



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: Flood Control  
Department No.: 054  
For Agenda Of: 05/19/09  
Placement: Set Hearing  
Estimated Tme: 10 minutes on 6/16/09  
and 5minues on 7/07/09  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Directors, Flood Control and Water Conservation District

**FROM:** Department Scott McGolpin, Public Works Director, 568-3010  
Director(s)  
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436

**SUBJECT:** **Flood Control Benefit Assessment Program for Fiscal Year 2009-10, All Supervisorial Districts**

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** N/A

As to form: No

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

- A. Set the first hearing to (FOR JUNE 16, 2009 ESTIMATED TIME: 10 MINUTES);
- 1) Introduce an ordinance entitled, "An Ordinance Amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services" " imposing Flood Control Benefit Assessments for Fiscal Year 2009-10; and
  - 2) Receive a Report regarding Flood Control Benefit Assessment for Fiscal Year 2009-10 and direct recordation.
- B. Set the second hearing to: (FOR JULY 7, 2009 ESTIMATED TIME: 5 MINUTES)
- 1) Make a determination upon each assessment described in the report ordered filed by the Board at the June 16, 2009 meeting;
  - 2) Adopt the Resolution confirming Flood Control Benefit Assessment for Fiscal Year 2009-10 and authorize the Clerk of the Board to record a certified copy;

- 3) Adopt the ordinance entitled, "An Ordinance Amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services" imposing Flood Control Benefit Assessments for Fiscal Year 2009-10 (ordinance introduced on June 16, 2009); and
- 4) File the attached CEQA Notice of Exemption for the Flood Control Benefit Assessment Program for FY 2009-10 (POST);

**Summary Text:**

The Board has set June 16, 2009 as the date for the first hearing to introduce an ordinance entitled, "An Ordinance Amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services"; and has set July 7, 2009 as the date of the second hearing. It is proposed that the rates in each zone not be increased for Fiscal Year 2009-10 (table shown below). The Flood Control Benefit Assessments as approved by the voters provides for the assessments to increase by an amount no more than the Consumer Price Index (CPI) as determined by the State Department of Finance. The CPI used is the all urban consumers for Los Angeles, San Francisco, and San Diego areas.

For the preceding year, the CPI did not increase, in fact, a slight decrease of the index occurred. As such there will be no change in the assessments for 2009-2010, and any increase for fiscal year 2010-2011, or future years will reflect and include the current reduction in the CPI.

A copy of the report will be kept on file with the Clerk of the Board until the conclusion of the hearings.

CEQA does not apply to the increase of rates by the CPI pursuant to Title 14, California Administrative Code Section 15273 (a)(1)(2)(3)(4).

Adoption of this Board of Directors Ordinance is recommended to continue the current level of Flood Control services.

**Background:**

Santa Barbara County residents approved, by vote, the levying of benefit assessments to help pay the cost of providing flood control services. The ordinance that established the assessment program allows for annual increases in assessment rates up to the increase in the CPI for the preceding twelve months, as approved by the voters.

The CPI increases are intended to equalize service levels year-to-year by stabilizing buying power. The new benefit assessment rates prevent the devaluation of District revenues from inflation. Over the years, there have been significant increases to the cost of fuel, construction materials, and equipment. The CPI increase approved by the voters preserves the ability to deliver services to the public.

**Fiscal and Facilities Impacts:**

The revenue generated from the Benefit Assessment Program was included in the proposed 2009-10 budget in each of the ten flood zones.

Budgeted: Yes

Narrative:

Benefit Assessment rates will generate approximately \$2,894,255 collectively within the ten flood zones for FY 2009-10.

**Staffing Impacts:**

**Legal Positions:**

**FTEs:**

**Special Instructions:**

After the May 19, 2009 Hearing direct the Clerk of the Board to:

1. Publish the attached Notice of Public Hearing pursuant to Section 6066 of the Government Code (publish notice on May 26 and June 2, 2009) in the Santa Barbara Daily Sound and the Santa Maria Times; and
2. Send a copy of the minute order and a signed copy of the Notice of Public Hearing to the Flood Control District office, attn: Christina Lopez.

After the June 16, 2009 Hearing direct the Clerk of the Board to:

Send the 2009-10 Benefit Assessment Report to the County Clerk-Recorders office to be recorded.

After the July 7, 2009 Hearing direct the Clerk of the Board to:

1. Send a certified copy of the attached resolution to the County Clerk- Recorder office to be recorded.
2. File a certified copy of the attached resolution with the County Auditor-Controller.
3. Submit a copy of recorded Resolution to the Flood Control District and County Counsel.
4. Submit a copy of adopted Ordinance to the Flood Control District and County Counsel.
5. Submit a copy of the recorded 2009-10 Benefit Assessment Report to the Flood control District.
6. Send a copy of the minute order of these actions to the Flood Control District office, Attn: Christina Lopez.
7. Publish a copy of the amended ordinance or summary of with names of the members of the Board of Directors voting for or against the amendment in the Santa Barbara News Press within 15 days of adoption of the ordinance.
8. Post the attached CEQA Notice of Exemption (NOE).

**Attachments:**

1. CEQA Notice of Exemption (NOE)
2. Notice of Public Hearing
3. 2009-10 Benefit Assessment Report
4. Resolution
5. Ordinance

**Authored by:** Thomas D. Fayram, Deputy Public Works Director, 568-3436

**PROPOSED RATES FOR FISCAL YEAR 2009-2010  
FLOOD ZONE BENEFIT ASSESSMENT RATES & MINIMUM PARCEL ASSESSMENT PER CATEGORY**

	Group A		Group B		Group C		Group D		Group E	
	FY 2009-2010		FY 2009-2010		FY 2009-2010		FY 2009-2010		FY 2009-2010	
	\$/Ac	Min \$ Assmt	\$/Ac	Min \$ Assmt	\$/Ac <sup>1</sup> (over 0.3 Ac only)	Min \$ Assmt	\$/Ac	Min \$ Assmt	\$/Ac	Min \$ Assmt
Bradley #3	37.57	11.27	28.17	8.45		5.67	1.40	0.42	0.13	0.04
Guadalupe #3	19.89	5.96	14.93	4.48		2.99	0.75	0.23	0.08	0.02
Lompoc City #2	83.92	25.18	62.93	18.88		12.59	3.15	0.94	0.30	0.09
Lompoc Valley #2	32.77	9.82	24.56	7.37		4.90	1.22	0.36	0.12	0.03
Los Alamos #1	41.67	12.50	31.26	9.37		6.25	1.56	0.46	0.15	0.04
Orcutt #3	24.97	7.50	18.73	5.62		3.75	0.93	0.28	0.10	0.03
Santa Maria #3	79.89	23.97	59.93	18.02		11.98	3.00	0.90	0.28	0.09
SMR Levee	21.56	6.47	16.16	4.85		3.24	0.80	0.25	0.09	0.02
SantaYnez #1	18.40	5.52	13.80	4.14		2.76	0.69	0.20	0.08	0.02
South Coast #2	140.25	42.07	105.18	31.55		21.03	5.26	1.58	0.51	0.15

GROUP A - Commercial Industrial.

GROUP B - Institutions and Apartments.

GROUP C - Single-family residential and small multiple (2 to 4 units), cemeteries.

GROUP D - Irrigated agriculture, golf courses.

GROUP E - Dry farmed agricultural, vacant ground.

Note: A \$1.00 per parcel assessment is added per Resolution No. 82-209 pursuant to Government Code Sections 29304 and 51800.

<sup>1</sup>Minimum assessment included up to 0.3-acre lot. Any single family "Group C" LOT AREA over 0.3 acres will be additionally charged in accordance with the schedule for "Group D".