

APRIL 22, 2015

STATEMENT OF PROCEEDINGS

The Minutes of the

***SAN DIEGO COUNTY SANITATION DISTRICT
REGULAR MEETING***

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
SAN DIEGO COUNTY SANITATION DISTRICT
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, APRIL 22, 2015, 9:00 A.M.
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

MORNING SESSION: Meeting was called to order at 9:03 a.m.

PRESENT: Directors Bill Horn, Chairman; Dave Roberts, Vice Chairman; Greg Cox; Dianne Jacob; also David Hall, Clerk.

ABSENT: Director Ron Roberts

Approval of Statement of Proceedings/Minutes for the meeting of March 18, 2015.

ACTION:

ON MOTION of Director Jacob, seconded by Director Cox, the Board of Directors of the San Diego County Sanitation District approved the Statement of Proceedings/Minutes for the meeting of March 18, 2015.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

Public Communication: [No Speakers]

NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

Sanitation District Agenda Items

Agenda # Subject

1. SET A HEARING FOR 5/6/2015:
 SET A PROTEST HEARING AND CONDUCT THE HEARING TO AMEND THE DISTRICT FEE ORDINANCE TO ESTABLISH A SEWER SERVICE RATE AND STANDBY CHARGE FOR THE HARMONY GROVE SERVICE AREA OF THE SAN DIEGO COUNTY SANITATION DISTRICT (4/22/2015 – SET HEARING; 5/6/2015 – CONDUCT HEARING; AND 5/13/2015 - CERTIFY RESULTS, ADOPT ORDINANCE)
 (4 VOTES)

**SA1. SUBJECT: SET A HEARING FOR 5/6/2015:
SET A PROTEST HEARING AND CONDUCT THE
HEARING TO AMEND THE DISTRICT FEE ORDINANCE
TO ESTABLISH A SEWER SERVICE RATE AND STANDBY
CHARGE FOR THE HARMONY GROVE SERVICE AREA
OF THE SAN DIEGO COUNTY SANITATION DISTRICT
(4/22/2015 – SET HEARING; 5/6/2015 – CONDUCT
HEARING; AND 5/13/2015 - CERTIFY RESULTS, ADOPT
ORDINANCE) (DISTRICT: 5)**

OVERVIEW:

Harmony Grove Village is an approximately 470-acre project under construction and located in the vicinity of the intersection of Harmony Grove Road and Country Club Drive, west of the City of Escondido (2009 Thomas Guide Page 1129, C-5). Standard Pacific Corp., a Delaware corporation (Standard Pacific), is the developer of Harmony Grove Village. As part of the final map approval process for Harmony Grove Village, Standard Pacific entered into a Joint Improvement Agreement with the County of San Diego that provides for the construction of the sewer facilities needed to serve the project. Once certain criteria are satisfied, as detailed in an agreement with the Developer, responsibility for the sewer facilities will be assumed by the San Diego County Sanitation District (District). At the request of the Developer, and without limiting the Developer's responsibility for the sewer facilities until final acceptance, the District agreed to take action to establish a standby charge and sewer service rate to fund operation and maintenance of the sewer facilities when the District assumes responsibility for maintenance. This will allow Standard Pacific to disclose the sewer service rate to potential home owners. Based on their current schedule, home sales may begin as early as June 2015.

To facilitate adoption of the standby charge and sewer service rate, Standard Pacific submitted a Request and Waiver to the District waiving its notice and hearing rights under Proposition 218 and asked the District to initiate proceedings to establish the rates. In response, the District had an Engineer's Report and Rate Study completed. According to the Engineer's Report and Rate Study, a single charge of up to \$65 monthly (\$780 annually) for each Equivalent Dwelling Unit (EDU), whether charged as a standby charge or sewer service rate was determined to provide sufficient revenue to support District operation and maintenance of the facilities. The rates will only be imposed after the District accepts responsibility for operation and maintenance of the facilities; however the authority to impose them will be established in advance of initial sales. Standard Pacific is required to operate and maintain the sewer facilities until the facilities are constructed and finally accepted by the District.

This Board letter details actions needed to set and hold a protest hearing; and upon conclusion of the protest hearing, assuming there is no majority protest, adopt an ordinance imposing both a sewer standby charge and sewer service rate to provide for the operation and maintenance of the sewer facilities needed to serve properties in Harmony Grove Village.

FISCAL IMPACT:

If approved, the requested action will result in standby charges and sewer service rates being established for the Harmony Grove service area within the San Diego County Sanitation District. The established charges and rates will not be imposed until responsibility for operation of the sewer facilities is transferred from the developer to the District. The Harmony Grove Village developer, Standard Pacific, funded the cost of the engineer's reports used to determine the sewer rates and charges for this service area. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On April 22, 2015 take the following actions:

1. Find in accordance with Section 15273 of the California Environmental Quality Act (CEQA) Guidelines, this project is exempt from CEQA review because it involves the establishment of charges to be imposed by a public agency to meet operating expenses and adopt the CEQA findings attached hereto (Attachment H).
2. Adopt a resolution entitled: RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY SANITATION DISTRICT SETTING A PROTEST HEARING REGARDING THE ESTABLISHMENT OF A SEWER STANDBY CHARGE AND SEWER SERVICE RATE FOR HARMONY GROVE VILLAGE, that sets May 6, 2015, as the date for the protest hearing.
3. Approve introduction (first reading), read title and waive further reading of Ordinance: SAN DIEGO COUNTY SANITATION DISTRICT FEES AND CHARGES FOR THE PROVISION OF SEWER SERVICE.

If on April 22, 2015, the Board takes the actions recommended in Items 1-3 above then, on May 6, 2015:

1. Conduct a public hearing to receive written protests from property owners regarding the proposed sewer standby charge and sewer service rate.
2. After the close of the public hearing, direct the Clerk of the Board to tabulate all written protests and report back to the Board on May 13, 2015, as to whether or not a majority protest was received.

If on May 6, 2015, the Board takes the actions recommended in Items 1-2 above then, on May 13, 2015:

1. Receive the report from Clerk of the Board certifying the results of the protest hearing and setting forth the Clerk's determination regarding the existence of a majority protest for the standby charge or the sewer service rate.

2. Upon the Clerk's determining that there was no majority protest for either the sewer standby charge or sewer service rate, submit for consideration and adoption (second reading) the Ordinance entitled: SAN DIEGO COUNTY SANITATION DISTRICT FEES AND CHARGES FOR THE PROVISION OF SEWER SERVICE. (4 VOTES)

ACTION:

ON MOTION of Director Jacob, seconded by Director Cox, the Board of Directors of the San Diego County Sanitation District took action as recommended, on Consent, adopting Resolution No. 15-047, entitled: RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY SANITATION DISTRICT SETTING A PROTEST HEARING REGARDING THE ESTABLISHMENT OF A SEWER STANDBY CHARGE AND SEWER SERVICE RATE FOR HARMONY GROVE VILLAGE; setting May 6, 2015 as the date for the protest hearing; and introducing the Ordinance for further consideration and adoption on May 13, 2015.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

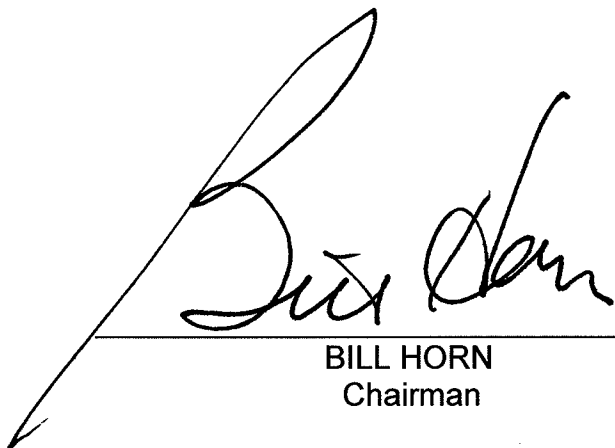
There being no further business, the Board of Directors of the San Diego County Sanitation District adjourned at 9:18 a.m.

DAVID HALL
Clerk of the Board of Directors
of Sanitation District

Notes By: Panfil

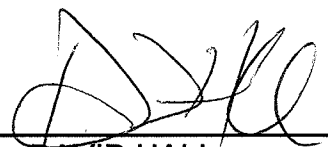
NOTE: This Statement of Proceedings sets forth all actions taken by the County of San Diego Board Directors of Sanitation District on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Directors, on Tuesday, May 5, 2015.



BILL HORN
Chairman

Attest:



DAVID HALL
Clerk of the Board