



Legislation Details (With Text)

File #: 16-0410 **Version:** 1

Type: Agenda Item **Status:** Approved

File created: 4/11/2016 **In control:** Board of Supervisors

On agenda: 6/14/2016 **Final action:** 6/14/2016

Title: HEARING - Community Development Agency, Administration and Finance Division, recommending the Board:

- 1) Conduct a public hearing to consider public comment on the annual written report of Waste Management fees for County Service Area No. 10; and
- 2) Adopt and authorize the Chair to sign Resolution 097-2016 confirming the annual written report and authorizing the Waste Management fees to be collected in the same manner as the County's ad valorem real property taxes for the 2016/17 fiscal year, noting that the pre-existing fees have been in place and collected since prior to the effective date of Proposition 218, with no increases in the amounts and no change in the methodology for calculating the amounts. A public hearing to consider adoption of the resolution confirming the waste management fees has been scheduled for June 14, 2016 at 11:00 am, and noticed as required by County ordinance and former Government Code Section 25210.77a. Notice is scheduled for publication in the Georgetown Gazette on June 2, 2016 and June 9, 2016, in the Tahoe Tribune on June 1, 2016 and June 8, 2016, and the Mountain Democrat on May 30, 2016 and June 10, 2016. (Est. Time: 5 Min.)

FUNDING: County Service Area No. 10 Waste Management Fees.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Contract Routing Sheet 6-14-16, 2. B - Resolution 6-14-16, 3. C - CSA 10 FY 1617 Annual Report -Direct Charge Proof 6-14-16, 4. D - CSA 10 Boundary Map 6-14-16, 5. E - CSA 10 Public Notice 6-14-16, 6. Executed Resolution 097-2016 (6-14-16)

Date	Ver.	Action By	Action	Result
6/14/2016	1	Board of Supervisors	Approved	Pass

HEARING - Community Development Agency, Administration and Finance Division, recommending the Board:

- 1) Conduct a public hearing to consider public comment on the annual written report of Waste Management fees for County Service Area No. 10; and
- 2) Adopt and authorize the Chair to sign Resolution **097-2016** confirming the annual written report and authorizing the Waste Management fees to be collected in the same manner as the County's ad valorem real property taxes for the 2016/17 fiscal year, noting that the pre-existing fees have been in place and collected since prior to the effective date of Proposition 218, with no increases in the amounts and no change in the methodology for calculating the amounts. A public hearing to consider adoption of the resolution confirming the waste management fees has been scheduled for June 14, 2016 at 11:00 am, and noticed as required by County ordinance and former Government Code Section 25210.77a. Notice is scheduled for publication in the Georgetown Gazette on June 2, 2016 and June 9, 2016, in the Tahoe Tribune on June 1, 2016 and June 8, 2016, and the Mountain Democrat on May 30, 2016 and June 10, 2016. (Est. Time: 5 Min.)

FUNDING: County Service Area No. 10 Waste Management Fees.

DEPARTMENT RECOMMENDATION

Community Development Agency, Administration and Finance Division, recommending the Board:

- 1) Conduct a public hearing to consider public comment on the annual written report of Waste Management Fees for County Service Area No. 10.
- 2) Adopt Resolution **097-2016** confirming the annual written report and authorizing the Waste Management fees to be collected in the same manner as the County's ad valorem real property taxes for the 2016/2017 fiscal year, noting that the pre-existing fees have been in place and collected since prior to the effective date of Proposition 218, with no increases in the amounts and no change in the methodology for calculating the amounts.

DISCUSSION / BACKGROUND

County Service Area No. 10

County Service Area No. 10 was formed in 1988 to provide certain services within the incorporated and unincorporated areas of the County, including household hazardous waste management, solid waste management and liquid waste management. The city councils of the City of Placerville and City of South Lake Tahoe each consented, by resolution, to being included in the County Service Area.

The lands included in County Service Area No. 10 are subject to fees assigned for specific waste management services. The fees are assigned to improved parcels of land with assessed value of \$10,000 or greater, and are based on the use of the land and volume of waste occurring from the use, described as an equivalent dwelling unit (EDU). A detailed description of the property uses and EDUs used to calculate the fees is included as Exhibit A of the attached Resolution.

A list of each zone funded through the waste management fees is included within Exhibit B of the attached Resolution. The summary includes the direct charge code assigned to each fee amount, a description of the geographic area subject to the fee, the types of services provided and a summary description of how revenues generated by the fees are expended. The CSA 10 FY 16-17 Annual Report - Direct Charge Proof included herein and on file with the Clerk of the Board, details the Waste Management fees for each parcel of real property subject to the fees and the amounts charged to each parcel.

The fees are a continuation of existing fees that have been in place since the late 1980's and early 1990's and represent no increase over current levels.

Establishment of Fees

Chapter 2.5 of the California Government Code, also known as "County Service Area Law" contains the regulations for establishing and governing county service areas. This chapter replaced Chapter 2.2, formerly used for the same purpose, through the adoption of Senate Bill 1458, effective January 1, 2009.

Revised County Service Area Law omits Section 25210.77a, which authorized the Board of Supervisors to fix and collect benefit assessments to fund services within a County Service Area. Such assessments remain valid, however, as provided for in Section 25210.3(d) of the new chapter.

Additionally, former Government Code Section 25210.77a and County Ordinance Code Chapter 3.30 include a requirement that, once each year, the Board of Supervisors receive a written report containing a description of each parcel of real property receiving the particular extended service and the amount of the charge for each parcel computed in conformity with the ordinance authorizing

collection of the charges on the tax roll. A public hearing is also required, for the purpose of registering protests to the rates to be fixed by the Board.

ALTERNATIVES

The Board may determine not to adopt the Resolution to confirm the Annual Report and authorize collection of Waste Management Fees for Fiscal Year 2016/2017. This would leave the zones with insufficient funding for programs and uses such as: the West Slope Solid Waste and Litter Abatement Program, cleanup and upkeep of the Union Mine Landfill, implementation and maintenance of the Integrated Waste Management Plan required under AB939, the implementation of the Solid Waste Program under AB341, the operational overhead costs of the Union Mine Wastewater Treatment Facility, and the Clean Tahoe Program (**AGM #520-F1511**). Any new, increased, or replacement benefit assessment or special tax is subject to landowner or registered voter approval through statutory proceedings.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Clean Tahoe, City of South Lake Tahoe, City of Placerville. County Council approved the Resolution.

CAO RECOMMENDATION

Chief Administrative Office concurs with staff's recommendations.

FINANCIAL IMPACT

Without adoption of the proposed fees, current waste management programs will incur a severe deficit. There is no Net County Cost associated with this item.

Estimated Revenue:

Direct Charge Code	Fee Description	Projected Revenue 16/17
20552	Solid Waste	\$ 1,378,713.10
20553	Liquid Waste (Septage)	\$ 434,432.00
20554	Litter Abatement	\$ 57,262.20
20622	Household Hazardous Waste	\$ 339,165.80
20623	SLT AB939	\$ 66,716.50

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will have the Resolution recorded upon signature by the Chair.
- 2) The Clerk of the Board will provide one (1) certified copy of the Resolution to the Community Development Agency, Administration and Finance Division for implementation as authorized by law.

STRATEGIC PLAN COMPONENT

Public Safety, Healthy Community

CONTACT

Kate Sampson, Assistant Director
Administration and Finance Division
Community Development Agency

Greg Stanton, MS, REHS
Director, Environmental Management Division

Community Development Agency