



**RESOURCE MANAGEMENT
AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: June 23, 2009 **REVISED**

Public Hearing Required	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Published Notice Required	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)						
	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Celeste Perez PHONE: (559) 733-6291

SUBJECT: Set a Public Hearing on August 11, 2009 for Consideration of Sewer and Water User Fee Adjustments for Specific County Service Area Zones of Benefit

REQUEST(S):

That the Board of Supervisors:

1. Set a Public Hearing on August 11, 2009 at 9:30 a.m. for consideration of sewer and water user fee adjustments for specific County Service Area Zones of Benefit (El Rancho, Delft Colony, Seville, Tonyville, Tooleville, Traver, Yettem, Wells Tract sewer systems in addition to the Delft Colony, Yettem and Wells Tract water systems); and
2. Approve the Notice of Public Hearing to be published and mailed to affected residents.

SUMMARY:

In the late 1980's and early 1990's, the County constructed eight (8) sewer systems and three (3) water systems utilizing various state and federal grant and loan programs. The County administers the maintenance of these facilities through contracted services. The County submits bills and collects fees for service in an attempt to cover the annual operation and maintenance costs incurred.

The proposed rate increases are for the El Rancho, Delft Colony, Seville, Tonyville, Tooleville, Traver, Wells Tract and Yettem sewer systems, as well as the Delft Colony, Yettem and Wells Tract water distribution systems.

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DATE: June 23, 2009

Table 1 outlines estimated expenses and revenues for each of the systems in County Service Areas 1 and 2 and identifies their projected net operating cost for fiscal year 2008/2009. A shortfall of approximately \$195,923 in net costs is anticipated for all the systems combined. Historically, this shortfall is recovered by borrowing funds from the County's Revolving Fund which totals approximately \$690,000 to date.

Table 2 outlines estimated expenses and revenues for each of the systems and identifies their projected net operating cost for fiscal year 2009/2010 with the current rate structure. If the current rate structure were to stay in place, the estimated shortfall for fiscal year 2009/2010 would be \$162,622.

Table 3 outlines estimated expenses and revenues for each of the systems and identifies their projected net operating cost for fiscal year 2009/2010 with the proposed rate structure. With the proposed fee increase (with increases limited to a maximum of 10% per Board policy) the estimated shortfall for fiscal year 2009/2010 would be \$122,118.

Table 4 outlines the necessary fee increases to allow each system to recover all its costs (except depreciation and Revolving Loan Fund principal repayment).

The proposed fee adjustments are in accordance with Resolution No. 94-0356 in which the Board established a maximum increase for residential and commercial fees at 10% per year. As noted above by approved the recommended rate increase, the Revolving Fund impact will be approximately \$122,118 for the 2009/2010 fiscal year.

In fiscal year 2008/2009 there were significant increases in expenditures due to several factors. Wastewater treatment rates were increased by the City of Lindsay which treats the wastewater from the El Rancho and Tonyville sewer systems. Wastewater treatment rates were also increased by the City of Woodlake which treats the wastewater from the Wells Tract sewer system.

Other increased expenditures include an increase in Regional Water Quality Control Board (RWQCB) fees for both existing individual system waste discharge requirements and their Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, Order No. 2006-0003. Additional expenditures also included permitting fees for several emergency generators required by the San Joaquin Valley Unified Air Pollution Control District.

Grant guidelines require all proposed sewer and water fees to be submitted to the granting agencies for review and approval. A copy of this agenda item was transmitted to the State Water Resources Control Board (SWRCB) and U. S.

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DATE: June 23, 2009

Department of Agriculture's Rural Development (RD) for review. An update on SWRCB's and RD's comments to these proposed fees will be submitted to the Board when received on or prior to the August 11, 2009 Public Hearing.

Proposition 218 required that operation and maintenance systems give a 45 day notice period to all residents prior to the fee hearing advising them of their right to protest. A vote by the residents of the Zones of Benefit is not required.

FISCAL IMPACT/FINANCING:

By approving the recommended rate increase, the Revolving Fund impact will be approximately \$122,118 for the 2009/2010 fiscal year. If the recommended rate increases are not approved, the Revolving Fund impact will be approximately \$162,622 for the 2009/2010 fiscal year.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The proposed rate increases assist the County in its efforts to provide for the safety and security of the general public by providing for an adequate and safe water supply.

ALTERNATIVES:

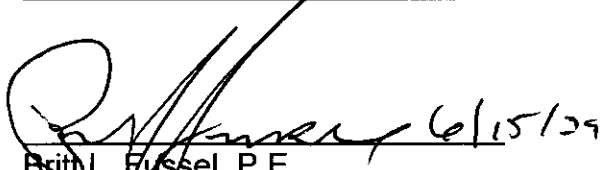
1. Do not set the public hearing. This alternative is not recommended since the proposed rate increase is required to reduce the amount of funds borrowed from the Revolving Fund and can only be implemented with a public hearing.
2. Consider an increase different than the recommended 10%. Consideration of a rate increase in excess of 10% would require a change in Board policy as established by Resolution No. 94-0356. At the time of the public hearing the Board can consider any rate adjustment equal to or less than that identified in the public notice.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

U. S. Department of Agriculture and SWRCB have been sent the agenda item setting the Public Hearing for their review.

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ADMINISTRATIVE SIGN-OFF:


Britt L. Fussel, P.E.
Assistant Director—Engineering
County Surveyor

cc: Auditor/Controller
County Counsel
County Administrative Office (2)

Attachment(s) Notice of Public Hearing to be published
Notice of Public Hearing to be mailed
Tables of proposed rate increases to be published and mailed
Tables 1-4

BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF SETTING A)
PUBLIC HEARING FOR CONSIDERATION)
OF SEWER AND WATER USER FEE) RESOLUTION NO. _____
ADJUSTMENTS FOR SPECIFIC COUNTY)
SERVICE AREA ZONES OF BENEFIT)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JUNE 23, 2009, BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Set a Public Hearing on August 11, 2009 at 9:30 a.m. for consideration of sewer and water user fee adjustments for specific County Service Area Zones of Benefit (El Rancho, Delft Colony, Seville, Tonyville, Tooleville, Traver, Yettem, Wells Tract sewer systems in addition to the Delft Colony, Yettem and Wells Tract water systems); and
2. Approved the Notice of Public Hearing to be published and mailed to affected residents.

(to be published)

**NOTICE OF PUBLIC HEARING
PERTAINING TO PROPOSED SEWER AND WATER FEE ADJUSTMENTS**

Notice is hereby given that on August 11, 2009, at 9:30 a.m., in the Chambers of the Tulare County Board of Supervisors, Visalia California, the Board of Supervisors will hear the matter of user fee adjustments for Sewer and Water Systems in the various Zone of Benefits in County Service Area No. 1 and County Service Area No. 2. The following rates are proposed:

<u>Type of Fee</u>	<u>Proposed Fees</u> ⁽¹⁾
Monthly Residential Service ⁽²⁾	See Table A
School	See Table A

(1) All Fees are shown as monthly user fees.

(2) Payment for sewer collection, treatment and disposal costs; water distribution costs; and for billing administration, depreciation, and debt service costs.

The Board of Supervisors shall provide reasonable time and opportunity for all interested persons to be heard at said meeting.

Location of Hearing:

Board of Supervisors Chambers
2800 West Burrel
County Administration Building
County Civic Center
Visalia, CA 93291

Name and Address of Local Agency:

County of Tulare
County Service Area No. 1 and No. 2
c/o Resource Management Agency
Utilities Division
5961 South Mooney Boulevard
Visalia, CA 93277 (559) 733-6291

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PERTAINING TO PROPOSED SEWER AND WATER FEE ADJUSTMENTS**

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County Civic Center
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County of Tulare
County Service Area No. 1 and No. 2
c/o Resource Management Agency
Utilities Division
5961 South Mooney Boulevard
Visalia, CA 93277 (559) 733-6291

**AVISO DE AUDIENCIA PUBLICA
TOCANTE LOS PROPUESTOS CAMBIOS DE CUOTAS DE DRENAJE Y AGUA**

Se da aviso que en el 11 de Agosto del 2009, a las 9:30 a.m. en los Salones de la Mesa de Supervisores del Condado de Tulare, Visalia, California, la Mesa de Supervisores escuchara el tema de cambios de cuotas para los Sistemas de Drenaje y Agua en las varias Zonas de Beneficio en la Area de Servicio Numero 1 del Condado y en la Area de Servicio Numero 2 del Condado. Las siguientes tarifas son propuestas:

<u>Tipo de Cuota</u>	<u>Propuesta de Cuota</u> ⁽¹⁾
Servicio Residencial Mensual ⁽²⁾	Vea Tabla A
Escuela	Vea Tabla A

(1) Todas las cuotas se demuestran como cuotas mensuales

(2) Pagos para coleccion de drenaje, tratamiento y costos del desecho, costos de distribucion de agua; y para facturacion, administracion, depreciacion de valor, y costos de servicios de deudas.

La Mesa de Supervisores dara tiempo razonable y oportunidades para todas las personas interesadas que gusten ser escuchadas en nuestra junta.

Lugar de Audiencia:

Salones de la Mesa de Supervisores
2800 West Burrel
Edificio Administrativo del Condado
Centro Civico del Condado
Visalia, CA 93291

Nombre y Domicilio de Agencia Local:

Condado de Tulare
Area de Servicio del Condado Numero 1 y 2
c/o Resource Management Agency
Utilities Division
5961 South Mooney Boulevard
Visalia, CA 93277 (559) 733-6291

2009/2010 PROPOSED FEES
For Sewer And Water Systems in Tulare County CSA Zones 1 & 2

For APN No.: APN
Zone of Benefit: ZOB NAME

(SEE NEXT PAGE FOR HEARING DATE)

OWNER
CARE OF
MAILING ADDRESS
CITY, STATE, ZIP

Basis of Fees: The fees are determined by calculating the total expense of operation and maintenance of each system. The expense is divided by the number of dwellings in each service area, which determines the actual recovery cost per dwelling. The present fees are compared to the recovery costs and adjusted within the guidelines to establish the proposed fees. The proposed fees contribute proportionally to the total expense of each system.

Description of Fee	Current Fees	Proposed Fees	Description of Fee	Current Fees	Proposed Fees
SEWER			WATER		
Z01 El Rancho					
Monthly Residential Service	\$ 55.25	\$ 60.75			
Z10 Delft Colony			Z11 Delft Colony		
Monthly Residential Service	\$ 41.00	\$ 45.00	Monthly Residential Service	\$ 41.50	\$ 45.75
Z50 Seville					
Monthly Residential Service	\$ 54.25	\$ 59.75			
School	\$ 184.50	\$ 203.00			
Z60 Tonyville					
Monthly Residential Service	\$ 49.50	\$ 54.50			
Z70 Tooleville					
Monthly Residential Service	\$ 53.75	\$ 59.25			
Z80 Traver					
Monthly Residential Service	\$ 24.75	\$ 27.25			
School	\$ 244.00	\$ 268.50			
Child Care	\$ 39.00	\$ 43.00			
Z90 Yettem			Z91 Yettem		
Monthly Residential Service	\$ 69.25	\$ 76.25	Monthly Residential Service	\$ 46.25	\$ 51.00
School			School		
Yettem Continuation	\$ 95.75	\$ 105.25	Yettem Continuation	\$ 52.50	\$ 57.75
Learning Center	\$ 87.75	\$ 96.50	Learning Center	\$ 52.50	\$ 57.75
Z96 Wells Tract			Z95 Wells Tract		
Monthly Residential Service	\$ 51.25	\$ 56.50	Monthly Residential Service	\$ 26.75	\$ 29.50

EXHIBIT A

2009/2010 FEES

For Sewer And Water Systems in Tulare County CSA Zones 1 & 2

Basis of Fees: The fees are determined by calculating the total expense of operation and maintenance of each system. The expense is divided by the number of dwellings in each service area, which determines the actual recovery cost per dwelling. The present fees are compared to the recovery costs and adjusted within the guidelines to establish the proposed fees. The proposed fees contribute proportionally to the total expense of each system.

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Z01 El Rancho					
Monthly Residential Service	\$ 55.25	\$ 60.75			
Z10 Delft Colony			Z11 Delft Colony		
Monthly Residential Service	\$ 41.00	\$ 45.00	Monthly Residential Service	\$ 41.50	\$ 45.75
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Monthly Residential Service	\$ 54.25	\$ 59.75			
School	\$ 184.50	\$ 203.00			
Z60 Tonyville					
Monthly Residential Service	\$ 49.50	\$ 54.50			
Z70 Tooleville					
Monthly Residential Service	\$ 53.75	\$ 59.25			
Z80 Traver					
Monthly Residential Service	\$ 24.75	\$ 27.25			
School	\$ 244.00	\$ 268.50			
Child Care	\$ 39.00	\$ 43.00			
Z90 Yettem			Z91 Yettem		
Monthly Residential Service	\$ 69.25	\$ 76.25	Monthly Residential Service	\$ 46.25	\$ 51.00
School			School		
Yettem Continuation	\$ 95.75	\$ 105.25	Yettem Continuation	\$ 52.50	\$ 57.75
Learning Center	\$ 87.75	\$ 96.50	Learning Center	\$ 52.50	\$ 57.75
Z96 Wells Tract			Z95 Wells Tract		
Monthly Residential Service	\$ 51.25	\$ 56.50	Monthly Residential Service	\$ 26.75	\$ 29.50

TABLE 1

ESTIMATED NET COSTS

**FOR 2008/2009 FISCAL YEAR
COUNTY SERVICE AREAS # 1 AND # 2**

Sewer System	Estimated Expenses	Estimated Revenue	Less Depreciation Expenses	Net Cost¹	Current Fees
1 El Rancho ZOB	\$ 36,993	\$ 18,167	\$ 7,693	\$ 11,133	\$ 55.25
2 Delft Colony ZOB	\$ 127,170	\$ 54,623	\$ 29,655	\$ 42,892	\$ 41.00
3 Seville ZOB	\$ 94,818	\$ 63,884	\$ 24,281	\$ 6,653	\$ 54.25
4 Tonyville ZOB	\$ 70,172	\$ 43,107	\$ 20,141	\$ 6,924	\$ 49.50
5 Tooleville ZOB	\$ 99,819	\$ 46,302	\$ 21,618	\$ 31,899	\$ 53.75
6 Traver ZOB	\$ 128,191	\$ 61,426	\$ 47,140	\$ 19,625	\$ 24.75
7 Yettum ZOB	\$ 84,246	\$ 55,196	\$ 15,008	\$ 14,042	\$ 69.25
8 Wells Tract ZOB	\$ 58,140	\$ 36,798	\$ 8,391	\$ 12,951	\$ 51.25
Water System					
1 Delft Colony ZOB	\$ 116,698	\$ 52,200	\$ 19,038	\$ 45,460	\$ 41.50
2 Yettum ZOB	\$ 57,940	\$ 37,607	\$ 15,989	\$ 4,344	\$ 46.25
3 Wells Tract ZOB	\$ 26,938	\$ 23,046	\$ 7,355	\$ (3,463)	\$ 26.75
TOTAL	\$ 901,125	\$ 492,356	\$ 216,309	\$ 192,460	
Estimated Revolving Fund Loan					
				\$ 195,923	

1) Negative values in "net cost" offset a portion of the depreciation expense.

TABLE 2

ESTIMATED NET COSTS WITH CURRENT RATES

**FOR 2009/2010 FISCAL YEAR
COUNTY SERVICE AREAS # 1 AND # 2**

Sewer System	Estimated Expenses	Estimated Revenue	Less Depreciation Expenses	Net Cost¹	Current Fees
1 El Rancho ZOB	\$ 33,090	\$ 18,167	\$ 7,693	\$ 7,230	\$ 55.25
2 Delft Colony ZOB	\$ 84,577	\$ 54,623	\$ 29,655	\$ 299	\$ 41.00
3 Seville ZOB	\$ 94,042	\$ 63,884	\$ 24,281	\$ 5,877	\$ 54.25
4 Tonyville ZOB	\$ 70,366	\$ 43,107	\$ 20,141	\$ 7,118	\$ 49.50
5 Tooleville ZOB	\$ 105,703	\$ 46,302	\$ 21,618	\$ 37,783	\$ 53.75
6 Traver ZOB	\$ 121,841	\$ 61,426	\$ 47,140	\$ 13,275	\$ 24.75
7 Yettem ZOB	\$ 78,221	\$ 55,196	\$ 15,008	\$ 8,017	\$ 69.25
8 Wells Tract ZOB	\$ 60,808	\$ 36,798	\$ 8,391	\$ 15,619	\$ 51.25
Water System					
1 Delft Colony ZOB	\$ 113,365	\$ 52,200	\$ 19,038	\$ 42,127	\$ 41.50
2 Yettem ZOB	\$ 76,280	\$ 37,607	\$ 15,989	\$ 22,684	\$ 46.25
3 Wells Tract ZOB	\$ 32,994	\$ 23,046	\$ 7,355	\$ 2,593	\$ 26.75
TOTAL	\$ 871,287	\$ 492,356	\$ 216,309	\$ 162,622	
Estimated Revolving Fund Loan					
				\$ 162,622	

1) Negative values in "net cost" offset a portion of the depreciation expense.

TABLE 3

ESTIMATED NET COSTS WITH PROPOSED RATE INCREASE

FOR 2009/2010 FISCAL YEAR
COUNTY SERVICE AREAS # 1 AND # 2

Sewer System	Estimated Expenses	Estimated Revenue	Less Depreciation Expenses	Net Cost ¹	Current Fees	Proposed Fees
1 El Rancho ZOB	\$ 33,090	\$ 19,527	\$ 7,693	\$ 5,870	\$ 55.25	\$ 60.75 *
2 Delft Colony ZOB	\$ 84,577	\$ 62,372	\$ 29,655	\$ (7,450)	\$ 41.00	\$ 45.00 *
3 Seville ZOB	\$ 94,042	\$ 69,972	\$ 24,281	\$ (211)	\$ 54.25	\$ 59.75 *
4 Tonyville ZOB	\$ 70,366	\$ 46,747	\$ 20,141	\$ 3,478	\$ 49.50	\$ 54.50 *
5 Tooleville ZOB	\$ 105,703	\$ 50,593	\$ 21,618	\$ 33,492	\$ 53.75	\$ 59.25 *
6 Traver ZOB	\$ 121,841	\$ 65,136	\$ 47,140	\$ 9,565	\$ 24.75	\$ 27.25 *
7 Yettem ZOB	\$ 78,221	\$ 60,266	\$ 15,008	\$ 2,947	\$ 69.25	\$ 76.25 *
8 Wells Tract ZOB	\$ 60,808	\$ 40,284	\$ 8,391	\$ 12,133	\$ 51.25	\$ 56.50 *
Water System						
1 Delft Colony ZOB	\$ 113,365	\$ 60,359	\$ 19,038	\$ 33,968	\$ 41.50	\$ 45.75 *
2 Yettem ZOB	\$ 76,280	\$ 39,898	\$ 15,989	\$ 20,393	\$ 46.25	\$ 51.00 *
3 Wells Tract ZOB	\$ 32,994	\$ 25,367	\$ 7,355	\$ 272	\$ 26.75	\$ 29.50 *
TOTAL	\$ 871,287	\$ 540,521	\$ 216,309	\$ 114,457		
Estimated Revolving Fund Loan				\$ 122,118		

1) Negative values in "net cost" offset a portion of the depreciation expense.

TABLE 4

**ESTIMATED REQUIRED RATE INCREASE TO ESTABLISH
ZERO NET COSTS
FOR 2009/2010 FISCAL YEAR
COUNTY SERVICE AREAS # 1 AND # 2**

Sewer System	Estimated Expenses	Estimated Revenue	Less Depreciation Expenses	Net Cost¹	Current Fees	Proposed Fees
1 El Rancho ZOB	\$ 33,090	\$ 25,434	\$ 7,693	\$ (37)	\$ 55.25	\$ 91.75 a
2 Delft Colony ZOB	\$ 84,577	\$ 55,169	\$ 29,655	\$ (247)	\$ 41.00	\$ 75.50 b
3 Seville ZOB	\$ 94,042	\$ 70,272	\$ 24,281	\$ (511)	\$ 54.25	\$ 61.75 c
4 Tonyville ZOB	\$ 70,366	\$ 50,435	\$ 20,141	\$ (210)	\$ 49.50	\$ 59.50 d
5 Tooleville ZOB	\$ 105,703	\$ 84,270	\$ 21,618	\$ (185)	\$ 53.75	\$ 93.50 e
6 Traver ZOB	\$ 121,841	\$ 74,940	\$ 47,140	\$ (239)	\$ 24.75	\$ 34.00 f
7 Yettum ZOB	\$ 78,221	\$ 63,475	\$ 15,008	\$ (262)	\$ 69.25	\$ 89.25 g
8 Wells Tract ZOB	\$ 60,808	\$ 52,621	\$ 8,391	\$ (204)	\$ 51.25	\$ 71.25 h
Water System						
1 Delft Colony ZOB	\$ 113,365	\$ 94,482	\$ 19,038	\$ (155)	\$ 41.50	\$ 79.75 i
2 Yettum ZOB	\$ 76,280	\$ 60,547	\$ 15,989	\$ (256)	\$ 46.25	\$ 53.25 j
3 Wells Tract ZOB	\$ 32,994	\$ 25,812	\$ 7,355	\$ (173)	\$ 26.75	\$ 29.75 k
TOTAL	\$ 871,287	\$ 657,457	\$ 216,309	\$ (2,479)		

Estimated Revolving Fund Loan

\$ -

1) Negative values in "net cost" offset a portion of the depreciation expense.

- a) 40% Increase
- b) 1% Increase
- c) 10% Increase
- d) 17% Increase
- e) 82% Increase
- f) 22% Increase
- g) 15% Increase
- h) 43% Increase
- i) 81% Increase
- j) 61% Increase
- k) 12% Increase