

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
SUBJECT: PUBLIC HEARING ON PLACEMENT OF ANNUAL STORM
WATER ENTERPRISE CHARGES ON THE SONOMA
COUNTY PROPERTY TAX ROLL
STAFF PRESENTER: HEAVEN MOORE
SUPERVISING ENGINEER
WATER DEPARTMENT
AGENDA ACTION: RESOLUTION

ISSUE(S)

Should the Council adopt the Storm Water Enterprise charge report on file with the City Clerk and approve placement of the annual Storm Water Enterprise charges on the Sonoma County Property Tax Roll to be collected by the Sonoma County Auditor-Controller-Treasurer-Tax Collector at the same time and in the same manner as Sonoma County property taxes are collected?

BACKGROUND

1. The City of Santa Rosa was required under the federal Clean Water Act to obtain and comply with a National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (Storm Water Permit). To comply with permit requirements and to control and reduce flooding, property damage, erosion, and storm water quality degradation in the City, the Council, in 1996, added Title 16 to the City Code, which created a storm water enterprise and utility ("Storm Water Enterprise") as an agency of the City. Under Title 16, the City Council was authorized to prescribe and collect charges (special assessments) for the services and facilities of the enterprise. The Council's intention to collect the Storm Water Enterprise charges on the Sonoma County Property Tax Roll was stated in Resolution 22880, which levied the annual charges.

PUBLIC HEARING ON PLACEMENT OF ANNUAL STORM WATER ENTERPRISE CHARGES ON THE SONOMA COUNTY PROPERTY TAX ROLL

Page 2

ANALYSIS

1. The City's Storm Water Enterprise utilizes procedures which require an annual noticed public hearing for placing the annual charges on the Sonoma County Property Tax Roll. A notice of the public hearing to be held August 11, 2015, was published on July 27, 2015 and August 3, 2015 as required and a report which shows the amount of the Storm Water and Drainage charges on each parcel of property within the City limits for fiscal year 2015/16 was prepared and filed with the City Clerk. Minor errors were identified in the report thereafter which were corrected and an amended report reflecting the corrections was filed with the City Clerk on August 6, 2015.
2. The annual charges of the Storm Water Enterprise and any credits allowed against those charges for fiscal year 2015/16 are fixed at \$30.80 per equivalent residential unit (ERU) as set by Resolution 28656, adopted June 17, 2015. The 2015/16 rate of \$30.80 was calculated in accordance with Resolution 22880 and is a 3% increase from the 2014/15 rate of \$29.92 based on the Consumer Price Index for all Urban Consumers for the San Francisco–Oakland-San Jose area for a 12-month period ending in August.
3. The purpose of this public hearing is to adopt the Storm Water Enterprise Charge Report and approve placing the established charges in the Report on the Sonoma County Property Tax Roll for collection. The charges in the Report are based on the Equivalent Residential Unit calculated amount previously approved by the Council. Property owners may protest the proposed charges by either speaking at the public hearing or submitting a written protest. Letters received in protest of placing charges on the tax roll will be provided to the City Council at the Council meeting.
4. If the Council finds that protest is made by a majority of parcel owners of properties in the Report, the Report shall not be adopted and the charges shall be collected separately from the tax roll.
5. Per Health and Safety Code, Article 4, Section 5473, "Any entity which has adopted an ordinance pursuant to this article or an order pursuant to Section 6520.5 may, by such ordinance or by separate ordinances or resolutions approved by a two-thirds vote of the members of the legislative body thereof, elect to have such charges collected on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, its general taxes." Therefore, a 2/3 majority vote by the Council is required.
6. In order to simplify the payment process for property owners and to reduce collection expenses, the City proposes to collect the charges on the Sonoma County Property Tax Roll. The charges have been collected annually on the tax roll since they were established in September 1996.

PUBLIC HEARING ON PLACEMENT OF ANNUAL STORM WATER ENTERPRISE
CHARGES ON THE SONOMA COUNTY PROPERTY TAX ROLL

Page 3

RECOMMENDATION

It is recommended by the Water and Finance departments that the Council, by resolution, adopt the Storm Water Enterprise Charge Report and approve placement of the Storm Water Enterprise charges on the Sonoma County Property Tax Roll to be collected by the Sonoma County Assessor-Controller-Treasurer-Tax Collector at the same time and in the same manner as Sonoma County property taxes are collected.

Author: Jenifer Piccinini, x4290