



Legislation Text

File #: 13-1285, **Version:** 3

Community Development Agency, Administration and Finance Division, recommending the Board adopt and authorize the Chair to sign Resolution **090-2015** amending Resolution 173-2013 authorizing disbursement of County Service Area No. 10 Solid Waste Management City of South Lake Tahoe AB 939 fees to the City of South Lake Tahoe and make a finding that a public benefit is derived from disbursement of the City AB 939 fees to the City of South Lake Tahoe annually.

FUNDING: County Service Area No. 10 Solid Waste Management direct charges. (No Federal Funds)

DEPARTMENT RECOMMENDATION

Community Development Agency, Administration and Finance Division recommending the Board adopt a Resolution amending Resolution 173-2013 authorizing disbursement of County Service Area No. 10 (CSA 10) Solid Waste Management City of South Lake Tahoe AB 939 fees to the City of South Lake Tahoe (City).

Historically, the County distributed City AB 939 revenue upon receipt of a written request from the City. On November 12, 2013, the Board provided authority for this transfer of funds when it adopted Resolution 173-2013 (Item No. 9). The proposed amendment establishes a finding that the City services funded by the AB 939 fees provide a public benefit.

DISCUSSION / BACKGROUND

CSA 10 was officially organized through Resolution 249-88 on July 26, 1988 to provide for solid waste, liquid waste, and household hazardous waste management. The City Council of the City of South Lake Tahoe consented to be included in CSA 10, with the condition that a separate zone of benefit be established apart from the remainder of the County, with boundaries coterminous with those of the City.

Fees were first established for the City at \$3.00 per equivalent dwelling baseline unit (EDU) to be used for the purposes of complying with provisions of the California Public Resources Code, known as the California Integrated Waste Management Plan of 1989, or AB 939. The amounts per EDU in the City have remained unchanged since fiscal year 1990-1991; the AB 939 fees for the City and all of CSA 10 are confirmed annually at public hearings of the City Council and the Board of Supervisors. The fees are collected as direct charges to the property tax bills of each subject parcel or business interest, and are collected in the same manner as the County's ad valorem property taxes. The City AB 939 fees, as confirmed in each annual resolution, are pass-through revenues collected by the County on behalf of the City, and may be used only for the purposes they are collected.

The AB 939 fees are revenue for the City, dedicated to cover the cost of planning and implementing waste reduction and recycling programs to reduce the amount of solid waste going to landfills as required under AB 939. In order for the County to transfer public funds to the City, the Board must find that these services provide a public benefit.

ALTERNATIVES

The Board may determine not to approve the Resolution amending Resolution 173-2013 to include the finding of a public benefit derived through the City's Integrated Waste Management Plan. Disapproval of the Resolution would result in the County's inability to disburse the City AB 939 funds, which would leave the City without funding to implement its Integrated Waste Management Plan as required under AB 939.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

City of South Lake Tahoe

CAO RECOMMENDATION

CAO recommending the Board adopt the resolution amending Resolution 173-2013 authorizing disbursement of County Service Area No. 10 Solid Waste Management City of South Lake Tahoe AB 939 fees to the City of South Lake Tahoe, and make a finding that a public benefit is derived from disbursement of the AB 939 fees to the City of South Lake Tahoe annually.

FINANCIAL IMPACT

The funds collected through the direct charges to the tax roll are approximately \$66,000 annually and are a direct pass through to the City of South Lake Tahoe. There is no Net County cost.

CLERK OF THE BOARD FOLLOW UP ACTIONS

The Clerk of the Board will

1. Have the Chair execute Resolution amending Resolution 173-2013;
2. Provide a copy of the fully executed Resolution to the Agency.

STRATEGIC PLAN COMPONENT

Effective Services, Public Safety

CONTACT

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