



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: Public Health
Department No.: 041
For Agenda Of: 07/05/11
Placement: Set Hearing
Estimated Tme: 10 minutes on July 12
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Takashi Wada, MD, MPH, Director and Health Officer
Director(s) Public Health Department
Contact Info: Jennifer Bernstein, Director
Environmental Health Services, 681-4934

SUBJECT: Environmental Health Services Fee Adjustment – Solid Waste Local Enforcement Agency Program

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

Consider the recommendations pertaining to an Ordinance revising Environmental Health Services' Solid waste program fees:

- a) Set a public hearing on July 12, 2011 for the first reading of an ordinance to revise Environmental Health Services' fee schedule for the Solid Waste Local Enforcement Agency program with an effective date of October 1, 2011.
- b) Set a public hearing on August 9, 2011 (second hearing) to consider the adoption of the ordinance revising the Environmental Health Services Solid Waste Local Enforcement Agency program fee schedule.
- c) Approve the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines.

Summary Text:

The Public Health Department's (PHD) Environmental Health Services is requesting two hearings to consider the adoption of an ordinance revising the fee schedule for its Solid Waste Local Enforcement Agency program. These fees were last updated on December 14, 2004. The recommended actions would bring the fees in line with the actual costs of providing the specified services.

Background: PHD's Environmental Health Services (EHS) is the designated Local Enforcement Agency (LEA) for solid waste issues in Santa Barbara County by the California Department of Resource Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board. As such, EHS is required to provide the regulatory oversight activities specified in Sections 43200 – 43222 and 44000.5 – 44106 in the Public Resources Code.

Environmental Health Services' LEA activities are funded by fees assessed on the owners of the various solid waste facilities operating throughout the county. The current fee structure consists of a tonnage or tipping fee assessed to the operators of disposal sites (landfills), annual permit fees for operators of non-disposal sites such as composting operations and solid waste transfer stations and an hourly service charge for various permit, surveillance and enforcement activities.

The fee revisions recommended at this time would adjust the tonnage and annual permit fees to allow for full cost recovery and would establish an hourly rate consistent with that charged by other EHS programs.

Current Request

The ordinance (previously a resolution) before your Board represents a Cost of Living Adjustment to the existing fee schedule. The ordinance has four main fee components: tonnage fee; annual fees; application fees; and hourly rate. Overall, the recommendation increases the solid waste LEA program's annual revenue by an estimated \$55,000.

- **Tonnage Fees:**

The recommendation continues the cents-per-ton methodology for the four landfills in Santa Barbara County. Staff met with all landfill operators and reached a consensus to continue with cents-per-ton. The ordinance sets the fee at .94 cents-per-ton, for an estimated annual revenue increase of \$50,000.

- **Annual Fees:**

The recommendation increases the existing permit fees by a 10% COLA. The sixteen non-disposal sites such as transfer stations and composting facilities that are affected by this change were notified in November 2010. The annual revenue increase is estimated at \$1,000.

- **Application Fees:**

This fee was first introduced in the current approved fee resolution. Since its inception in December 2004, no requests for applications have been received. The department would like to continue to include these application permit fee categories. There is no estimated revenue increase at this time.

- **Hourly Rate:**

The hourly rate recommendation is \$136. Approximately 3% of the solid waste LEA program's cost is recovered through the hourly rate. The annual revenue increase is estimated at \$4,000.

Fiscal and Facilities Impacts:

Budgeted: Yes, in part

Fiscal Analysis:

Narrative:

Setting the hearing has no fiscal or facilities impact.

Adopting the Environmental Health Services Solid Waste fee ordinance will revise the fees to more accurately reflect the cost of providing services. The annual revenue increase is estimated at \$55,000; however, the ordinance, if adopted, establishes fees to be effective October 1, 2011. The estimated revenue increase for nine months is \$41,500 of which \$28,200 was included in the FY 2011-2012 Recommended Operating Plan for Environmental Health Services.

The Environmental Health Services Local Enforcement Agency is currently staffed by two (2) full-time Senior Environmental Health Specialists. The approval of this recommendation will neither increase nor decrease current staff levels.

Special Instructions:

- A. Request that the Clerk of the Board publish notice of this hearing, per the attached Public Notice, in a newspaper of general circulation in Santa Barbara County 10 days prior to the hearing and again 5 days prior to the hearing.
- B Clerk of the Board shall please post the Notice of Exemption and forward one (1) stamped copy to Environmental. Health Services, attn: David Brummond.
- C. Please return one fully executed copy of the Ordinance and one Minute Order to the Public Health Department, Contracts Unit at 300 N. San Antonio Road, Santa Barbara, CA 93110

Attachments:

CEQA NOTICE OF EXEMPTION

Notice of Public Hearing

Ordinance amending fees for the Environmental Health Services Solid Waste Program

Authored by:

David Brummond, Supervising Environmental Health Specialist

Stacy Covarrubias, PHD Cost Analyst