

DEPARTMENT: Public Works

By: Michael Edwards
Public Works Director

Phone: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes___ No X)

PUBLIC HEARING: FY 95/96 STANDBY FEES

Public Works recommends that the Board of Supervisors set the annual standby fees for sewer and/or water in County Service Areas at the maximum allowable per Government Code Section 25210.77b, not to exceed \$30 per acre or \$30 per parcel less than one acre. This is an annual fee. The code requires the Board of Supervisors to fix the standby fees on or before the first day of July in each year.

Standby fees are based on availability of service, whether or not the services are actually used. The funds generated by the standby charges pursuant to Government Code Section 25210.77c may be used to pay the costs and expenses of maintaining, operating, extending and repairing waterworks or sewers within the County Service Area and for payment of interest and principal due on bonds for the ensuing fiscal year. According to law, the funds cannot be used to reduce or offset depreciation.

Don Pedro Sewer Zone No. 1:

Current standby fees are \$144 per year (\$12 per month). The money is deposited in the Utility Capital Fund for future expansion or replacement and repair of major components. Staff is proposing to change the fees to \$30 per year (\$2.50 per month) and deposit to the operating budget in accordance with Government Code Section 25210.77c. This change will require a refund of \$2,467.50 from the Utility Capital Fund and adjusted billings of \$5,323.50 for the unpaid accounts.

Yosemite West Maintenance District:

Current standby fees are \$72 per year (\$6.25 per month) for sewer and \$72 per year (\$6.25 per month) for water. The money is deposited in the Utility Capital Fund for future expansion or replacement and repairs of major components. Staff is proposing to change the fees to \$30 per year (\$2.50 per month), each, for water and sewer and deposit the money to the operating budget in accordance with Government Code Section 25210.77c. This change will require a refund of \$4,207.50 from the Utility Capital Fund and adjusted billings of \$3,588.75 for the unpaid accounts.

Coulterville Service Area:

The current standby fee rate is \$50.64 per year (\$4.22 per month) for sewer only; however, no fees are currently being collected. Staff is proposing to change the sewer standby fee to \$30 per year (\$2.50 per month) and set a water standby fee of \$30 per year (\$2.50 per month) in accordance with Government Code Section 25210.77b. Fees would be deposited to the operating budget in accordance with Government Code Section 25210.77c.

Mariposa Pines Sewer District:

Standby fees have never been established for this district. This district provides sewer service only and consists of 28 lots of which

22, are currently hooked up to the system. Staff recommends the establishment of sewer standby fees of \$30 per year (\$2.50 per month) in accordance with Government Code Section 25210.77b, making it consistent with the other districts in the County.

In researching special districts fees structure, staff found that the current standby fees were not in compliance with Government Code Section 25210.77b. This action is to bring the County into compliance with the code governed by County Service Area law of the California Government Code.

The code further allows for assessment of a penalty of 6% per annum on delinquent standby charges and allows the County to file a lien on the property and have collection authorized on the tax roll in the same manner and at the same time as its general ad valorem property tax. This requires specific actions to be taken by the Board of Supervisors on an annual basis.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Annually, the Board holds public hearings to set fee increases with proper notice to the public. These hearings are normally set as part of the budget process and have been as late as September. Government code requires that standby fees be fixed on or before July 1 of each year and not exceed the statutory limits imposed by the Government Code Section 25210.77b.

The Board recently adjusted fees during the FY 94/95 budget hearings.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Not adopt the fees by July 1 and be out of compliance with the government code.

<p>COSTS: (X) Not Applicable</p> <p>A. Budgeted current FY \$ _____</p> <p>B. Total anticipated costs \$ _____</p> <p>C. Required additional funding \$ _____</p> <p>D. Internal transfers \$ _____</p> <p>SOURCE: () 4/5th Vote Required</p> <p>A. Unanticipated revenues \$ _____</p> <p>B. Reserve for contingencies \$ _____</p> <p>C. Source description: _____</p> <p>Balance in Reserve Contingencies, if approved: \$ _____</p>	<p>SPECIAL INSTRUCTIONS: List the attachments and number the pages consecutively:</p> <p>1. Current fee structure for all four districts _____</p> <p>2. Proposed fee structure for all four districts _____</p> <p>3. Notice of Public Hearing _____</p>
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<p>CLERK'S USE ONLY</p> <p>Res. No.: <u>95-313</u> Ord. No. _____</p> <p>Vote - Ayes: _____ Noes: _____</p> <p>Absent: _____ Abstained: _____</p> <p>() Approved () Denied</p> <p><input checked="" type="checkbox"/> Minute Order Attached () No Action Necessary</p> <p>The foregoing instrument is a correct copy of the original on file in this office.</p> <p>Date: _____</p> <p>ATTEST: <u>MARGIE WILLIAMS, Clerk of the Board</u> County of Mariposa, State of California</p> <p>By: _____ Deputy</p>	<p>ADMINISTRATIVE OFFICER'S RECOMMENDATION: This item on agenda as:</p> <p><input checked="" type="checkbox"/> Recommended</p> <p><input type="checkbox"/> Not Recommended</p> <p><input type="checkbox"/> For Policy Determination</p> <p><input type="checkbox"/> Submitted with Comment</p> <p><input type="checkbox"/> Returned for Further Action</p> <p>Comment: _____</p> <p>A.O. Initials: <u> </u></p>
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MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: MIKE EDWARDS, Public Works Director
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: PUBLIC HEARING to Consider Fiscal Year
1995/96 Proposed Standby Fee Adjustments for
Water and/or Sewer for Don Pedro Sewer Zone No. 1,
Yosemite West Maintenance District,
Coulterville Services Area Number 1 and
Mariposa Pines Sewer District; Res. 95-313

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on June 27, 1995

ACTION AND VOTE:

11:28 a.m. Mike Edwards, Public Works Director;

B) PUBLIC HEARING to Consider Fiscal Year 1995/96 Proposed Standby Fee Adjustments for Water and/or Sewer for Don Pedro Sewer Zone No. 1, Yosemite West Maintenance District, Coulterville Service Area Number 1 and Mariposa Pines Sewer District

BOARD ACTION: Mike Edwards presented staff report and responded to questions from the Board relative to collection of stand-by fees and status of capacity for the systems to serve future construction, and the County's obligation to provide service. Public portion of the hearing was opened. There was no public input. Public portion of the hearing was closed and Board commenced with deliberations. (M)Balmain, (S)Reilly, first reading was waived and an ordinance introduced adjusting stand-by fees for Coulterville Service Area Number 1, with direction given that the fees for this district not be implemented where there is a question about the buildability of lots - staff to continue to work toward resolving this issue and bringing a recommendation back to the Board; and Res. 95-313 adopted adjusting stand-by fees for Don Pedro Sewer Zone No. 1, Yosemite West Maintenance District, and Mariposa Pines Sewer District/Ayes: Unanimous. Staff advised of recommendations for budget adjustments relative to the uses of the stand-by fees. Hearing was closed.

cc: Jeffrey G. Green, County Counsel
Ken Hawkins, Auditor
Yosemite West District Advisory Committee
Lake Don Pedro Sewer District Advisory Board
Mariposa Pines Subdivision Sewer Advisory Board
Coulterville Service Area Number One Advisory Board

CURRENT
PUBLIC WORKS DEPARTMENT
SPECIAL DISTRICTS DIVISION
WATER, SEWER HOOK-UP AND USER FEES

Coulterville Service Area

Water Hook-up	\$926.67
Water Fee/Monthly	20.00 First 150,000 gals. per/yr .80 Per 1,000 gals. thereafter
Sewer Hook-up	\$1,737.19
Sewer Fee/Monthly	20.00
Sewer Standby Fee/mo.	4.22 Per parcel
Multiple Dwellings	1,737.19 Plus 75.00 Per fixture over 20
Multiple Commercial	8.12 Per unit motel/RV parks, etc. 3.75 Per seat per mo. for bars and restaurants
Permit & Inspection Fees	65.00 Per single unit 65.00 Per unit of multiple units 100.00 Per sewer extension .20 Per lineal foot plan review - proposed extensions

Mariposa Pines

Sewer Hook-up	\$1,700.00
Sewer User Fee/Monthly	20.00

Yosemite West Maintenance District

Water and Sewer Hook-up	\$2,650.00
Sewer User Fee/Monthly	12.50
Sewer Standby Fee/Monthly	6.22 Per parcel
Water User Fee/Monthly	22.50
Water Standby Fee/Monthly	6.25 Per parcel
Road Maintenance Fee/Monthly	8.00

Don Pedro Sewer Zone 1

Sewer Hook-up Fee	\$1,700.00
Sewer User Fee/Monthly	34.50
Stand-by Fee Residential	12.00 Per parcel
Clubhouse	270.00/Month plus \$3.86/1,000 gals. over 70,000
Hotel (Townhouses)	420.00 - 30 rooms @ \$14.00 per/month

PROPOSED
PUBLIC WORKS DEPARTMENT
SPECIAL DISTRICTS DIVISION
WATER, SEWER HOOK-UP AND USER FEES

Coulterville Service Area

Water Hook-up	\$926.67
Water Fee/Monthly	20.00 First 150,000 gals. per/yr .80 Per 1,000 gals. thereafter
Water Standby Fee/mo.	2.50 Per parcel
Sewer Hook-up	\$1,737.19
Sewer Fee/Monthly	20.00
Sewer Standby Fee/mo.	2.50 Per parcel
Multiple Dwellings	1,737.19 Plus 75.00 Per fixture over 20
Multiple Commercial	8.12 Per unit motel/RV parks, etc. 3.75 Per seat per mo. for bars and restaurants
Permit & Inspection Fees	65.00 Per single unit 65.00 Per unit of multiple units 100.00 Per sewer extension .20 Per lineal foot plan review - proposed extensions

Mariposa Pines

Sewer Hook-up	\$1,700.00
Sewer User Fee/Monthly	20.00
Sewer Standby Fees/mo.	2.50 Per parcel

Yosemite West Maintenance District

Water and Sewer Hook-up	\$2,650.00
Sewer User Fee/Monthly	12.50
Sewer Standby Fee/Monthly	2.50 Per parcel
Water User Fee/Monthly	22.50
Water Standby Fee/Monthly	2.50 Per parcel
Road Maintenance Fee/Monthly	8.00

Don Pedro Sewer Zone 1

Sewer Hook-up Fee	\$1,700.00
Sewer User Fee/Monthly	34.50
Stand-by Fee Residential	2.50 Per parcel
Clubhouse	270.00/Month plus \$3.86/1,000 gals. over 70,000
Hotel (Townhouses)	420.00 - 30 rooms @ \$14.00 per/month

NOTICE OF PUBLIC HEARING

June 27, 1995, at 11:00 a.m.
Board Room, Mariposa County Board of Supervisors
Mariposa County Courthouse
5088 Bullion Street, Mariposa, California

REDUCTION OF SEWER AND/OR WATER STANDBY FEES FOR THE FOLLOWING SPECIAL DISTRICTS:

DON PEDRO SEWER ZONE NO. 1

YOSEMITE WEST MAINTENANCE DISTRICT

COULTERVILLE SERVICE AREA NO. 1

MARIPOSA PINES SEWER DISTRICT

TO: ALL INTERESTED PERSONS

In accordance with California Government Code, the Mariposa County Board of Supervisors has set a public hearing to consider a proposed reduction in standby fees associated with the sewer and/or water services provided in the following special districts: Don Pedro Sewer Zone No. 1, Yosemite West Maintenance District, Coulterville Service Area No. 1 and Mariposa Pines Sewer District.

The public hearing will be held on June 27, 1995, at 11:00 a.m., in the Board Room, Mariposa County Board of Supervisors at the Mariposa County Courthouse, 5088 Bullion Street, Mariposa, California.

At the time set for hearing, the testimony of all interested persons or taxpayers (affected by the proposed reduction in fees), for or against the proposed reduction of sewer and/or water standby fees, will be heard. The Board of Supervisors will determine the charges for the services provided.

Dated: June 12, 1995

MARGIE WILLIAMS, Clerk
Mariposa County Board of Supervisors