



Staff Report

PUBLIC HEARING TO CONSIDER A RESOLUTION APPROVING THE CITY OF BELMONT FY 2010 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM CHARGES AND ELECTION TO HAVE CHARGES COLLECTED ON THE TAX ROLL

Honorable Mayor and Council Members:

Summary

City Council approval is requested to assess fees on property owners to fund the City of Belmont FY 2010 National Pollutant Discharge Elimination System (NPDES) stormwater compliance program. If approved and authorized by Council, the San Mateo Tax Assessor will collect these annual fees on behalf of the City by placing them on the property tax roll, as they have done in previous years. The rate of assessment is unchanged from that collected in previous years. These fees are distinct from the Countywide NPDES fees, also on this agenda, in that the City Fee is for funding activities performed by the City.

Background

In 1999, the California Regional Water Quality Control Board (RWQCB) issued the City of Belmont and other San Mateo County municipalities a five-year NPDES stormwater discharge permit incorporating a stormwater pollution prevention workplan. Although scheduled to expire in 2004, this permit remains in effect until RWQCB issues a new permit. The workplan includes both program requirements and performance standards. The City and County Association of Governments (C/CAG) formed the San Mateo Countywide Water Pollution Prevention Program (SMCWPPP) to conduct the program requirements for the member agencies. The individual cities are responsible for conducting the performance standard activities, including development review, inspection, cleaning and public education.

Discussion

This annual City NPDES fee funds stormwater operations and NPDES compliance activities including repair of storm pipes and gutters, cleaning of catch basins, storm drains, and pump stations; inspecting and enforcing cleanup of discharges from commercial facilities and illicit sources; staff training; and public education such as catch basin stenciling, creek cleanup and County Fair booth sponsorship. The fee also funds staff participation in the SMCWPPP technical advisory committee and five subcommittees (New Development, Commercial and Industrial Illicit Discharge, Public Information and Participation, Municipal Government Maintenance, and Watershed Assessment) as required by the permit.

If the fee is not approved, the City will need to pay for the activities necessary to satisfy the NPDES permit performance standards from other funds. The City has limited discretion in deciding whether to conduct these activities because they are required by the NPDES permit.

General Plan/Vision Statement

The adoption of NPDES fee is consistent with the General Plan Public Facilities and Services Goals Section (Paragraph 2041), which states: “To provide public services at a level adequate to ensure public safety, health and welfare at the lowest possible cost.”

Fiscal Impact

The proposed fee is projected to generate approximately \$415,700 in revenue for the City’s NPDES/Stormwater fund (525-9999-6731). No fee increase from last year is proposed for this fiscal year. The Finance Department is preparing a “Non-Point Source Storm Drainage Fees” report compiling and computing the fees by parcel. The rate structure is as follows:

| LAND USE | FEE |
|-----------------------------|--|
| Single Family | \$30.00 plus \$30 for each acre over one |
| Condominium | \$30.00 per unit |
| Duplex & Multi-Family | \$30.00 times 2/3 the number of units |
| Commercial | \$30.00 times 20 times number of acres |
| Institutional | \$30.00 times the number of acres |
| Undeveloped | \$30.00 times the number of acres |
| Additional Transaction Fee* | \$1.35 per parcel |

*The transaction fee is an additional pass-through fee per parcel to be paid to the tax assessor’s office for its service.

Public Contact

Notice was published for this item. The item was also posted with the Council agenda.

Recommendation

Staff recommends that the City Council approve preparation of the report of charges contained in the “Non-Point Source Storm Drainage Fees for FY 2010” and elect to have said fees collected on the San Mateo County tax roll.

Alternatives

1. Continue the public hearing to July 14, 2009 and refer back to staff for additional information.
2. Deny approval.

Attachments

A. Resolution

Respectfully submitted,

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Senior Civil Engineer

Karen Borrmann, P.E.
Interim Director of Public Works

Jack R. Crist
City Manager

Staff Contact:

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RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT APPROVING
FY 2010 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM CHARGES
AND ELECTION TO HAVE CHARGES COLLECTED ON THE TAX ROLL**

WHEREAS, in 1999 the California Regional Water Quality Control Board issued a five-year National Pollutant Discharge Elimination System (NPDES) stormwater discharge permit to the City of Belmont that will remain in effect until a new permit is issued; and,

WHEREAS, this permit requires the City of Belmont to comply with stormwater pollution prevention performance standards for municipal maintenance, commercial inspection and public education as described in the San Mateo Countywide Water Pollution Prevention Program; and,

WHEREAS, the City is preparing the “Non-Point Source Drainage Fees, FY 2010” containing a description of each parcel or real property and the amount of the charge for each parcel; and,

WHEREAS, the fee schedule by parcel category as set forth in said report is summarized as follows:

| | |
|----------------------------|--|
| Single Family | \$30.00 plus \$30 for each acre over one |
| Condominium | \$30.00 per unit |
| Duplex and Multi-Family | \$30.00 times 2/3 number of units |
| Commercial | \$30.00 times 20 times number of acres |
| Institutional | \$30.00 times number of acres |
| Undeveloped | \$30.00 times number of acres |
| Additional Transaction Fee | \$1.35 per parcel |

WHEREAS, the total fee to be collected from parcels and real property on behalf of the City of Belmont for stormwater pollution prevention activities is estimated to be approximately \$415,700; and,

WHEREAS, a public hearing was held and all objections or protests to the above referenced report were heard.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Belmont that:

1. Preparation of the “Non-Point Source Drainage Fees, FY 2010” report is approved.
2. The annual NPDES fee schedule for parcels as set out above is approved for FY 2010.
3. The City elects to have the fee collected by the County Assessor on the property tax rolls.

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at the regular meeting thereof held on June 23, 2009, by the following vote:

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

CLERK of the City of Belmont

APPROVED:

MAYOR of the City of Belmont