eliminated, fees would need to be raised 80% (\$406,294) to support those activities covered in the proposed budget.

Analysis of workload and fees indicates that approximately 1.5 FTEs are expended in emergency response and complaint investigation, which is generally not offset by fees or revenues. In addition, a number of regulated businesses are assessed no fees due to the fact that they operate with such a small amount of hazardous materials so as to be considered an "exempt" business. Additionally, actual costs are not always collected through enforcement action settlement agreements. All three of these issues may affect the amount of general fund support needed by the department and the Board should be aware of these issues when considering fees to be assessed businesses as well as the general fund support for these programs. A full discussion of these items will occur when the results of the fee study is presented to the Board this fall.

The Fire Department has discussed this fee increase with the Fire Department's citizen advisory group known as the Community Toxics Awareness Committee (CTAC). CTAC is comprised of representatives of a variety of community organizations including: Santa Barbara Industrial Association (SBIA), League of Women Voters, Coalition of Labor Agriculture and Business (COLAB), Community Environmental Council, Community Awareness and Emergency Response (CAER), the Santa Barbara Flower and Nursery Grower's Association, the Automotive Services Council (ASC) and the Service Station Dealers of Southern California.

The fees are given statutory CEQA exemption under the Public Resource Code, section 21080, subd. (b)(8)(1) & (2) and Title 14 (California Code of Regulations), section 15273.

#### **Mandates and Service Levels:**

All programs are operating at State specified service levels.

**Fiscal and Facilities Impacts:**

The proposed fee increases have been incorporated in the Fire Department's FY 02/03 proposed budget for the Hazardous Materials Programs. If this 4% increase is not adopted, the General Fund contribution would increase by approximately \$30,000 or 7.4%.

**Special Instructions:**

Transmit the Notice(s) of Public Hearing – Proof of Publication to the Fire Department and County Counsel.  
Transmit the adopted resolutions and attached fee schedules to the Fire Department and County Counsel.

**Attachments:**

- Expenditure and Revenue History
- Summary Fee Schedule
- Hazardous Waste Generator Fee Resolution and Schedule
- Underground Storage Tank Fee Resolution and Schedule
- Business Plan and Cal/ARP Fee Resolution and Schedule
- California Environmental Quality Act Notice of Exemption

**Concurrence:**

County Administrator, County Counsel, Auditor-Controller