



**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:** 4/3/07  
**Placement:** Administrative  
**Estimated Tme:** 5/1/07-15 Minutes  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

**TO:** Board of Supervisors

**FROM:** Public Works Department  
Phillip M. Demery, x 3010  
Director, Public Works Department

Contact Info: Mark Schleich, x 3600  
Public Works Deputy Director

Public Health Department  
Elliot Schulman, MD, MPH, x 5105  
Public Health Department Director and Health Officer

Contact Info: Rick Merrifield x 4900  
Public Health Department/ Environmental Health Director

**SUBJECT: County Service Area 12 (Mission Canyon Sewer District, Resolution Relative to Septic Management Administration Charges on the Tax Roll – First Supervisorial District)**

**County Counsel Concurrence**

As to form:  Yes  No  N/A

**Auditor-Controller Concurrence**

As to form:  Yes  No  N/A

**Other Concurrence:**

As to form:  Yes  No  N/A

**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 Fixed Charges Fee Report for Fiscal Year 2007/2008*;
- b) Approve Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines;

- c) Set a public hearing for May 1, 2007, in connection with the report entitled “*Mission Canyon Sewer District Septic Management Fixed Charges Fee Report for Fiscal Year 2007/2008*” filed with the Clerk of the Board April 3, 2007, which proposes the septic system management charges, with no change proposed this year, for County Service Area 12; and
- d) Adopt at the conclusion of the public hearing on May 1, 2007, 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 2007/2008.

**Summary Text:**

The attached resolution maintains 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 assessment 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 the annual costs of providing public sewer service and septic tank maintenance, not recovered through the 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 22A-36 of the County Code states “...the Board of Supervisors shall cause to be prepared 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, the 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 No. 3574 (Chapter 22A of the County Code) adopted by the Board on June 23, 1986.

**Performance Measure:**

This service is mandated by Resolution No. 84-72 of the Board of Supervisors which established the septic tank maintenance area in Mission Canyon to provide improved septic system maintenance. Historically, this service has consisted of a biennial survey by Environmental Health Services personnel

to review operation of systems with homeowners and check for signs of surface failures. This program has been successful in minimizing failures and improving homeowner knowledge of proper system operation.

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 began working 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 and inspection of their systems. This revised approach to maintenance oversight has now been implemented and is expected to further improve septic system performance by encouraging regular pumping and inspection of septic tanks by licensed septic tank pumpers. Property owners in the septic tank maintenance area are now 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 will no longer be 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>Total One-Time Project Cost</u>
General Fund		
State		
Federal		
Fees		
Other:	\$ 5,760.00	\$ 5,760.00
Total	\$ 5,760.00	\$ 5,760.00

**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 \$5,760 for 240 septic systems within the district and is included in the FY 2007-2008 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:**

**Legal Positions:**  
0

**FTEs:**  
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.”

- B. Notice to be published (recommended posting dates: April 17, 2007 and April 24, 2007):

**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 1, 2007 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 for 2007/2008. 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 1, 2007 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 3, 2007.

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 1, 2007. 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 3, 2007.

- 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 certified minute order of the action and a signed and dated copy of the resolution to:
- PHD Contracts Unit, 300 North San Antonio Road, Bldg. 8, Santa Barbara, Attn: Margaret Granger
  - Public Works Department, Resource Recovery & Waste Management Division, 620 West Foster Road, Santa Maria, Attn: Martin Wilder

Mission Canyon Sewer District, First Supervisorial District

Agenda Date: April 3, 2007

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**Attachments:**

Resolution

Notice of Exemption

Fixed Charges Fee Report

**Authored by:**

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**cc:** Rochelle Camozzi