



Legislation Text

File #: 17-0500, **Version:** 1

HEARING - Community Development Services, 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 10; and
- 2) Adopt and authorize the Chair to sign Resolution **106-2017** 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 Fiscal Year 2017/18, 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 said amounts.

A public hearing to consider adoption of the Resolution confirming the waste management fees has been scheduled for June 27, 2017, at 11:00 a.m., and noticed as required by Government Code Section 25210.77a. Notice is scheduled for publication in the Georgetown Gazette on June 15 and June 22, 2017, in the Mountain Democrat on June 16 and June 23, 2017, and the Tahoe Tribune on June 14 and June 21, 2017. (Est. Time: 5 Min.)

FUNDING: County Service Area 10 Waste Management Fees.

DEPARTMENT RECOMMENDATION

Community Development Services (CDS), 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 (Annual Report); and
- 2) Adopt and authorize the Chair to sign Resolution **106-2017** confirming the Annual Report and authorizing the waste management fees to be collected in the same manner as the County's ad valorem real property taxes for Fiscal Year 2017/2018 (FY17/18), 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 said amounts.

DISCUSSION / BACKGROUND

County Service Area 10 (CSA 10) was formed in 1988 to provide certain services within the incorporated and unincorporated areas of the County, including household hazardous waste, solid waste, and liquid waste management. The City Councils of the City of Placerville and the City of South Lake Tahoe each consented, by Resolution, to being included in CSA 10.

The lands included in CSA 10 are subject to fees assigned for specific waste management services. The fees are assigned to improved parcels of land where the assessed value of the improvement is \$10,000 or greater; household hazardous waste and solid waste management fees are based on the use of the land and volume of waste occurring from the use, described as an Equivalent Dwelling Unit (EDU). Liquid waste management fees are not subject to the EDU multiplier. A detailed description of the property uses and EDUs used to calculate the fees is included as Exhibit A of the attached Resolution (Attachment B).

Each zone funded through the waste management fees is summarized within Exhibit B of the attached Resolution (Attachment B). This 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 description of how revenues generated by the fees are expended. The CSA 10 "Direct Tax System Batch Proof Report" for FY 17/18, included herein as Attachment C 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 final three pages of this Report include a list of properties with Use Code 16 for manufactured/mobile homes on rented land. The rented land is the base parcel. In previous years, Use Code 16 homes were assigned waste management fees based on an EDU. These charges from 2017/2018 tax year forward will be assigned to the base parcel of land, in the same EDU amounts as have been charged previously.

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.

A public hearing to consider adoption of the Resolution confirming the waste management fees has been scheduled for June 27, 2017, at 11:00 a.m., and noticed as required by Government Code Section 25210.77a. Notice is scheduled for publication in the Georgetown Gazette on June 15 and June 22, 2017, in the Mountain Democrat on June 16 and June 23, 2017, and the Tahoe Tribune on June 14 and June 21, 2017.

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 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 confirm the waste management fees for FY17/18. This would leave the Zones with insufficient funding for programs and uses such as:

- 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 AB 939;
- Implementation of the Solid Waste Program under AB 341;

- Operational Overhead Costs of the Union Mine Wastewater Treatment Facility; and
- Clean Tahoe Program Pursuant to Agreement 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

City of Placerville
City of South Lake Tahoe
Clean Tahoe Program

CAO RECOMMENDATION

It is recommended that the Board approve this item.

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 FY17/18
20552	Solid Waste	\$1,398,506.40
20553	Liquid Waste (Septage)	\$ 415,172.00
20554	Litter Abatement	\$ 57,394.20
20622	Household Hazardous Waste	\$ 341,032.30
20623	SLT AB939	\$ 66,672.60

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will secure the Chair's signature on the Resolution and have the Resolution recorded.
- 2) The Clerk of the Board will provide one (1) certified copy of the Resolution to the Community Development Services, Administration and Finance Division, attention of Elizabeth Zangari, for implementation as authorized by law.

STRATEGIC PLAN COMPONENT

Public Safety and Healthy Communities.

CONTACT

Karen Coleman, Chief Fiscal Officer
Community Development Services, Administration and Finance Division

Greg Stanton, REHS, Interim Director
Community Development Services, Environmental Management Department