



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 Works  
Department No.: 054  
For Agenda Of: 4/28/09  
Placement: Administrative  
Estimated Tme: 5/19/09 15 minutes  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors

**FROM:** Public Works Scott D. McGolpin 568-3010  
Department Director, Public Works Department  
Contact Info: Mark A. Schleich 882-3600  
Public Works Deputy Director

Public Health Elliot Schulman, MD, MPH, Director and Health Officer  
Department Public Health Department  
Contact Info: Rick Merrifield 681-4900  
Public Health Department / Director, Environmental Health

**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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**County Counsel Concurrence**

As to form: Yes  
Other Concurrence: N/A

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

Consider recommendations regarding County Service Area 12 (Mission Canyon Sewer District), resolution relative to Septic Management Administration Charges on the Tax Roll, First District, as follows:

- A. Receive report entitled *Mission Canyon Sewer District Septic Management Charges Fee Report for Fiscal Year 2009/2010*;
- B. Approve Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines;
- C. Set a public hearing on the departmental agenda for May 19, 2009, to consider the recommendations regarding a report entitled "*Mission Canyon Sewer District Septic Management Fixed Charges Fee Report*" filed with the Clerk of the Board April 28, 2009,

which proposes the septic system management charges, with no change proposed this year, for County Service Area 12; and

- D. Adopt the attached resolution establishing the septic system management charges for the County Service Area 12 (Mission Canyon Sewer District) and provide for collection on the Tax Rolls for Fiscal Year 2009/2010.

**Summary Text:**

The attached resolution proposes no change to the existing rate of \$24 per year per septic system and the existing penalty of \$760 per year for non-exempted properties that have failed or refused to make the required connection to the public sewer. This action requests that the collection of the assessments be placed on the tax roll pursuant to Ordinance No. 3574. Article IV, Section 22A-35 of the Santa Barbara County Code states "...all charges for annual costs of providing public sewer service and septic tank maintenance, not recovered through connection charges set out in article III of this chapter, 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, as provided in this chapter..." Section 22-A36 of the County Code states "...the Board of Supervisors shall cause to prepare a written report which shall...show the outstanding charges for each parcel in the Septic Tank Maintenance Area incurred by such parcel." The attached report lists the parcels being assessed the septic maintenance charge or a penalty and the amount per parcel.

**Background:**

Prior to 1984, 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.

**Performance Measure:**

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. Prior to 1999 this service consisted of a biennial survey by Environmental Health Services personnel to review operation of systems with homeowners and check for signs of surface failures. 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 worked 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 revised approach to maintenance oversight provides a financial incentive to encourage regular pumping and inspection of septic tanks by licensed septic tank pumpers. Since July 2006 property owners in the septic tank maintenance area have been eligible for an \$85.00 “rebate” once every four years to partially offset the cost of pumping and inspection of their septic tanks. Additionally, by using private sector septic tank pumpers, there is no longer a need for county staff to coordinate with homeowners and conduct onsite surveys of private property.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:	\$ 5,808.00		\$ 5,808.00
Total	\$ 5,808.00	\$ -	\$ 5,808.00

**Narrative:**

These actions would not impact the General Fund. Adopting the attached resolution with the rate of \$24 per septic system is expected to generate approximately \$5,808 for 242 septic systems within the district and is included in the FY 2009/2010 Requested Public Health Department Budget in the Environmental Health Services cost center. The resolution also allows for a \$760 non-compliance penalty which has not been included in the budget. These fees have 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.

**Staffing Impacts:**

<b><u>Legal Positions:</u></b>	<b><u>FTEs:</u></b>
0	0

**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.”

Recommended publication dates are May 5 and May 12.

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 May 19, 2009 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 2009/2010. 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 May 19, 2009 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 28, 2009.

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., May 6, 2008. 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 28, 2009.

- C. Following Board approval Clerk of the Board to post the Notice of Exemption and forward a stamped copy to Resource Recovery and Waste Management, Attention Joddi Leipner.
- D. Direct the Clerk of the Board to forward copies of the minute order and copies of the signed and dated resolution to:
- PHD Contracts Unit, 300 N. San Antonio Road, Bldg. 8, Santa Barbara, Attn: Rose Davis
  - Public Works Department, Resource Recovery & Waste Management Division, 620 West Foster Road, Santa Maria, Attn: Martin Wilder
  - Public Works Department, Resource Recovery & Waste Management Division, 130 Victoria Street, Attn: Mark Schleich

County Service Area 12  
Septic Management Charges  
Agenda Date: April 28, 2009  
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**Attachments:**

Resolution

Notice of Exemption

Mission Canyon Sewer District Septic Management Charges Fee Report for FY 2009/2010

**Authored by:**

Rick Merrifield, Environmental Health Director, x4934

Martin Wilder, Civil Engineer Manager, Public Works, x8755

**cc:** Rochelle Camozzi, Public Works Chief Financial Officer  
Mark Paul, Auditor-Controller's Office