

BAKER COMMUNITY SERVICES DISTRICT

Responses to the Draft Staff Report

Attachment 2j

Tuerpe, Michael

From: Richardson, Rex - SWMD
Sent: Monday, June 10, 2013 4:30 PM
To: Tuerpe, Michael
Cc: Rivera, Art - SWMD
Subject: RE: Baker Transfer Station and ESFR fees
Attachments: Baker Draft Report Pgs 33 34.pdf

Categories: Blue Category

Michael,

Attached plz find our edit of the Service Report for Baker CSD relative to County Fees requesting removal of the sentence referring to the \$85.14 as that fee is relative to only SFR.

As to your question regarding fees collected v. cost of providing disposal. The ESFR program is a countywide program and fees were determined on a countywide basis not on an individual community basis. In the case of Baker, the fees collected do not cover the cost of providing the service.

Rex R. Richardson
Solid Waste Programs Administrator
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rex.richardson@dpw.sbcounty.gov

From: Tuerpe, Michael
Sent: Wednesday, April 17, 2013 4:16 PM
To: Richardson, Rex - SWMD
Subject: RE: Baker Transfer Station and ESFR fees

Rex,

Claudia's response below states that \$21,540 was assessed to the parcels in Baker. However, the current contract with the CSD (No. 06-0148) is for \$78,346. This leaves a gap of \$56,806 to operate the station. Is this shortfall assumed by SWMD or the County general fund, or I am I looking at this wrong?

Thanks,

Michael Tuerpe

Project Manager
Local Agency Formation Commission for San Bernardino County
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From: Richardson, Rex - SWMD
Sent: Monday, April 15, 2013 7:47 AM

To: Tuerpe, Michael
Subject: FW: Baker Transfer Station and ESFR fees

In regard to the ESFR & land use pass questions, see below.

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From: Rozzi, Claudia - SWMD
Sent: Friday, April 12, 2013 5:02 PM
To: Richardson, Rex - SWMD
Cc: Cram, Lori - DPW; Cox, Ysenia - DPW
Subject: RE: Baker Transfer Station and ESFR fees

Rex,

For the Baker Area, SWMD's special land use assessment is applied to all residential and commercial properties per the Use Codes and rates contained within our section of the County's Fee Ordinance (see the fee ord. text extract below and the extracted fee schedule in the attached Excel file).

For the FY 12/13, we applied a total of \$21,540.42 special assessment fees to 80 eligible residential and commercial parcels.

In the Baker area, we do not issue land use passes because all of the improved residential and commercial parcels are assessed the land use fees and there is no scale at the local Baker CSD Transfer Station.

Fee Ord Text Extract:

§ 16.0222 Refuse Disposal

(c) Solid Waste Management Disposal Facility Fees.

(1) The following annual refuse disposal land use fees, based on the County Assessor's Land Use Codes, shall apply in the following areas. Where the Land Use Fee for any Use Code contains a schedule of fees based on the building size or number of dwelling units per parcel, but the relevant data base does not disclose sufficient building size or unit information to determine the correct category for a particular parcel, said parcel shall be charged as though it were the third smallest sized category if there are five or six size categories. If paid, such land use fees shall constitute, relative to ordinary refuse (excluding demolition waste, tires and hard to handle and special handling items) generated on the parcel of property for which the fee is paid, payment of the ordinary refuse per ton fee as set forth in § 16.0222(a)(1), and the passenger/light use vehicle and trailer fee as set forth in § 16.0222(h)(1), which may be otherwise due:

(B) Trona and Baker areas include the following land uses found in areas within Assessor's Books # 483, 485, 486, 503, 543, pp. 23 - 28 inclusive, and 544, pp. 21 - 39 inclusive, pp. 44 - 49 inclusive.

Thx, CJR

Phone: 909-387-1872

From: Richardson, Rex - SWMD
Sent: Friday, April 12, 2013 11:57 AM
To: Rozzi, Claudia - SWMD
Subject: FW: Baker Transfer Station and ESFR fees

Could you help with this?

Thanx.

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From: Tuerpe, Michael
Sent: Thursday, April 11, 2013 1:22 PM
To: Richardson, Rex - SWMD
Subject: Baker Transfer Station and ESFR fees

Rex,

For the service review for Baker, we have the following questions:

- What is the methodology for the ESFR fees (what is the levy, is it prorated)?
- Does the County issue land use passes to owners of property covered by ESFR fees?

Thanks,

Michael Tuerpe
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program for recyclables which would assist local businesses in complying with the State's mandatory commercial recycling law (AB 341).

Baker Medium Volume Transfer Processing Facility

In 1997 the CSD entered into a subcontract with NORCAL/San Bernardino, Inc. for the CSD to construct and operate a community collection center on CSD property, and to transfer all of the municipal solid waste collected to the Barstow Landfill for disposal. Section 6, subsection 1, of the subcontract provided that: (1) the County has the right to succeed to the rights and obligations of NORCAL under the subcontract, in the event that the contract between the County and NORCAL is terminated and (2) in such event, the subcontract is subject to re-negotiation. The contract between the County and NORCAL terminated on June 30, 2001. On June 5, 2001, the Board of Supervisors approved Agreement No. 01-438 with the CSD for operation of a community collection center on CSD property and transfer all of the municipal solid waste collected at this facility to the Barstow Landfill for disposal.

From 2001 to 2006 the CSD continued to provide this service, but expressed to the County its desire to cease waste transfer operations. Consequently, after evaluating feasible alternatives, the County amended its contract with Burrtec Waste Industries, Inc. (Burrtec) to include waste transfer operations from the Baker community collection center to the Barstow Landfill. The Agreement compensated the CSD in an amount not to exceed \$124,176 per year.

In 2006, the County and the CSD entered into an agreement (Agreement 06-0148) which allowed the CSD to continue to operate a community collection center on CSD property and to transfer waste from the community collection center to the Barstow Landfill for disposal in the event that Burrtec is unable to perform this function (i.e., if its equipment is temporarily out of service). The Agreement compensated the CSD in an amount not to exceed \$80,750 per year.

Sometime between 2006 and 2012, the County assumed provision for transferring waste from the community collection center to the Barstow Landfill for disposal. In May 2012, the County and CSD amended the agreement to allow for continued CSD operation of the Baker Transfer Facility (formerly categorized as a "community collection center") and provide uninterrupted service. The facility is located at 72799 Sodabaker Road. The amendment also allows the CSD to transfer waste collected at the Baker Transfer Facility to the Barstow Sanitary Landfill in the event the County is unable to provide service. The term of this amendment is for one year and provides the option of extending the agreement for two additional consecutive one-year terms. The Agreement compensates the CSD in the amount of \$78,346 per year for the continued operation of the Baker Transfer Facility. The contract has an overall not to exceed amount of \$533,823.

County Fees

The County levies Equivalent Single Family Residence (ESFR) fees, applied to property tax bills for developed residential and commercial properties per the Use Codes and

rates contained within the Solid Waste Management Division section of the County's Fee Ordinance. This fee is used for solid waste collected and delivered to the transfer station. The single-family levy of \$85.14 is pro-rated for additional rooms or dwelling units. For the FY 2012-13, the County applied a total of \$21,540.42 special assessment fees to 80 eligible residential and commercial parcels.

In the Baker area, the County does not issue land use passes to the Baker Transfer Station because all of the improved residential and commercial parcels are assessed the land use fees and there is no scale at the local Baker Transfer Station.

Minor Boundary Adjustment to the Mojave National Preserve

The Baker Solid Waste Transfer Station is proposed to be excluded from the Mojave National Preserve boundary. 36 Code of Federal Regulations Part 6 ("Solid Waste Disposal Sites in Units of the National Park System") prohibits operation of any solid waste disposal site (including a transfer station) within a National Park Service unit if that site was not in operation on September 1, 1984. Excluding the land on which the Baker Solid Waste Transfer Station sits will have no effect on its ownership or use. The CSD has approved the boundary adjustment.²³

G. Parks and Recreation

The District operates parks (number and facilities unknown), the Jesse Meyer (community) Center, and a swimming pool. Without District participation for this service review, additional information is not available.

The County does not operate a Senior or Community center in the area.

H. Streetlighting

The streetlights along the highway are the responsibility of Caltrans. The other lights are the responsibility of the CSD. The streetlights are classified as all night service (activated from dusk until dawn). Southern California Edison owns the streetlights and responds to problems, and the CSD provides for payment of the utility costs associated with the individual lights. Without District participation for this service review the number of streetlights in the community is not known as authorization was not provided by the CSD to obtain information from Southern California Edison.

The future need for streetlights will increase if the population grows or the land use process requires them dependent upon the implementation of the County's Night Sky Ordinance²⁴, which is applicable in the North and South Desert region. The purpose of the Night Sky Ordinance is to encourage outdoor lighting practices and systems that will minimize light pollution, conserve energy, and curtail the degradation of the nighttime visual environment. The implementation of this ordinance points toward a limitation of

²³ National Park Service, "Minor Boundary Adjustments – Baker Transfer Station and Desert Tortoise Head Start Research Facility", website, accessed 10 Jan 2013. <http://parkplanning.nps.gov/projectHome.cfm?projectID=43080>

²⁴ County of San Bernardino, Development Code Chapter 83.07, Adopted Ordinance 4011 (2007).

Tuerpe, Michael

From: Qureshi, Mohammad, PhD - DPW
Sent: Thursday, May 30, 2013 3:54 PM
To: Tuerpe, Michael
Cc: Schell, Angela
Subject: RE: LAFCO Service Review for Baker Community
Attachments: Baker CSD - TransPlanningComments.doc

Categories: Blue Category

Mike,

Attached are a document containing questions for the review document. I apologize that I did not put Monday's meeting on my schedule and already have another meeting scheduled.

I am still waiting for possible comments from our operations division. I reminded them again today. If I get them by Monday morning, I will email them as well.

From: Tuerpe, Michael
Sent: Friday, May 03, 2013 10:35 AM
To: Lovingood, Robert; Kimberly Cox (KCox@helendalecsd.org); 'bobsmith@san.rr.com'
Cc: Anderson, Kenneth; Frame, Ron; Smith, Dena; Silva, Andrew; Allen, Monique (CAO); Hartwig, Mark; Trapp, Don; Peebles, Marc; Rivera, Art - SWMD; Qureshi, Mohammad, PhD - DPW; Walker, Melissa; Jenkins, James E.; Stover, Terry; Lynch, Tom
Subject: LAFCO Service Review for Baker Community

Attached to this email are:

- LAFCO Service Review draft report for the Baker Community
- Cover Letter identifying that this report is a draft as well as the meeting time to review the draft

Please contact me should there be any questions or need for any of the attachments or a paper copy of the report.

Thanks,

Michael Tuerpe

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Transportation Planning Division (Division) provide the following comment to address information as presented in the "DRAFT" Service Review for the Baker Community dated May 3, 2013. The Division wishes to correct information at the bottom of page 31 under the heading "County Roads," and wishes to replace the entire paragraph, excepting the first sentence, as indicated below.

County Roads

Keep first sentence as written:

According to CSD Law and County requirements, the CSD needs to obtain written permission from the County allowing the CSD to perform road maintenance on public roads (Section 61100(l)).

Remove the rest of the paragraph in its entirety and replace with:

According to County Transportation staff, in order to grade and/or perform work on roads the District would need to submit an application for a Road Permit to encroach the County road right-of-way. County Transportation staff would review the application to decide if the work to be performed is on roads that are within the County Maintained Road System (CMRS). If the work to be performed is on a road(s) that is a part of the CMRS, then written permission in the form of a Road Permit would need to be obtained from the Department of Public Works, Road Permits Section. Roads that are not in the CMRS may be roads that have been dedicated for public use but not maintained by the County or private property. If the work to be performed is on a road not in the CMRS, then the County would not have jurisdiction to issue a permit, but would caution the District that any work performed/constructed shall be the District's responsibility, including the responsibility to ensure that all Federal, State and local regulations are adhered to, and the District's responsibility to obtain all permits required by other agencies such as San Bernardino County Building and Safety, San Bernardino County Special Districts, California Department of Fish and Game, U.S. Army Corp of Engineers, and all other interested agencies. Additionally, County Transportation staff would like to note that working on private property requires permits from County Building and Safety Division of the Land Use Services Department.