



THOMAS L. BOLICH
DIRECTOR OF PUBLIC WORKS

County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

AGENDA: JUNE 4,2002

May 22,2002

SANTA CRUZ COUNTY BOARD OF SUPERVISORS

701 Ocean Street

Santa Cruz, California 95060

SUBJECT: RESOLUTION CONFIRMING SERVICE CHARGE REPORTS FOR THE 2002/2003 FISCAL YEAR SEWER SERVICE CHARGE RATES FOR COUNTY SERVICE AREA (CSA) NO. 2, PLACE DE MER; CSA NO. 5, SAND DOLLAR BEACH ZONE; CSA NO. 7, BOULDER CREEK; CSA NO. 10, ROLLING WOODS; AND CSA NO. 20, TRESTLE BEACH

Members of the Board:

On May 7,2002, the Board of Supervisors adopted a resolution setting today, June 4,2002, at 9:00 a.m. or thereafter as the date and time for a public hearing to confirm the 2002/2003 service charge reports for County Service Area (CSA) No. 2, Place de Mer; CSA No. 5, Sand Dollar Beach Zone; CSA No. 7, Boulder Creek; CSA No. 10, Rolling Woods; and CSA No. 20, Trestle Beach. Further, your Board directed the Clerk of the Board to publish a notice of public hearing once a week for two weeks prior to this hearing in a newspaper of general circulation. In addition, your Board adopted a resolution establishing the sewer rates for these CSAs. During the May 7,2002 hearing, Public Works was directed to meet with the representatives of CSA No. 7, Boulder Creek and CSA No. 5, Sand Dollar Beach Zone in order to clarify their concerns regarding the proposed budget.

Public Works staff scheduled a Public Meeting on the evening of May 29,2002, at the Boulder Creek Country Club in order to present information to the concerned members of the area's homeowners association about the budget and actual operations and maintenance requirements for this Boulder Creek CSA No. 7. In addition, staff met or contacted by phone the representatives of CSA No. 5, Sand Dollar Beach Zone; CSA No. 2, Place de Mer; CSA No. 10, Rolling Woods; and CSA No. 20, Trestle Beach and provided them with all requested information.

In order to proceed with the confirmation of the service charge reports it will now be necessary for your Board to open the public hearing, take testimony, close the public hearing, and at the conclusion of the public hearing consider adoption of the resolution confirming service charge reports for the five CSAs. As provided in Chapter 4.26 of the County Code, the service charge report must be approved by your Board and forwarded to the Auditor-Controller by August 10, 2002.

It is therefore recommended that the Board of Supervisors take the following action:

1. Open the public hearing, hear objections or protests, if any, to the proposed 2002/2003 service charge reports for CSA No. 2, Place de Mer; CSA No. 5, Sand Dollar Beach Zone; CSA No. 7, Boulder Creek; CSA No. 10, Rolling Woods; and CSA No. 20, Trestle Beach.
2. Close the public hearing.
3. Consider adoption of the attached resolution confirming service charge reports for CSA No. 2, Place de Mer; CSA No. 5, Sand Dollar Beach Zone; CSA No. 7, Boulder Creek; CSA No. 10, Rolling Woods; and CSA No. 20, Trestle Beach.

Yours truly,

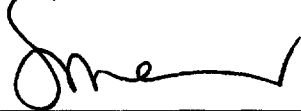


THOMAS L. BOLICH
Director of Public Works

RLL:mg

Attachment

RECOMMENDED FOR APPROVAL:



County Administrative Officer

copy to: Public Works

servicechg6.doc

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

0389

On the motion of Supervisor
duly seconded by Supervisor
the following resolution is adopted:

RESOLUTION CONFIRMING SERVICE CHARGE REPORTS
FOR 2002/2003 FISCAL YEAR
FOR COUNTY SERVICE AREA (CSA) NO. 2, PLACE DE MER;
CSA NO. 5, SAND DOLLAR BEACH ZONE; CSA NO. 7, BOULDER CREEK;
CSA NO. 10, ROLLING WOODS; AND CSA NO. 20, TRESTLE BEACH

WHEREAS, on June 4, 2002, the Board of Supervisors held a duly noticed public hearing on the 2002/2003 service charge reports for service charges proposed within County Service Areas (CSA) No. 2, Place de Mer; CSA No. 5, Sand Dollar Beach Zone; CSA No. 7, Boulder Creek; CSA No. 10, Rolling Woods; and CSA No. 20, Trestle Beach; and

WHEREAS; the Board has determined that no protests have been submitted or that all protests should be overruled; and

WHEREAS, the Board has determined that the service charge report should be confirmed as submitted/amended.

NOW, THEREFORE, BE IT RESOLVED that the service charge report for CSA No. 2, Place de Mer; CSA No. 5, Sand Dollar Beach Zone; CSA No. 7, Boulder Creek; CSA No. 10, Rolling Woods; and CSA No. 20, Trestle Beach; for the 2002/2003 fiscal year are hereby confirmed and such service charges are authorized to be collected as provided in Ordinance Number 3406;

BE IT FURTHER RESOLVED AND ORDERED that the Clerk of the Board of Supervisors shall file a copy of this resolution and service charge reports with the Auditor/Controller on or before August 10, 2002.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this ____ day of _____ 2002, by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

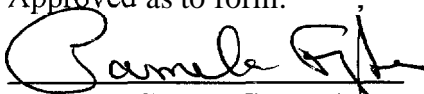
ABSENT: SUPERVISORS

Chairperson of said Board

ATTEST: _____

Clerk of said Board

Approved as to form:


Assistant County Counsel

Distribution: County Counsel, Public Works

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County of Santa Cruz

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069

(831) 454-2200 FAX: (831) 454-3262 TDD: (831) 454-2123

JANET K. BEAUTZ
FIRST DISTRICT

ELLEN PIRIE
SECOND DISTRICT

MARDI WORMHOUDT
THIRD DISTRICT

TONY CAMPOS
FOURTH DISTRICT

JEFF ALMQUIST
FIFTH DISTRICT

AGENDA: 6/4/02

May 31, 2002

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: SERVICE CHARGES, COUNTY SERVICE AREA NO. 7, BOULDER
CREEK PACKAGE TREATMENT PLANT AND SERVICE AREA

Dear Members of the Board:

You will recall that on May 7, 2002, we held a public hearing to consider setting service charges for the sewage package treatment system that serves approximately 260 customers around the Boulder Creek Country Club known as County Service Area No. 7. At that time, a number of customers of the system appeared at the public hearing and expressed a variety of concerns about the financial information related to the operations of CSA No. 7. There were insufficient protests received to overturn the proposed rate setting, which will increase the per household sewer charges from the current rate of \$725 per household, the rate which has been in effect in each fiscal year since 1991-92, to \$906.07, a 25 percent increase.

On the evening of May 29, 2002, I met with a number of the customers of the system along with representatives of the Public Works Department including Assistant Director Brian Turpen, Senior Engineer Rachel Lather, Operations Manager Russ Bateson, Fiscal Manager Len Dreyer, and Carol Kelly, Director of Administrative Services. A substantial amount of additional financial information was provided to the customers who had questions. This information is being reviewed by one of the property owners, Jackie Edgemon, who was not available that evening. Given that there is additional time needed for the community members to analyze the financial information and there is, in fact, some further financial information that they have

67

requested and have not yet received, I indicated to them that I would request that the matter set for public hearing on June 4, 2002, to consider confirmation of service charge reports for CSA No. 7, Boulder Creek, be continued after the public hearing was opened to June 26, 2002, and that on that same June 26 agenda we would set a placeholder item which would permit us to reconsider the action previously taken confirming the increase in rates in order to ensure that the customers have an adequate opportunity to consider the additional financial and operating information that has been provided to them, as well as to have a chance to resolve an issue raised at the meeting about the propriety of the notice procedure used by Public Works regarding the proposed increase.

This question was raised by Jeoff Meacham, one of the customers present. Mr. Meacham provided me with a copy of one section of Proposition 218, which appeared to indicate that the notice from the Department had to include both a notice of the action that was proposed to be taken and a ballot form permitting the respondent to indicate their identity, identify their property, and indicate by vote whether they were for or against the proposal. The Department only sent out a notice of the proposed action; however, after discussing the matter with County Counsel and reviewing the provisions of Proposition 218, it appears that the notice that was sent out complies with the notice requirement under Section 6 of Proposition 218 which deals with "Property Related Fees and Charges," and that the section shown to me by Mr. Meacham which he felt required a separate ballot form be used, is the procedure set forth for other types of assessments. Accordingly, it appears that the Department of Public Works followed the proper procedure for notifying the owners of the affected parcels about the proposed action and their right to protest if they **so** chose.

However, while the process followed was correct and the calculation of protests was insufficient to overturn the proposed action, given the fairly widespread desire of the homeowners to obtain more financial information, I think it would be advisable to continue this matter as I have proposed and take it up again on June 26, 2002, when the community will have had the opportunity to analyze the information and can indicate to us their level of satisfaction with the information provided and their understanding of the financial wisdom and necessity of raising the rates as proposed by the Public Works staff.

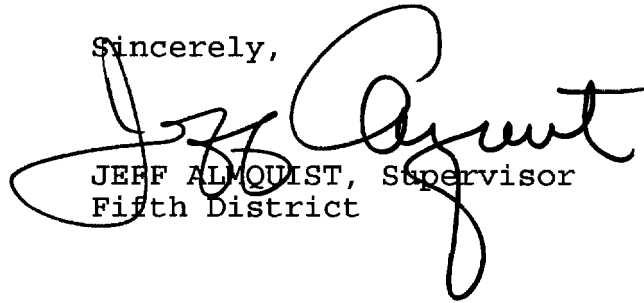
Accordingly, I recommend that the Board of Supervisors:

1. Open the public hearing on consideration of the confirmation of service charge reports for County Service Area No. 7, Boulder Creek, as presently agendized and then continue the public hearing to June 26, 2002, at 9:00 a.m.

BOARD OF SUPERVISORS
May 31, 2002
Page 3

2. Set an item on the June 26, 2002, agenda whereby the Board, if it **so** chooses, could reconsider the action taken to approve the service charges for the year 2002-03 for CSA No. 7, Boulder Creek, and continue the assessments at the current level for a further year.

Sincerely,



JEFF ALQUIST, Supervisor
Fifth District

JA:ted

cc: Public Works Department
Tax Assessor
Jeoff Meacham
Linda Barber
Vincent Lorrain
Fred Turner
John Houston
Jane Craft
H. M. Stanley
Karl and Eileen von Emster
Leah and Larry Duncan
Robert Tosto
Art and Sharon Dill
Jackie Edgemon

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