

**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: 05/02/01
Public Works
Department:
Budget Unit: 054
Agenda Date: 06/5/01
Placement: Administrative
Estimate Time: 7/10 45 minutes - 8/14 10minutes
Continued Item: NO
If Yes, date from:

TO: Board of Directors Laguna County Sanitation District

FROM: Phillip M. Demery, Director
Public Works Department

STAFF CONTACT: Mark A. Schleich, Deputy Director
Solid Waste and Utilities Division
Martin J. Wilder, Utilities Manager - ext 8755

SUBJECT: Laguna County Sanitation District, Board Ordinance and Resolution Relative to Collection of Service Charges, Connection Fees and Trunk Line Fees on the Tax Roll; 4th and 5th Supervisorial Districts

Recommendation(s):

That the Board of Directors:

- A. Receive Report regarding Laguna County Sanitation District Service Charges and Connection Fees for Fiscal Year 2001/2002;
- B. Approve Project and Public Works' Notice of Exemption pursuant to County's California Environmental Quality Act (CEQA) Guidelines;
- C. Set public hearing on July 10th, 2001 to introduce the first reading of "An Ordinance Amending Ordinance No. 3130", which established service charges, connection fees and other rules and regulations;
- D. Set public hearing on August 14th, 2001 to adopt the following:
 - 1. The attached ordinance (second reading) entitled, "An Ordinance Amending Ordinance 3130", which establishes service charges, connection fees and other rules and regulations for the Laguna County Sanitation District;

2. A Resolution “In The Matter of Setting Public Hearing on July 10th, 2001 to Report in Proposed Service Charges and Connection Fees”;
3. A Report on Proposed Service Charges and Connection Fees.
4. A resolution relative to collection of Service Charges and Connection Fees on the tax rolls.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 1. Re-analyze, Reform and Respond to the Changing Nature of County Resources and Responsibilities and Goal No. 2. Ensure the Public Health and Safety and Provide Essential Infrastructure.

Executive Summary and Discussion:

This action sets July 10th, 2001, as the hearing to introduce an ordinance (first reading) entitled, “An Ordinance Amending Ordinance 3130, the Laguna County Sanitation District Service Charges, Connection Fees and other Rules and Regulations”.

The hearing on July 10th, 2001 sets August 14th, 2001, as a public hearing to consider the recommendation listed in D above.

The Ordinance submitted to the Board for approval is amending those portions of Ordinance 3130, which established fees, charged by the District, for providing public wastewater service.

Service Charge

The Laguna County Sanitation District provides sewer service to customers in unincorporated areas of Santa Maria, the community of Orcutt and a small portion within the city of Santa Maria. The District’s ongoing operation and maintenance for collection, treatment and disposal services is funded by service or user charges. The user charges are collected on the tax rolls and are based on flow, loading and type of facility being served as described in Section 29-36 of the County Code. The types of facilities charged for service are single family residences, multiple family residences, schools and commercial establishments. The proposed user charge for fiscal year 2001/2002 reflects a 4% increase based on a report prepared by an independent consultant (Joy Parson’s and Associates). This increase is similar to the construction cost index of 3.9% and is due primarily to the increase in electricity costs. The rate changes are as follows:

Dwelling Type	Fiscal Year 2000/01 Monthly Charge	Fiscal Year 2001/2002 Monthly Charge
Single Family Residence	\$16.17	\$16.82
Multiple Family/Condo/Mobile	\$14.67	\$15.26
Commercial	Based on facility type and flow	Based on facility type and flow
School Staff and Students	\$7.89	\$8.53

Connection Fee

A connection charge or fee has been established by the District to provide a mechanism for new customers to pay a fair share of existing facilities as well as additional capacity improvements. The

current connection fee is \$1,153.00 and reflects to improvements constructed with the 1987 expansion. Pursuant to Regional Water Quality Control Board order No. 87-43 the District is currently undergoing a planned \$11 million dollar upgrade to remove salts and improve treatment levels from secondary to tertiary treatment in order to produce water for higher irrigation uses. In addition, further upgrades are necessary to accommodate development in the Orcutt Community Plan. For this reason, the District retained CH2MHill to prepare a Master Plan to address plant improvements required to assess facility needs. These three components (existing, currently proposed and future) were then used by an independent consultant (Joy Parson's and Associates) to derive an applicable connection fee. This analysis resulted in a new connection fee of \$3,504.00 per single family residence or residential unit equivalent (RUE) and will have applicable factors for multiple residential units and commercial facilities and will include an annual construction cost index adjustment. As a point of reference, the existing fee was half the state average and third lowest in the County. The new fee is about 1.5 times the state average but still lower than two others in the County.

Dwelling Type	Fiscal Year 2000/01	Fiscal Year 2001/02
Single Family Residence	\$1,153.00	\$3,504.00
Multiple Family/Condo/Mobile	\$982.00	\$2,674.00
Commercial	Based on facility type and size	Based on facility type and size

Dutard-Solomon Trunk Line Fee

A trunk line fee for the Dutard-Solomon Trunk Line was originally derived in 1993 to provide a mechanism to generate revenue for its construction. The trunk line was included in the 1959 Master Plan and was scheduled for 1990 when it was anticipated that the existing lift station and pressure line would be at capacity. The existing lift station and pressure system is at capacity and frequently in need of repair as it has met its useful life. Because the cost estimates from which the trunk fee was determined are now dated, this fee was in need of revision. Based on new cost information, this trunk fee will increase from \$382.00 to \$552.00 and will include an annual construction cost index adjustment.

Dwelling Type	Fiscal Year 2000/01	Fiscal Year 2001/02
All Residential	\$382.00	\$552.00
Commercial	Based on facility type and size	Based on facility type and size

Mandates and Service Levels:

There is no change in programs or service level with this action for Fiscal Year 2001-02.

Fiscal and Facilities Impacts:

The amended ordinance will increase the service charge for a single-family residence from \$16.17 per month to \$16.82 per month and from \$14.67 to \$15.26 per month for multiple family units. Commercial rates will continue to be based on flow and loading per facility type and measured flow. The connection and trunk fees will increase to an amount necessary to provide for the required infrastructure improvements.

Special Instructions:

A. Government Code § 6066 Publication:

Direct the Clerk of the Board to publish notice of the meeting and the hearing, as set forth below in item B, in the Santa Maria Times on June 28, 2001, and on July 28, 2001, as provided in Section 6066 of the Government Code. Section 6066 states that:

“Publication of notice pursuant 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, is 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 DIRECTORS OF THE LAGUNA COUNTY SANITATION DISTRICT
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA
NOTICE OF FIRST PUBLIC MEETING AND PUBLIC HEARING

Notice is hereby given that 1) a public meeting will be held by the Board of Directors of the Laguna County Sanitation District, County of Santa Barbara, State of California, on July 10, 2001, at 9:00 a.m. or shortly thereafter, in the Board of Supervisors Hearing Room, 511 East Lakeside Parkway, Santa Maria, California, to take public testimony on the written report for proposed service charges for Laguna County Sanitation District, entitled *Laguna County Sanitation District Fixed Charges Fee Report 2001/2002*. Copy of the said written report with the proposed amount set out therein can be seen during business hours at the Santa Maria Office of the Santa Barbara County Public Works Department, 2400 Professional Parkway, Suite 150, Santa Maria, California. The proposed amount for each parcel can be obtained during business hours by a telephone call to the County of Public Works, Solid Waste and Utilities Division, (805) 739-8750.

The public meeting to be held on July 10, 2001 is for the purpose of taking testimony on the proposed service charges for Laguna County Sanitation District.

The public hearing to be held on August 14, 2001, is for the purpose of considering all objections or protests to the adoption of the proposed service charges and for the adoption of service charges as set forth in said report or as modified by the Board of Directors at the August 14, 2001 public hearing.

Any objections or protests to the adoption of the proposed service charges may be filed with the Clerk of the Board of Directors before the public hearing scheduled for 9:00 a.m., July 10, 2001. The address of the Clerk of the Board is: 105 East Anapamu Street, Santa Barbara, California 93101. The objections or protests may also be filed at the hearing on August 14, 2001.

C. Direct the Clerk of the Board to forward a signed and dated copy of each resolution to Santa Barbara County, Department of Public Works, Solid Waste & Utilities Division, attention Sheila Engellenner.

Concurrence:
Auditor-Controller
County Counsel

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3130 ADOPTED NOVEMBER 19, 1979, WHICH ESTABLISHED SERVICE CHARGES, CONNECTION CHARGES, AND OTHER RULES AND REGULATIONS FOR THE LAGUNA COUNTY SANITATION DISTRICT AS AMENDED BY ORDINANCE NO. 4404 ADOPTED AUGUST 8, 2000. THIS AMENDING ORDINANCE INCREASES THE MONTHLY SERVICE CHARGE FOR SINGLE FAMILY DWELLING AND DUPLEX DWELLING UNITS FROM \$16.17 TO \$16.82 AND THE MONTHLY SERVICE CHARGE FOR AN APARTMENT, CONDOMINIUM, OR MOBILE HOME FROM \$14.67 TO \$15.26. THIS AMENDING ORDINANCE INCREASES THE CONNECTION CHARGE FOR AN APARTMENT, CONDOMINIUM, TRAILER SPACE OR MOBILE HOME DWELLING UNIT FROM \$982.00 TO \$2,674 AND THE CONNECTION CHARGE FOR SINGLE FAMILY OR DUPLEX DWELLING UNIT FROM \$1,153 TO \$3,504. THIS AMENDING ORDINANCE INCREASES THE CONNECTION CHARGE BASED ON BUILDING COST OR VOLUME OF WASTEWATER FROM \$1,153 TO \$3,504. THIS AMENDING ORDINANCE INCREASES THE DUTARD-SOLOMON TRUNK SEWER FEE FROM \$382 TO \$552.

The Board of Directors of the Laguna County Sanitation District does ordain as follows:

Section 1. Section 1 of Article I of Ordinance No. 4142 as amended by Ordinance No. 4404, is amended to read as follows:

- c. The Dutard-Solomon Trunk Sewer Fee for residential dwelling units in such area is \$552 for each dwelling. The Dutard-Solomon Trunk Sewer Fee for commercial buildings, hotels, motels, schools, and institutions in such area is \$552 for each equivalent residential unit (ERU) for each commercial facility.

Section 2 of Article I of Ordinance No. 3130, as amended by Ordinance No. 4404, is amended to read as follows:

Section 2. The service charge for single family dwellings and duplexes is \$16.82 per calendar month for each dwelling unit.

Section 2. Section 3 of Article I of Ordinance No. 3130 as amended by Ordinance No. 4404, is amended to read as follows:

Section 3. The service charges for trailers, mobile homes, condominiums and apartment dwelling units is \$15.26 per calendar month for each trailer space, mobile home space, condominium, or apartment dwelling unit.

Section 3.

Section 4 of Article I of Ordinance No. 3130, as amended by Ordinance 4404, is amended to read as follows:

Section 4.

- a. The service charge for schools, public and private, is \$8.53 per person per year to be computed on the basis of a 8,168 total person count of students plus teaching, administrative and maintenance staff personnel.
- b. The service charge for all customers discharging waste to the District's sewer system which does not have levels of biochemical oxygen demand, chemical oxygen demand, suspended solids or other constituents comparable to domestic waste shall pay a service charge based on a summation of the following unit rates:

- 1) Volume at \$1,367.17 per million gallons.
- 2) Biochemical oxygen demand at \$0.2924 per pound.
- 3) Suspended solids at \$0.2974 per pound.
- 4) Administrative charges of \$167.04 each customer per year.

Section 4.

Section 2 of Article II of Ordinance No. 3130, as amended by Ordinance 4404, is amended to read as follows:

Section 2. The connection charge for each trailer space in a mobile home park or each mobile home dwelling unit, apartment dwelling unit, duplex dwelling or condominium dwelling unit is \$2,674.

Section 5.

Section 3 of Article II of Ordinance No. 3130, as amended by Ordinance No 4404, is amended to read as follows:

Section 3. The connection charge for residential dwelling is \$3,504 for each dwelling.

Section 6.

Section 4 of Article II of Ordinance No. 3130, as amended by Ordinance No. 4404, is amended to read as follows:

Section 4. The connection charge for commercial building, hotels, motels, schools, and institutions is \$3,504 for each equivalent residential unit

Section 7.

Section 2 of Article IV of Ordinance No. 3130 as amended by Ordinance No. 4404 is amended to read as follows:

Section 2. For the purpose of the collection of the service charges on the tax roll, the service charges specified in Article I hereof shall become operative and effective commencing July 1, 2001, for the Fiscal Year 2001/2002 and shall continue in effect and be operative for each fiscal year thereafter.

Section 7. The foregoing charges shall be in effect during the 2001/2002 budget year.

Section 8.

Except as herein amended, Ordinance No. 3130 as amended by Ordinance No. 4404, shall remain in full force and effect.

Section 9.

This Ordinance shall take effect and be in force THIRTY (30) days from the date of its passage; and before the expiration of FIFTEEN (15) days after its passage, it or a summary of it, shall be published once, with the names of the members of the Board of Directors voting for and against the same, in the Santa Maria Times, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Laguna County Sanitation District, County of Santa Barbara, State of California, this _____ day of _____ 2001, by the following vote:

AYES

NOES:

ABSTAIN:

ABSENT:

Chair, Board of Directors,
Laguna County Sanitation District

ATTEST:
MICHAEL BROWN
CLERK OF THE BOARD

By _____

APPROVED AS TO FORM:
STEPHEN S. STARK

APPROVED AS TO ACCOUNTING FORM:
ROBERT W. GEIS, CPA

County Counsel

Auditor-Controller

By _____
Deputy Counsel

By _____
Deputy

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA,
STATE OF CALIFORNIA
EX-OFFICIO BOARD OF DIRECTORS OF
LAGUNA COUNTY SANITATION DISTRICT

IN THE MATTER OF ADOPTING A REPORT)
LISTING SERVICE AND CONNECTION)
CHARGES IN LAGUNA COUNTY)
SANITATION DISTRICT AND PROVIDING)
FOR COLLECTION ON THE TAX ROLLS)

RESOLUTION NO. _____

WHEREAS, on June 5, 2001, a report under Health and Safety Code Section 5473 was filed with the Clerk of the Board;
and

WHEREAS, notice of said hearing has been published pursuant to Government Code Section 6066; and

WHEREAS, it appears to be in the best interest of the public and to the inhabitants of said District that the charges for connections and service within said District be collected on the County Tax Roll; and

WHEREAS, the charges for such connections and service appear to be reasonable and proper.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED as follows:

1. That the foregoing recitations are true and correct.

2. That the connection and service charges fixed by Ordinance No. _____ and set out in said report, and each of them, be collected at the same time and in the same manner and by the same persons as, together with and not separate from the general taxes, for the Laguna County Sanitation District.

3. That the Clerk be and is hereby authorized and directed to file a copy of said report with the County Auditor-Controller on or before August 30, 2001 with a statement endorsed thereon over his signature that it had been finally adopted by the Board of Directors in accordance with Health and Safety Code Section 5473.4

4. That the Tax Collector be and is hereby authorized and directed to include the amount of said charges on bills for taxes levied against the respective lots and parcels of land in Laguna County Sanitation District.

PASSED AND ADOPTED by the Board of Directors of the Laguna County Sanitation District, State of California, this day of _____, 2001 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chair, Board of Directors
Laguna County Sanitation District

ATTEST:
MICHAEL BROWN
CLERK OF THE BOARD

BY _____
Deputy

APPROVED AS TO FORM:
STEPHEN S. STARK
County Counsel

APPROVED AS TO ACCOUNTING FORM:
ROBERT W. GEIS, CPA
Auditor-Controller

BY _____ BY _____

NOTICE OF
COLLECTION ON THE TAX ROLLS
OF
PROPOSED LAGUNA COUNTY SANITATION DISTRICT
SERVICE AND CONNECTION CHARGES

NOTICE IS HEREBY GIVEN that the Board of Directors proposes to collect the sewer service charges and certain connection charges for the LAGUNA COUNTY SANITATION DISTRICT on the County tax roll together with County taxes, and that a report titled "Laguna County Sanitation District Revenue Program for Fiscal Year 2001/2002" required under Health and Safety Code Section 5473 has been filed with the County Clerk of the Board.

NOTICE IS FURTHER GIVEN that a public hearing before the Board of Directors of the Laguna County Sanitation District on the said proposal and report has been set for the July 10, 2001, at the hour of 9:00 a.m., or shortly thereafter, in the Hearing Room of the Board of Supervisors, 511 East Lakeside Parkway, Santa Maria, California, and that any interested person may appear and be heard and the Board will hear and consider at said hearing objections or protest to said report.

NOTICE IS FURTHER GIVEN that said report contains a description of the parcels of real property within the Laguna County Sanitation District which receive sewer service from said District, together with the proposed amounts of the charges for the Fiscal Year 2001/2002 for sewer services and, where applicable, connection charges for each such parcel. The current service charge for each such parcel is \$201.84 per year per single family residence and as specified in the Laguna County Sanitation District's fee and Service Charge Ordinance for other structures.

RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA EX-OFFICIO
BOARD OF DIRECTORS LAGUNA COUNTY
SANITATION DISTRICT

IN THE MATTER OF SETTING PUBLIC HEARING)
RELATIVE TO REPORT ON PROPOSED SERVICE) RESOLUTION NO. _____
CHARGES AND CONNECTION FEES WITHIN)
THE LAGUNA COUNTY SANITATION DISTRICT)

WHEREAS, on June 5, 2001, a report titled “Laguna County Sanitation District Revenue Program for Fiscal Year 2001/2002 required under Health and Safety Code Section 5473 was filed with the Clerk of this Board; and

WHEREAS, Health and Safety Code Section 5473.1 provides that the Clerk shall cause notice of the filing of said report and of a time and place of hearing thereon to be published.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED as follows:

1. That a public hearing on the said report relating to proposed assessments within the Laguna County Sanitation District be, and it is hereby, set for the 10th day of July, 2001, at the hour of 9:00 a.m., or as soon thereafter as the order of business will permit, in the Hearing Room of the Board of Supervisors, 511 East Lakeside parkway, Santa Maria, California.
2. That the Clerk be and is hereby authorized and directed to publish notice of the filing of said report and of said hearing in the Santa Maria Times, or other newspaper of general circulation, circulated within the territory of the said District. Such notice shall be published at least twice with an interval of five (5) days between the first and last publication, not counting the publication dates, pursuant to Government Code Section 6066.

PASSED AND ADOPTED by the Board of Directors of the Laguna County Sanitation District, State of California, this day of _____, 2001 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

 Chair, Board of Directors
 Laguna County Sanitation District

ATTEST:
 MICHAEL BROWN
 CLERK OF THE BOARD

BY _____
 Deputy

APPROVED AS TO FORM:
 STEPHEN S. STARK
 County Counsel

APPROVED AS TO ACCOUNTING FORM:
 ROBERT W. GEIS, CPA
 Auditor-Controller

BY _____

BY _____