

COUNTY OF SAN MATEO

Inter-Departmental Correspondence

Date: June 6, 2001

Board Meeting Date: July 3, 2001

TO: Honorable Board of Supervisors

FROM: Neil R. Cullen, Director of Public Works

SUBJECT: Adoption of the 2001-2002 Water Pollution Control Service Charges Report for Flood Control Zone One - County Wide

RECOMMENDATION

Acting as the Governing Board of the San Mateo County Flood Control District, at the conclusion of the public hearing, adopt a Resolution approving the 2001-2002 Water Pollution Control Service Charges Report for Flood Control Zone One and directing the Clerk of the Board to file the report with the County Controller.

Previous Board Actions

1. Formed Flood Control Zone One in 1993, for the purpose of carrying out pollution control requirements of the National Pollution Discharge Elimination System (NPDES). The boundaries of Zone One are contiguous with those of the County.
2. Adopted as the Zone project the San Mateo County Storm Water Management Plan, 1998-2003, and authorized the City/County Association of Governments (C/CAG) to assume responsibility for the County-wide compliance with the NPDES requirements through the Plan.
3. Adopted Ordinance No. 03662 in 1995, at the request of C/CAG which set the current charge rates for storm water pollution control services in Flood Control Zone One.
4. Set 9:00 a.m. on July 3, 2001 in your Chambers as the time and place of a public hearing on the 2001-2002 Water Pollution Control Service Charges Report for Flood Control Zone One - County Wide.

Key Facts

1. The San Mateo County Flood Control Act provides that fees and charges may be placed upon the tax roll.

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2. C/CAG has requested that we continue the Zone One base charge rates to finance this coming year's base general NPDES program.

Discussion

The Storm Water Management Plan, 1998-2003, comprises the basis of a National Pollution Discharge Elimination System (NPDES) municipal permit which was issued by the State of California Regional Water Quality Control Board.

The Plan consists of:

1. The General Program which is administered by C/CAG.
2. Community Programs which are carried out by each city, and the County for the unincorporated area.

C/CAG is again requesting that your Board levy base charges in Zone One to finance the base General Program using the rates established in 1995. These rates are based on property use and the average square-foot area of properties within the use classification. The proposed charges are based on a per parcel basis and are as follows:

Single Family Residential	\$ 3.44/parcel
Condos/Vacant land/Agriculture/Misc.	\$ 1.72/parcel
All Other parcels	\$ 3.44 plus

\$0.0003127 per each square foot in excess of 11,000 square feet in any parcel.

The fees are imposed upon every parcel on the assessor's roll except for parcels owned by local, State and Federal governments, and public school districts. Separately taxed improvements, such as mobile homes and underground utility improvements, have also been exempted.

We anticipate that all cities except Woodside will have passed resolutions formally endorsing the proposed program, the charge rates and the charges to be imposed within their respective jurisdictions prior to your Board holding a public hearing on the charges. C/CAG will bill Woodside directly on the basis of the above rate structure.

We will report to your Board at the public hearing and verify that supporting resolutions have been received.

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The purpose of the public hearing on this report is to allow your Board to hear and consider any and all objections or protests to the amount of the individual charges. After the close of the hearing your Board may adopt the charges as presented or modify any charge in the report or overrule any or all objections.

County Counsel has advised us that the NPDES charges are an on-going charge, and therefore are not subject to the Proposition 218 requirement of sending a separate notice to each individual property owner.

Fiscal Impact

The proposed rates are estimated to generate \$840,000 in revenue which will be used to finance the General Program and reimburse the County for the costs associated with levying the charges including the \$0.30 per parcel charge levied by the Controller. There is no impact to the General Fund.

A form of Resolution adopting charges also allows the Director of Public Works to refund any overcharge resulted from data, data entry or computation errors; and forms of Resolutions have has been approved by the County Counsel.



Neil R. Cullen

Director of Public Works

NRC:WDC:sdd

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cc: Milt Mares, County Counsel
Richard Napier, C/CAG
Robert M. Davidson, C/CAG Milt Mares, County Counsel
Brian C. Lee, Division Manager, Programs & Engineering Services
Walter D. Callahan, Flood Control and Utility Services Manager

Resolution No. _____

Board of Supervisors, County of San Mateo, State of California

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Resolution Adopting the 2001-2002 Storm Water Pollution Control Service Charges Report for Flood Control Zone One

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, as the Governing Board of Zone One of the San Mateo County Flood Control District, that:

WHEREAS, the Director of Public Works of San Mateo County has prepared the report described in Section 8(c) of the San Mateo County Flood Control Act relating to the collection of service charges on the tax roll; and

WHEREAS, a public hearing was held on July 3, 2001, in the Board of Supervisor's Chambers; and

WHEREAS, this Board heard and considered all objections and protests to said report at said public hearing:

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED, as follows:

1. This Board does hereby confirm and adopt said report and declare the charges set forth therein to be, and the same are hereby, established and set for the 2000/2001 Fiscal Year.

2. The Clerk of this Board is directed to record this Resolution with the Recorder of the County of San Mateo, and further, immediately thereafter, to file with the Controller a copy of the report with a statement endorsed thereon that the charges set forth therein have been finally adopted by the Board of Supervisors.

3. The Director of Public Works is authorized to refund, as appropriate, any overcharge contained in said report to the owner of the parcel so overcharged when the overcharge resulted from data, data entry or computation errors as determined by said Director of Public Works.

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