



# MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

January 27<sup>th</sup>, 2009

Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT:** Proposed Ordinance for the Marshall Onsite Wastewater Disposal Zone #1, setting sewer service charges, connection fees and other fees and charges, approving the annual budget for fiscal year 2008-2009, calling for collection on the tax roll for fiscal year 2009-2010 and thereafter, and making findings of inapplicability pursuant to the California Environmental Quality Act (CEQA) (4/5 vote required).

Dear Board Members:

**RECOMMENDATION:**

1. Request the Clerk to read the Ordinance by Title only.
2. Schedule a Merit hearing for February 10<sup>th</sup> 2009 at 10.30 a.m.

**SUMMARY:** The Marshall Phase 1 Onsite Wastewater Disposal system was completed in 2008. This ordinance specifies the method of calculating annual sewer service charges and sets fees for new connections to the system. Exhibit A contains the annual budget for FY 2008-9 and briefly summarizes matters presently affecting the Zone finances. The proposed budget includes provisions for operational expenses, permits, contingencies for equipment replacement and additional services should they be needed. Under the proposed Ordinance, the fee for annual service would be set at \$1099 per equivalent standard dwelling unit (ESD) and the fee for a new connection to the Zone would be \$34,016 per ESD.

Notice of this proposed Ordinance has been mailed to all property owners within the Zone.

If the current year expenditures come in under budget, a small reserve fund will be created to provide a buffer against the Zone's future financial obligations.

Staff has determined that CEQA does not apply to the establishment of charges pursuant to this Ordinance as such fees are for the purpose of meeting repayment of debt service costs, operation and management expenses, meeting financial reserve needs and requirements, and setting aside funds for capital projects necessary to maintain service within the existing Zone. In addition, construction of the underlying project underwent CEQA review in the form of a full Environmental Impact Report, which was certified on April 17th, 2007.

**FISCAL IMPACT:** There is no net county cost. The fees collected under the authority of this Ordinance will be sufficient to support the Zone operations. Staff will work with the Auditor Controller to set up the appropriate accounting structures within the SAP system.

<b>REVIEWED BY:</b>	<input checked="" type="checkbox"/> Auditor-Controller	<input type="checkbox"/> N/A
	<input checked="" type="checkbox"/> County Counsel	<input type="checkbox"/> N/A
	<input type="checkbox"/> Human Resources	<input checked="" type="checkbox"/> N/A

Respectfully submitted,

Brian C. Crawford, Director  
Community Development Agency

Philip D. Smith  
Deputy Director, EHS

Attachment One: Ordinance & Exhibit A