



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
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DONALD L. WOLFE, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

December 29, 2005

IN REPLY PLEASE
REFER TO FILE: **EP-4**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE REPORT
BELVEDERE GARBAGE DISPOSAL DISTRICT
SUPERVISORIAL DISTRICT 1
4 VOTES AT HEARING**

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

1. Find that the adoption of the enclosed Annual Garbage Collection and Disposal Service Fee Report, Fiscal Year 2006-07, for the Belvedere Garbage Disposal District (Enclosure A) and proposed Ordinance is for the purpose of meeting operating expenses and, therefore, is exempt from the California Environmental Quality Act pursuant to Section 21080(b)8 of the Public Resources Code.
2. Adopt the report and introduce, waive reading, and adopt by a two-thirds vote the proposed Ordinance (Enclosure B) amending Chapter 20.90 of the Los Angeles County Code to increase the Annual Garbage Collection and Disposal Service Fee for the Belvedere Garbage Disposal District (GDD) and provide for such fee to be collected on the tax roll, if there is no majority protest.

PURPOSE/JUSTIFICATION OF RECOMMENDATION

In September 1980, your Board adopted several Ordinances establishing service fees to supplement property taxes to provide for refuse collection and disposal services in

various Garbage Disposal Districts in the County of Los Angeles, including the Belvedere GDD.

Currently, each parcel of real property within the Belvedere GDD is assessed an annual service fee based on the number of refuse units. The number of refuse units assigned to each parcel of real property is based on the current property use classification derived from the County Assessor's tax roll. The number of units per parcel varies from one-half unit for a vacant parcel to 18 units for a community shopping center. A parcel containing a single-family residential unit has been assigned one refuse unit. Based on this formula, each single-family residence is currently charged \$108 per year in the Belvedere GDD. Multi-family residential and certain commercial and industrial parcels are assessed higher amounts based on their current property use classification.

The current annual service fee for the Belvedere GDD has been in effect since July 2002. The estimated revenues from the service fee at the current rate, together with projected property tax revenues, will not be sufficient to finance the final year (Fiscal Year 2006-07) of the Belvedere GDD's current five-year contract for refuse, recyclable materials, and green waste collection services. The Belvedere GDD has used a combination of service fee revenues, property taxes, and reserves to fund its operations. The Belvedere GDD's reserves have allowed the service fee to be maintained at the current rate for the last four years, which is approximately 50 percent of the average residential cost throughout the County of Los Angeles. The ad valorem tax cut experienced by the Belvedere GDD in the last two years and the depleting reserves necessitate an increase in the service fee to meet the Belvedere GDD's current operational costs.

Based on the above, it is recommended that the current annual service fee be increased to \$152 per refuse unit (\$12.67 per refuse unit per month) beginning in Fiscal Year 2006-07. Despite the increase, this rate is approximately 29 percent lower than the average residential rate among neighboring cities and communities providing similar services. It is essential that the operation of the refuse collection and disposal services within the Belvedere GDD be continued without interruption and at a reasonable cost to protect the environment and health and safety of the Belvedere GDD's residents and the general public.

The collection of the service fee on the tax roll remains the most cost-effective mechanism for the billing and accounting of these fees.

Implementation of County Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the proposed service fee will provide sufficient funds to continue the refuse collection and disposal services within the Belvedere GDD without interruption. It also satisfies the goal of Service Excellence since providing continuous, automated refuse collection and disposal services to residents and business establishments within the Belvedere GDD improves the quality of life and protects the public health and safety in the Belvedere GDD.

FISCAL IMPACT/FINANCING

We anticipate that based on approximately 35,000 service units on record, the recommended annual service fee increase of \$44 per service unit will generate an estimated additional annual revenue of \$1,537,000 for the Belvedere GDD which will allow us to meet operating expenses for Fiscal Year 2006-07.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

A new or increased fee for refuse collection services may be imposed by an ordinance approved by a two-thirds vote of your Board. In addition, an ordinance or resolution approved by a two-thirds vote is required to have the approved fee collected on the tax roll (Sections 5471 and 5473 of the California Health and Safety Code). The proposed Ordinance (Enclosure B) has been reviewed and approved as to form by County Counsel.

Article XIID, Section 6, of the California Constitution requires that a written notice be provided to the record owner of all identified parcels of property within the Belvedere GDD by U.S. mail of the amount of the proposed annual garbage collection and disposal service fee imposed upon each parcel; the basis upon which the amount of the service fee was calculated; the reason for the service fee; and the date, time, and location of a public hearing on the proposed service fee. The public hearing is to be conducted not less than 45 days from the date of the notification. The imposition of a service fee for refuse collection services is exempt from voter approval.

Pursuant to Section 5473 of the California Health and Safety Code, a report entitled Annual Garbage Collection and Disposal Service Fee Report, Fiscal Year 2006-07, for the Belvedere GDD (Enclosure A) has been prepared and filed with the Executive Officer-Clerk of the Board of Supervisors. The report contains a description of each parcel receiving refuse collection service and the amount of the fee for each parcel for

the year, computed in conformity with the fee prescribed by the proposed Ordinance. Section 5473.1 of the California Health and Safety Code requires that notice of the filing of this report and of a time and place of hearing thereon (Enclosure C) be published once a week for two successive weeks in a newspaper of general circulation pursuant to Section 6066 of the Government Code and mailed to the owners of all parcels described in the report.

At the hearing, your Board shall hear and consider all protests to the report or against the proposed service fee. If the Board finds that protests to the report are made by the owners of a majority of parcels described in the report, the report shall not be adopted and the fee, if approved, shall be collected separately from the tax roll. If written protests against the fee are presented by a majority of owners of the identified parcels, the fee shall not be imposed.

ENVIRONMENTAL DOCUMENTATION

Adoption of the enclosed report and of the proposed Ordinance to increase the garbage collection and disposal service fee for the Belvedere GDD and to provide for the collection of the fee on the tax roll is for the purpose of meeting operating expenses and, therefore, is exempt from the California Environmental Quality Act pursuant to Section 21080(b)8 of the Public Resources Code.

IMPACT ON CURRENT SERVICES

The collection of the service fee on the tax roll will allow the continued provision of refuse collection and disposal, and materials and green waste recycling services to all residential, commercial, and industrial customers within the Belvedere GDD.

The Honorable Board of Supervisors
December 29, 2005
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CONCLUSION

Upon approval, please return two adopted copies of this letter and report to Public Works. In addition, please file a copy of the report with the Auditor-Controller on or before August 10, 2006.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

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cc: Auditor-Controller
Chief Administrative Office
County Counsel

**Annual Garbage Collection
And Disposal Service Fee Report
Fiscal Year 2006-07
For
Belvedere
Garbage Disposal District**



Prepared By:
**County of Los Angeles
Department of Public Works
Environmental Programs Division**

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE REPORT
FISCAL YEAR 2006-07
BELVEDERE GARBAGE DISPOSAL DISTRICT
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INTRODUCTION

The California Health and Safety Code, Section 5470, et seq., requires that if existing garbage collection and disposal service fees are to be continued and collected on the tax roll, a report shall be prepared each year and filed with the Clerk of the Board of Supervisors. The report shall contain a description of each parcel receiving such services and the amount of the fee for each parcel for the year. The Clerk shall file a copy of the report with the Auditor-Controller on or before August 10 of each year, with a statement that the report has been finally adopted by the Board of Supervisors, and the Auditor-Controller shall enter the amounts of the fees against the respective parcels of land as they appear on the current assessment roll. This report has been prepared to fulfill said requirements.

DISTRICT-SPECIFIC INFORMATION

The Belvedere Garbage Disposal District (GDD) provides refuse, recyclable materials, and green waste collection services to approximately 19,050 parcels with an estimated population of 130,000 residents. The Belvedere GDD encompasses only County unincorporated territory as shown in Attachment A.

It is essential that operation of the refuse collection and disposal services within the Belvedere GDD be continued without interruption to protect the environment and health and safety of the Belvedere GDD's residents, businesses, and the general public. The necessary funds must be available to pay the cost of refuse, recyclable materials, and green waste collection services and administration of the Belvedere GDD's contract.

ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE

In September 1980, the County of Los Angeles Board of Supervisors adopted an Ordinance establishing a service fee to supplement property taxes for refuse, recyclable materials, and green waste collection disposal services provided in the Belvedere GDD. The collection of the service fee on the tax roll is the most cost-effective mechanism for the billing and accounting of the fees.

The existing service fee for the Belvedere GDD is established in the Los Angeles County Code, Chapter 20.90, Part 3 (Attachment B). The annual service fee levied upon each parcel of real property within the Belvedere GDD is computed by multiplying the refuse unit fee by the number of refuse units assigned to the property use classification of the parcel, as shown in Table 1 of Section 20.90.150 of the County Code. The number of refuse units per parcel varies from one-half unit for a vacant

**COUNTY OF LOS ANGELES
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parcel to 18 units for a community shopping center. A parcel containing a single-family residential unit has been assigned one refuse unit.

The refuse unit fee for the Belvedere GDD as indicated in Section 20.90.130 of the County Code is being increased from \$108 per unit to \$152 per unit effective Fiscal Year 2006-07. Accordingly, all single-family residences within the Belvedere GDD will be assessed a total of \$152 annually for refuse, recyclable materials, and green waste collection services. Multi-family residential and certain commercial and industrial properties are charged a higher amount based on their property use classification.

IDENTIFICATION OF PARCELS TO BE CHARGED

Attachment C lists all parcels of real property within the Fiscal Year 2006-07 Tax Rate Areas for the Belvedere GDD. These parcels of real property are further described in maps on file in the office of the County Assessor. These parcels of real property will be charged the appropriate service fee, computed as described above.

A map showing the boundaries of the Belvedere GDD is included in Attachment A.

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AMENDED TITLE 20 ORDINANCE
LOS ANGELES COUNTY CODE

BELVEDERE GARBAGE DISPOSAL DISTRICT

ENCLOSURE B

ANALYSIS

This ordinance amends Title 20 – Utilities of the Los Angeles County Code to increase the annual garbage collection and disposal service fee on each parcel of real property within the Belvedere Garbage Disposal District. The ordinance further provides for the continued collection of the fee on the tax roll.

RAYMOND G. FORTNER, JR.
County Counsel

By 

MICHAEL MOORE
Deputy County Counsel
Public Works Division

MM:gm

10/18/05 (requested)

10/21/05 (revised)

ORDINANCE NO. _____

An ordinance amending Title 20 - Utilities of the Los Angeles County Code, relating to the annual garbage collection and disposal service fee for the Belvedere Garbage Disposal District.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 20.90.130 is hereby amended to read as follows:

20.90.130 Service fees.

- A. An annual garbage collection and disposal service fee is levied upon parcels of real property in the District for the services provided by the District.
- B. The amount of the fee for each parcel shall be computed by multiplying the refuse unit fee by the number of refuse units assigned to the property use classification of the parcel as shown in Table 1, codified in Section 20.90.150. The refuse unit fee is ~~\$108~~152.00 per unit, beginning with 2006-07 fiscal year.
- C. This fee shall be in addition to any ad valorem taxes levied on such property. The current property use classification and the refuse units assigned to each property use are as set forth in Table 1.

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INSTRUCTION SHEET FOR PUBLISHING
LEGAL ADVERTISEMENTS

TO: Executive Officer
Board of Supervisors
County of Los Angeles

FROM: Department of Public Works
Environmental Programs Division

**NOTICE OF HEARING
ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE REPORT
FISCAL YEAR 2006-07
BELVEDERE GARBAGE DISPOSAL DISTRICT**

Publishing

In accordance with Section 5473.1 of the California Health and Safety Code and Section 6066 of the California Government Code, the Executive Officer-Clerk of the Board shall publish notice of the filing of the Annual Garbage Collection and Disposal Service Fee Report, Fiscal Year 2006-07, for the above-referenced Garbage Disposal District and of a time and place of a hearing on the report. Publication of the notice shall be once a week for two successive weeks in a newspaper of general circulation printed and published once a week, or more often, with at least five days intervening between the respective publication dates, not counting such publication dates. The period of notice commences upon the first day of publication and terminates at the end of the 14th day, including therein the first day.

Forward ten reprints of the attached advertisement to the County of Los Angeles Department of Public Works, Environmental Programs Division, P.O. Box 1460, Alhambra, California 91802-1460.

Should there be any questions regarding this matter, please contact Fred M. Rubin, of this office, at (626) 458-3500, Monday through Thursday, 7 a.m. to 5:30 p.m.

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Attach.

**NOTICE OF HEARING
ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE REPORT
FISCAL YEAR 2006-07
BELVEDERE GARBAGE DISPOSAL DISTRICT**

Notice is hereby given that a report prepared by the Director of Public Works has been filed with the Clerk of the Board of Supervisors of the County of Los Angeles concerning the annual garbage collection and disposal service fee for refuse, recyclable materials, and green waste collection services to properties within the Belvedere Garbage Disposal District (GDD). The report contains a description of each parcel receiving these collection services and the amount of the service fee for each parcel, which is proposed to be increased beginning with Fiscal Year 2006-07. The service fee is collected on the tax roll.

Currently, each parcel of real property within the Belvedere GDD is assessed an annual service fee based on the number of refuse units assigned to that parcel. The number of refuse units is a function of the property use classification of the parcel and varies from one-half of one unit for a vacant lot and one unit for a single-family residence to 18 units for a community shopping center. Based on this formula, the current annual service fee for a parcel containing a single-family residence is \$108 for the Belvedere GDD. Multi-residential units and certain commercial and industrial parcels are assessed higher amounts based on their property use classification.

The annual service fee is proposed to be increased to \$152 per refuse unit for the Belvedere GDD beginning Fiscal Year 2006-07 and would continue to be collected on the tax roll.

Tuesday, _____, 2006, at 9:30 a.m., in Room 381 of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012, is the time and place which has been fixed by the Board of Supervisors to consider all objections or protests to the report. Any person wishing to be heard on this matter may appear before the Board of Supervisors and show cause why the report should not be adopted.

For further information regarding this matter, please telephone the County of Los Angeles Department of Public Works, Environmental Programs Division, at (800) 404-4487, Monday through Thursday from 7 a.m. to 5:30 p.m.

**NOTICE OF HEARING
ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE REPORT
FISCAL YEAR 2006-07
BELVEDERE GARBAGE DISPOSAL DISTRICT**

Upon 72 hours notice, the County can provide program information and publications in alternate formats or make other accommodations for persons with disabilities. In addition, documents are available at the Kenneth Hahn Hall of Administration in Los Angeles (500 West Temple Street), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact our ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7 a.m. to 5:30 p.m.

**AVISO DE AUDIENCIA PÚBLICA
REFERENTE AL REPORTE ANUAL SOBRE LA CUOTA DE SERVICIO DE
RECOLECCIÓN DE BASURA PARA EL AÑO FISCAL 2006-07
DISTRITO DE BASURA DE BELVEDERE**

Por medio de este aviso se anuncia que un Reporte preparado por el Director de Obras Públicas se ha registrado con el Escribano de la Junta de Supervisores del Condado de Los Angeles tocante la Cuota Anual de Servicio de Recolección de Basura y programas de reciclaje y desechos verdes a propiedades dentro del Distrito de Basura de Belvedere. El Reporte contiene una descripción de cada lote que recibe estos servicios de recolección y la cantidad de la cuota de servicio por cada lote, en la cual se propone un aumento comenzando el Año Fiscal de 2006-07. La cuota de servicio se colecta en los impuestos de propiedad.

Actualmente, cada lote de bienes y raíces dentro del Distrito es sujeto a una cuota anual de servicio la cual es basada en el número de unidades de desechos asignadas a ese lote. El número de unidades de desechos es una de las funciones del código de propiedad y varía de la mitad (1/2) de una unidad para un lote vacío y una (1) unidad para una residencia familiar, hasta 18 unidades por un centro comercial comunitario. Basado en esta fórmula, la cuota anual de servicio actual por unidad de desechos es \$108 para residencias familiares, en el distrito de Belvedere. Residencias multifamiliares y ciertos lotes comerciales e industriales son sujetos a cuotas más altas de acuerdo a la clasificación del uso de la propiedad.

Se propone un aumento a la cuota de servicio anual a \$152 por unidad de desechos en el Distrito de Basura de Belvedere, comenzando el Año Fiscal 2006-07 y proveería la recaudación de la cuota de servicio anual a través de los impuestos de propiedad.

Martes, _____, 2006, a las 9:30 a.m., en el Cuarto 381 del Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012, es el tiempo y lugar fijado donde se considerará todas las objeciones y propuestas al Reporte. Cualquier persona que desea tener audiencia tocante a este asunto puede estar presente ante la Junta de Supervisores y mostrar causa porqué la propuesta no debe ser adoptada.

Para más información sobre este asunto, favor llame al Departamento de Obras Públicas del Condado de Los Angeles, División de Programas del Medio Ambiente, al (800) 404-4487, lunes a jueves, 7 a.m. a 5:30 p.m.

**AVISO DE AUDIENCIA PÚBLICA
REFERENTE AL REPORTE ANUAL SOBRE LA CUOTA DE SERVICIO DE
RECOLECCIÓN DE BASURA PARA EL AÑO FISCAL 2006-07
DISTRITO DE BASURA DE BELVEDERE**

Con aviso de 72 horas de anticipación, el Condado puede proveer información y publicaciones del programa en formas alternativas o puede proveer servicios especiales para personas con incapacidades. Copias de los documentos también están disponibles en el Salón de Administración de Kenneth Hahn en Los Angeles (500 West Temple Avenue) que es accesible para personas con incapacidades. Para solicitar arreglos especiales SOLAMENTE o para más información con respecto al Americans with Disabilities Act (ADA), favor de comunicarse con nuestro coordinador departamental de ADA, al (626) 458-4031 o TDD (626) 282-7829, lunes a jueves, 7 a.m. a las 5:30 p.m.