



County of San Mateo

Inter-Departmental Correspondence

Department: GOVERNING BOARD

File #: 19-752

Board Meeting Date: 7/23/2019

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors, Acting as the Governing Board of the San Mateo County Flood Control District

From: James C. Porter, Director of Public Works

Subject: Adoption of the FY 2019-20 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:

- A) Adopting the FY 2019-20 Water Pollution Control Service Charges Report (the "Charges Report") for Flood Control Zone Two - City of Pacifica; and
- B) Directing staff to file the Charges Report with the County Controller; and
- C) Authorizing the Director of Public Works to refund any overcharges resulting from data, data entry or computation errors; and
- D) Authorizing the Director of Public Works to revise the Charges Report as a result of any parcel changes received from the County Assessor and/or County Controller and to file the revised Charges Report with the County Controller.

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. The Storm Water Management Plan has been the basis of a NPDES municipal permit issued by the State of California Regional Water Quality Control Board.

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

Your Board has adopted annual resolutions that 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 so that the charges could be placed on, and collected through, the countywide property tax bills.

DISCUSSION:

Pacifica’s City Council, 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 District 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 the Department 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.

The form of resolution also allows the Director of Public Works to refund any overcharge resulting from data, data entry or computation errors. Additionally, as of the date that the attached charges report was developed, the data for the relevant tax rate areas was still being finalized by the County. The proposed Resolution therefore authorizes the Director of Public Works to revise the charges report as a result of any parcel changes received from the Assessor and/or Controller on or after July 17, 2019, as well as to refund, during the fiscal year, any overcharges resulting from any such errors in the charges report. The City of Pacifica will be responsible for refunding any errors found with the submittal of proof of payment of the charges levied on the tax roll.

County Counsel has reviewed and approved the resolution as to form.

Approval of this action 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:

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 \$0.71 per parcel (5% of the total assessment) based on the Controller’s rate schedule as approved by your Board.

There is no impact to the General Fund.