



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**

Department of Public Works

**DATE:** June 26, 2009  
**BOARD MEETING DATE:** July 14, 2009  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** Majority

**TO:** Honorable Board of Supervisors  
**FROM:** James C. Porter, Director of Public Works  
**SUBJECT:** **Adoption of the 2009-10 Water Pollution Control Service Charges Report for Flood Control Zone Two - City of Pacifica**

**RECOMMENDATION:**

Acting as the governing board of the San Mateo County Flood Control District adopt a resolution:

1. Adopting the 2009-10 Water Pollution Control Service Charges Report for Flood Control Zone Two - City of Pacifica;
2. Directing staff to file the report with the County Controller; and
3. Authorizing the Director of Public Works to refund any overcharge contained in the report to the owner of the parcel that was overcharged when the overcharge resulted from data, data entry or computation errors.

**BACKGROUND:**

At the request of the City of Pacifica, Flood Control Zone Two was formed in 1994 for the purpose of financing pollution control requirements of the National Pollutant Discharge Elimination System (NPDES) within Pacifica's city limits. The boundaries of Zone Two are contiguous with those of the City of Pacifica.

The San Mateo County Storm Water Management Plan was adopted as the Zone Two project.

Ordinance No. 03665 was adopted in 1995, at the request of the Pacifica City Council, which established the charge rates for storm water pollution control services in Flood Control Zone Two.



Your Board has adopted annual resolutions which approved the Water Pollution Control Service Charges Reports, which are based on the rates adopted in Ordinance No. 03665, for Flood Control Zone Two, and authorized the filing of the report with the County Controller.

**DISCUSSION:**

The Storm Water Management Plan is the basis of a NPDES municipal permit issued by the State of California Regional Water Quality Control Board. The City Council of the City of Pacifica, as in past years, is again requesting that your Board levy charges in Zone Two to finance the City's Community Program for NPDES. The San Mateo County Flood Control Act provides that service charges may be placed upon the tax roll.

The ordinance adopted by your Board, established the following charges based on parcel use:

Vacant	\$ 7.00
Single Family/Townhouse/Church/Condominium	\$14.00
All Other	\$28.00

The fees in the report have been imposed upon every parcel in Pacifica 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. These fees are an ongoing charge with no proposed increase.

County Counsel has advised us that since the NPDES charges are an ongoing charge with no increase, they are not subject to the Proposition 218 requirement of sending a separate notice to each individual property owner.

A resolution adopting charges has been approved as to form by County Counsel. The form of resolution also allows the Director of Public Works to refund any overcharge resulting from data, data entry or computation errors.

Adoption of the Report contributes to the Shared Vision 2025 outcome of an Environmentally Conscious Community by providing the financing for the City of Pacifica's storm water program that helps protect water quality for the benefit of aquatic life.

**FISCAL IMPACT:**

There is no impact to the General Fund. The charges will finance the City's Community Program for NPDES in the amount of \$172,000. The City will reimburse the County for the costs associated with levying the charges including the per parcel charge levied by the Controller, estimated at \$0.33 per parcel based on the Controller's rate schedule as approved by your Board.