

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Santa Barbara, CA 93101
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Agenda Number:
Prepared on: 5/21/01
Department Name: Fire
Department No.: 031
Agenda Date: 6/5/01
Placement: Departmental
Estimate Time: 10 Minutes
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: John M. Scherrei
Fire Chief

STAFF CONTACT: Andy Rosenberger
x5554

SUBJECT: Fee Resolutions for Hazardous Materials Business Plans/Waste
Generator/Underground Storage Programs

Recommendation(s):

That the Board of Supervisors:

1. Approve the attached Fee Resolutions and Fee Schedules
2. Adopt the attached Notice of Exemption under the California Environmental Quality Act

Alignment with Board Strategic Plan:

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 15, 2001 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 6, 2000, you approved a 4% fee adjustment to cover salary increases which occurred during Fiscal Year 99/00.

During the current Fiscal Year 00/01, the County Administrator's Office, the Office of the Auditor-Controller and the Fire Department have been conducting a full fee study with respect to the hazardous materials fees. Due to the complexity of this issue, we do not anticipate the completion of the fee study until after adoption of the FY 01/02 budget. As such, the Fire Department is proposing a 4% fee increase at this time, which reflects the cost of living adjustment (COLA) increases that have occurred in Fiscal Year 00/01. The actual COLAs during FY 00/01 were 4.7%. However, due to efficiencies which have resulted in a reduction in overhead costs, the Fire Department recommends adoption of a 4% fee increase as reflected in the associated resolutions.

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 01/02 Fiscal Year. Fee revenues from businesses reflect a 1.3% proportionate share increase with a corresponding decrease of 1.3% for the General Fund share. From FY 96/97 to FY 01/02, revenues from businesses are projected to increase a total of \$122,000, or 17.4%, while the General Fund contribution for the Hazardous Materials programs is projected to increase by \$38,000, or 10.8%. If General Fund support for the Unified Program implementation were completely eliminated, fees would need to be raised 65% to support those activities covered in the proposed budget.

Analysis of workload and fees indicates that approximately 1.0 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 fee study is concluded and presented to the Board in the 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, 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 01/02 proposed budget for the Hazardous Materials Programs. If this 4% increase is not adopted, the General Fund contribution would increase by approximately \$28,000 or 7.2%.

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