

Les Baugh
County Member

Pamelyn Morgan
City Member

Stan Neutze
City Member Alternate

Mark Mezzano
City Member

Irwin Fust
Special District Member

Mary Rickert
County Member Alternate

Brenda Haynes
Special District Member



Larry Russell
Public Member

Joe Chimenti
County Member

Fred Ryness
Special District Alternate

Public Member Alternate

George Williamson
Executive Officer

James M. Underwood
General Counsel

Kathy Bull
Office Manager

Agenda Item: 7.a.

Meeting Date: June 3, 2021

From: George Williamson AICP, Executive Officer

Subject: Proposed City of Redding Wastewater Water Services Extension

The Commission will consider a proposal submitted by City of Redding Resolution of Application 2021-053 for proposed wastewater service extension to two parcels (Shasta County APNs 056-040-040 & -041). The City is requesting wastewater services be extended to the parcels located on Hermosa Way, outside of the city boundary and adopted sphere of influence.

BACKGROUND

Based on information provided by the City of Redding and the Shasta County Environmental Health Division (SCEHD) the undersized leachfield that serves the subject parcels has been observed discharging to the ground surface, which does not meet state health and safety standards (Exhibit A – SCEHD letter to property owners). Both of the subject parcels, located in the County unincorporated area, have septic tanks that would remain in use. Parcels connected to this leachfield must find an alternate disposal option. There is a City wastewater connection available.

Both the force main serving the failing leachfield and the City wastewater line/closest manhole are located on a triangle shaped vacant parcel adjacent to the northeast of the subject parcels, designated as open space and not developable (see figure below)., Other parcels connected to the force main and leachfield are located in the Redding City Limits and City staff is working with those residents on a similar disposal option.

Proposed Wastewater Connection

The City has determined it has the ability to serve the two subject parcels and submitted an application to LAFCo (Exhibit B). The City wastewater line to the east of the subject parcels is 48 inches in diameter and was sized for the buildout of this portion of the City. The existing laterals from the residences on the subject parcels (7223 & 7231 Hermosa Way) would have their current connections to the force main severed and would be connected to the closest City manhole, as shown in the figure shown below. The portions of the laterals under the creek would not be affected.

A contractor will be hired to switch lateral connections from the force main to the City wastewater line. An encroachment permit is required for this work. The parcel owners will pay a \$5,450 connection fee and \$300 tap fee to the City. Once connected the parcels will pay monthly wastewater service charges to the City.

Reasons/Findings for Proposal

The reasons for the services extension as set forth in application to LAFCo are as follows:

California Government Code Section 56133 enables LAFCo to authorize a city to provide new or extended services by contract or agreement outside its jurisdictional boundaries under specified circumstances. In addition, Shasta LAFCo may approve proposals to extend services outside agency boundaries in the following cases:

The service extension is proposed to remedy a clear health and safety concern

The current leach field is undersized and there is surface discharge, in violation of Shasta County Environmental Health regulations

The services in question will not facilitate development

This service extension does not have the effect of increasing development intensity or other "growth inducing" effects, and simply ensures a safe and secure wastewater collection for existing residents.

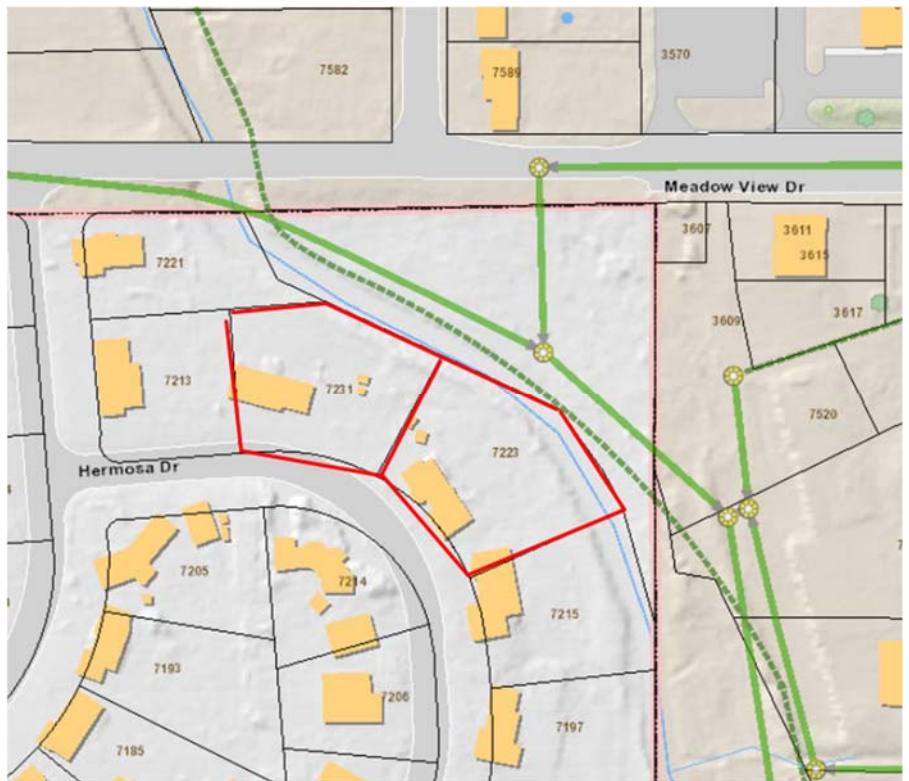
Sufficient service capacity exists

The proposed connection would not impact wastewater system capacity. Closest wastewater connection is northeast of parcels as shown in figure.

According to information included in the City of Redding application, there is sufficient wastewater collection and treatment plant capacity to extend services to the subject properties.

Key:

- Red solid line – subject parcels,
- Green solid line - City wastewater main (48").
- Green circles along wastewater line - Manholes
- Green dashed line – existing force main serving failing leachfield
- Light red line - City Boundary.



Source; City of Redding

Annexation not practicable at this time

The subject property is located outside the City of Redding’s boundary and Sphere of Influence (SOI). Per LAFCo policy, the extension of services outside an agency’s sphere is limited to situations in response to a public health or safety threat to residents of the affected territory. Annexation must show there is sufficient capacity for all municipal services and the SOI must be expanded prior to annexation. The City of Redding Municipal Services Review (MSR) and SOI Update is scheduled by Shasta LAFCO for FY 2021-22 and SOI changes will be considered that may support possible future annexation.

The proposal is consistent with the policies adopted in and pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

The service extension request is consistent with Government Code Section 56133 and Commission Policy. In addition, Shasta LAFCo provided sufficient notice to interested and subject agencies, with no comments received by the deadline.

CEQA Exemption Justification

In accordance with the California Environmental Quality Act (CEQA), it is determined that the project is exempt from CEQA and qualifies for a Class 1 exemption (Section 15301) from the preparation of environmental documents. This class exempts the operation, repair, and minor alteration of existing publicly-owned utility facilities used to provide public utility services when there is negligible or no expansion of an existing use. Only the existing residences will be served by the wastewater connection. Further, the Lead Agency has determined that use of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2. LAFCo independently reviewed the project and determines that the project qualifies for a Class 1 exemption from CEQA.

Conducting Authority Proceedings

Cortese Knox Herzberg (CKH) Act Section 56133, provides for service extensions outside city or district boundaries and recognizes there may be unique local conditions among individual service providers and unincorporated communities. LAFCO policies favor annexation, especially for lands proposed for development. This application did receive 100% landowner consent, and approval is conditioned on providing consent to annex in the future. Commission action is subject to a 30-day reconsideration period.

RECOMMENDATION

APPROVE SUBJECT TO CONDITIONS:

It is recommended the following condition of approval be applied with delegation to the Executive Officer to determine when the requested actions have been sufficiently satisfied before proceeding with a recordation.

- Completion of the 30-day reconsideration period provided under G.C. § 56895.
- Payment of any outstanding fees
- The property owners sign Consent to Annexation Forms

Exhibits:

- A. Letter from SCEHD
- B. Application Form
- C. Vicinity Map and Street-view Photo
- D. Shasta LAFCO Resolution 2021-09



Shasta County

DEPARTMENT OF RESOURCE MANAGEMENT
1855 Placer Street, Redding, CA 96001

Paul A. Hellman
Director

Dale J. Fletcher, CBO
Assistant Director

March 16, 2021

[REDACTED]
7155 AMIGO WAY
REDDING, CA 96002

NOTICE OF THE FAILURE OF THE COMMON LEACH FIELD SERVING YOUR RESIDENCE IN THE WOODED ACRES NORTH AND SOUTH SUBDIVISIONS

The Shasta County Environmental Health Division (SCEHD) recently confirmed evidence of the failure of the common leach field located at 7669 Avianca Drive which serves 31 properties in the Wooded Acres North and South subdivisions. Sewage was observed discharging to the ground surface during inspections conducted by SCEHD and Central Valley Regional Water Board (CVRWQCB) staff. Your residence is known to be connected to this failing common leach field via a septic tank and pump tank on your parcel that discharges to the force main. Therefore, your immediate attention and cooperation is required to remedy this health and safety concern.

The common leach field has been a long-standing concern, and a permanent solution can no longer be postponed. If a permanent resolution is not achieved, property owners could be found to be in violation of Section 5411 of the California Health and Safety Code (H&SC), which states, “[no] person shall discharge sewage or other waste, or the effluent of treated sewage or other waste, in any manner which will result in contamination, pollution or a nuisance”. In addition, surfacing sewage also constitutes a violation of Shasta County Code Sections 8.41.050 (Discharges Prohibited) and 8.41.070 (Sewage Release Restrictions). Finally, lack of connection to an approved sewage disposal system could impact the habitability of your property pursuant to H&SC Section 17920.3.

There are options available to you. Since the construction of the City of Redding’s (COR) Clover Creek interceptor sewer line along Meadow View Drive, several attempts by the COR, SCEHD, and CVRWQCB have been made to encourage all residents who are known to be discharging to the common leach field to connect to COR sewer before the leach field came to the end of its service life, which has been confirmed. Alternately, you can construct your own permitted Non-Standard onsite wastewater treatment system under direction of a qualified professional.

A virtual community meeting to discuss the sewer connection process is being planned by the City for **March 30, 2021, at 6:00 pm**. COR staff will send the announcement with a meeting link and call-in number to you under separate cover. State Water Resources Control Board staff will also be available to answer financing questions; it is possible that either a low-interest loan or a grant may be available to assist in financing the chosen resolution. COR Public Works staff, CVRWQCB staff, and SCEHD staff will participate in the meeting to help facilitate a permanent solution. COR staff is ready to help you meet the City’s requirements and complete the process to connect to sewer service. Thank you for your consideration.

Sincerely,


Carla Serio, REHS, Director

Shasta County Environmental Health Division

CS/pw

c: Central Valley Regional Water Quality Control Board
City of Redding Department of Public Works

EXHIBIT A



Shasta County

DEPARTMENT OF RESOURCE MANAGEMENT
1855 Placer Street, Redding, CA 96001

Paul A. Hellman
Director

Dale Fletcher, CBO
Assistant Director

February 3, 2021

[REDACTED]
21037 Unforgettable Avenue
Palo Cedro, CA 96073

NOTICE OF VIOLATION FOR FAILING COMMUNITY LEACH FIELD SERVING THE WOODED ACRES NORTH SUBDIVISION, 7669 AVIANCA DRIVE, REDDING, ASSESSOR PARCEL NUMBER 056-590-028, V21-0052

The Shasta County Environmental Health Division (SCEHD) received a complaint report on February 2, 2021, that the community leach field serving residences in the Wooded Acres North subdivision is failing and sewage is surfacing onto the ground and flowing offsite. This leach field is located at 7669 Avianca Drive, in Redding which Assessor records confirm you are the current owner. The reporting party also stated that he and the current property owner observed this condition last Summer yet did not report it until Tuesday, February 2, 2021, during a phone conversation. Subsequently, SCEHD staff conducted an inspection with the Central Valley Regional Water Quality Board (CVRWQCB) staff and observed sewage on the ground surface in several locations directly adjacent to the end of the cul-de-sac on Avianca Drive.

Releasing sewage to the ground surface is a violation of the California Health and Safety Code (HSC) Article 2, Section 5411, which states, "No person shall discharge sewage or other waste, or the effluent of treated sewage or other waste in any manner which will result in contamination, pollution or a nuisance." Surfacing sewage also constitutes a violation of Shasta County Ordinance Code, including Sections 8.41.050 Discharges Prohibited, and 8.28.010, Maintaining a Public Nuisance.

Immediate action shall be taken to eliminate the surfacing sewage and to prevent any additional sewage from reaching the ground surface. Berms shall be constructed to prevent additional sewage from flowing offsite onto the public right-of-way and potentially into the storm drain located on Avianca Drive. Berm construction shall be completed by no later than **February 8, 2021**. Once completed, you will need to remove for proper disposal the debris on the adjacent sidewalk and gutter as this material may have been saturated with sewage. Provide a barrier at the drop-inlet to prevent discharges to the storm drain system.

Concurrently or following the construction of berms, work shall be completed to determine the cause of surfacing sewage and a detailed report of observation shall be submitted to the SCEHD and CVRWQCB for review. This report, documenting all observations and findings, and an

Suite 101

AIR QUALITY MANAGEMENT DISTRICT
(530) 225-5674
Fax (530) 225-5237

Suite 102

BUILDING DIVISION
(530) 225-5761
Fax (530) 245-6468

Suite 103

PLANNING DIVISION
(530) 225-5532
Fax (530) 245-6468

Suite 201

ENVIRONMENTAL HEALTH DIVISION
(530) 225-5787
Fax (530) 225-5413

Suite 200

ADMINISTRATION
(530) 225-5789
Fax (530) 225-5807

SHASTA LAFCO CHANGE OF ORGANIZATION/REORGANIZATION APPLICATION

This application must be completed in full and submitted with any petition or resolution of application to LAFCO for a change of organization or reorganization made pursuant to Government Code Section 56000 et seq.

1. **Nature of Proposal:** Check one of the following. Insert city or district name. If the proposal involves more than one concurrent change (i.e., annexation to one agency, detachment from another), check the appropriate "reorganization" box.

- Annexation only** to a city or special district
Affected city or district: CITY OF REDDING, CA
- Detachment only** from a city or special district
Affected city or district: _____
- Reorganization by concurrent** annexation to city, detachment from district(s)
Affected city and district(s): _____
- Reorganization by concurrent** annexation to district, detachment from district
Affected districts: _____
- Formation** of special district
Type of district (i.e. CSD, CSA, FPD): _____
- Dissolution** of special district
Name of district: _____

2. **Sphere of Influence:** If the proposal is for annexation to a city or district, is the area to be annexed within the sphere of influence of the affected city or district? **Yes** **No**. If no, there must be a concurrent sphere of influence amendment action.

3. **Tax Exchange Agreement:** Is the proposal subject to a tax exchange agreement? **Yes** **No**. If yes, see Shasta LAFCO's "Application Standards & Document Requirements for compliance information.

4. **Public Agencies in Proposal Area:** List all public agencies - including school districts - whose current jurisdictional boundary or sphere of influence boundary falls within the proposal area. Also note the effect on the proposal on each agency.

<u>Public Agency</u>	<u>Effect of Proposal (i.e. annex, detach, no change)</u>
CITY OF REDDING	PROVIDE SEWER SERVICE
SHASTA COUNTY	_____
_____	_____
_____	_____

5. **Affected Territory is Legally (Check One):**

<input type="checkbox"/> Inhabited (more than 12 registered voters)	<input checked="" type="checkbox"/> Developed
<input checked="" type="checkbox"/> Uninhabited (fewer than 12 registered voters)	<input type="checkbox"/> Undeveloped

annexation. **Do not use abbreviations.** Attach a map depicting the zoning designations and a copy of the ordinance adopting the designations.

<u>Zoning Designation</u>	<u>No. of Acres</u>
N/A	

12. **Chief Reasons for Proposal:** An agency resolution of application to LAFCO must include a summary recital of the chief reasons for the proposal (such as the desire by landowners and/or developers to acquire agency services). In the space below, discuss the chief reasons for the proposal. Identify alternatives and explain why the alternatives are not as feasible as the proposal.

FAILED COMMON SEPTIC DISPOSAL SYSTEM, CAUSING ENVIRONMENTAL/HEALTH HAZARD, NEED TO CONNECT TO CITY OF REDDING SEWER COLLECTION SYSTEM.

13. **Terms and Conditions:** *For an application by a public agency,* the resolution of application may request terms and conditions on LAFCO's approval. In the section below, list and provide an expanded discussion of the terms and conditions requested in the resolution. If there are no terms and conditions, insert "None Requested".

NONE REQUESTED.

14. **Boundary Modifications:** LAFCO is authorized to modify the boundary of a proposal to include or exclude territory. In the section below, explain how the proposed boundary was determined, the alternatives considered, and what the impacts would be if LAFCO were to modify the boundary. Attach any maps that would support the proposed boundary or would visually depict the impacts of any boundary modification. *(This section is critical to LAFCO's analysis; please provide a complete response.)*

PROVIDE SEWER SERVICE ONLY TO SERVE TWO INDIVIDUAL PARCELS, REPLACING COMMON (FAILED) LEACH FIELD.

15. **Plan for Providing Services (§56653):** Whenever a local agency or school district submits a resolution of application for a change of organization or reorganization, the local agency *shall* submit a plan for providing services within the affected territory. The applicant agency must also *complete the following table and attach a comprehensive narrative that includes the following information:*

- An enumeration and description of the services to be extended to the affected territory.
- The level and range of those services.
- An indication of when those services can feasibly be extended to the affected territory.
- An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.

development standards and zoning requirements within the proposed sphere. (If an agreement *was* adopted, attach a copy.)

B. For all applications requesting amendment of a local agency sphere of influence, either as a single proposal or as a concurrent amendment associated with a proposed boundary change, *the applicant is to attach a comprehensive narrative description and discussion of each of the following statutory factors:*

- The present and planned land uses in the area to be included in the sphere, including agricultural and open-space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area.

Maps and exhibits depicting the proposed sphere amendment boundary, and the relationship of the proposed sphere boundary to other adjacent sphere boundaries are also to be submitted. As well, it would be helpful to plot on the current sphere boundary map the annexations that have occurred over the past ten years so as to demonstrate agency growth.

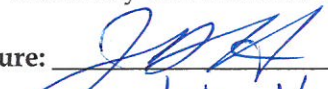
If there are any questions with respect to the sphere of influence amendment requirements, applicants are encouraged to contact LAFCO staff *before* preparing the required documentation.

18. Evaluation of Landowner Consent: For applications submitted by a local agency, list each Assessor's Parcel included in the proposal, the number of acres per parcel, the current parcel owner(s), the parcel address, mailing address (if different), whether or not there is a dwelling unit or units on the parcel, number of resident registered voters, and check whether the landowner and/or registered voter has submitted a letter in support of the proposal, or opposed, or has not responded. *Attach copies of all support or opposition letters.* If necessary, continue the list on a separate sheet and attach it immediately following this page. (Example shown in *italics*.)

	Assessors Parcel No.	No. Acres	Current Owner(s), Parcel Address, Mail Address	No. D.U. *	No. Resident Registered Voters	S *	O *	NR *
	000-000-00	00	<i>Smith, John and Mary 000 Smith Lane P.O. Box (if applicable) City, CA 00000</i>	1	2	x		
1.	056-410-040	<1	KIRK, SONJA 7233 HERMOSA WAY REDDING, CA 96002	1	1	X		
2.	056-410-041	<1	FRY, CHAD & LORI 7231 HERMOSA WAY REDDING, CA 96002	1	2	X		
3.				0	0			

21. Certification, Indemnification, Signature:

1. In signing this document, **it is hereby certified**, that the statements made in this application and the attachments to this application are to the best of my knowledge complete and accurate.
2. The undersigned, as Applicant (agency and/or property owner), **agrees to indemnify, save harmless, and reimburse** LAFCO for all reasonable expenses and attorney fees in connection with the defense of LAFCO and for any damages, penalties, fines or other costs imposed upon or incurred by LAFCO should LAFCO be named as a party in any litigation or administrative proceeding in connection with the application, whether the application is maintained or withdrawn. Applicant further agrees that LAFCO shall have the right to appoint its own counsel to defend it and conduct its own defense in the matter it deems in its best interest, and that LAFCO's taking such actions shall not limit Applicant's obligations to indemnify and reimburse defense costs or relieve Applicant of such obligations.

Signature: 
Print Name/Title: Joshua Vandiver
Agency: City of Redding

Phone: 530 224 6069
e-mail: JVandiver@cityofredding.org
Date: 5/7/2021

RESOLUTION NO. 2021-053

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDDING
AUTHORIZING 7223 AND 7231 HERMOSA DRIVE TO CONNECT TO
THE CITY OF REDDING WASTEWATER COLLECTION SYSTEM**

WHEREAS, the residents of 7223 and 7231 Hermosa Drive (APN: 056-410-040 and 056-410-041, respectively) wish to connect to the City of Redding sanitary sewer system, and are outside the city limits of the City of Redding; and

WHEREAS, the City of Redding (the "City") desires to provide sewer service to 7223 and 7231 Hermosa Drive, because the existing sewer disposal system has failed and is no longer a viable option; and

WHEREAS, the Local Agency Formation Commission (LAFCO) application requires a resolution by City Council to provide sewer service; and

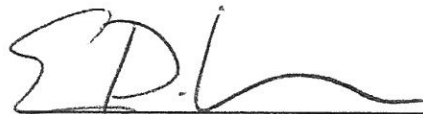
WHEREAS, sewer service to 7223 and 7231 Hermosa Drive is subject to LAFCO approval; and

WHEREAS, the City Council is the legislative body for the City of Redding;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Redding that providing sewer service to the addresses of 7223 and 7231 Hermosa Drive as outlined in City Council policy 1401 is approved, subject to LAFCO approval.

I HEREBY CERTIFY that the foregoing resolution was introduced at a regular meeting of the City Council of the City of Redding on the 4th day of May, 2021, and was duly adopted at said meeting by the following vote:

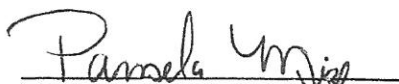
AYES: COUNCIL MEMBERS: Mezzano, Schreder, Winter, and Resner
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: Dacquisto
ABSTAIN: COUNCIL MEMBERS: None



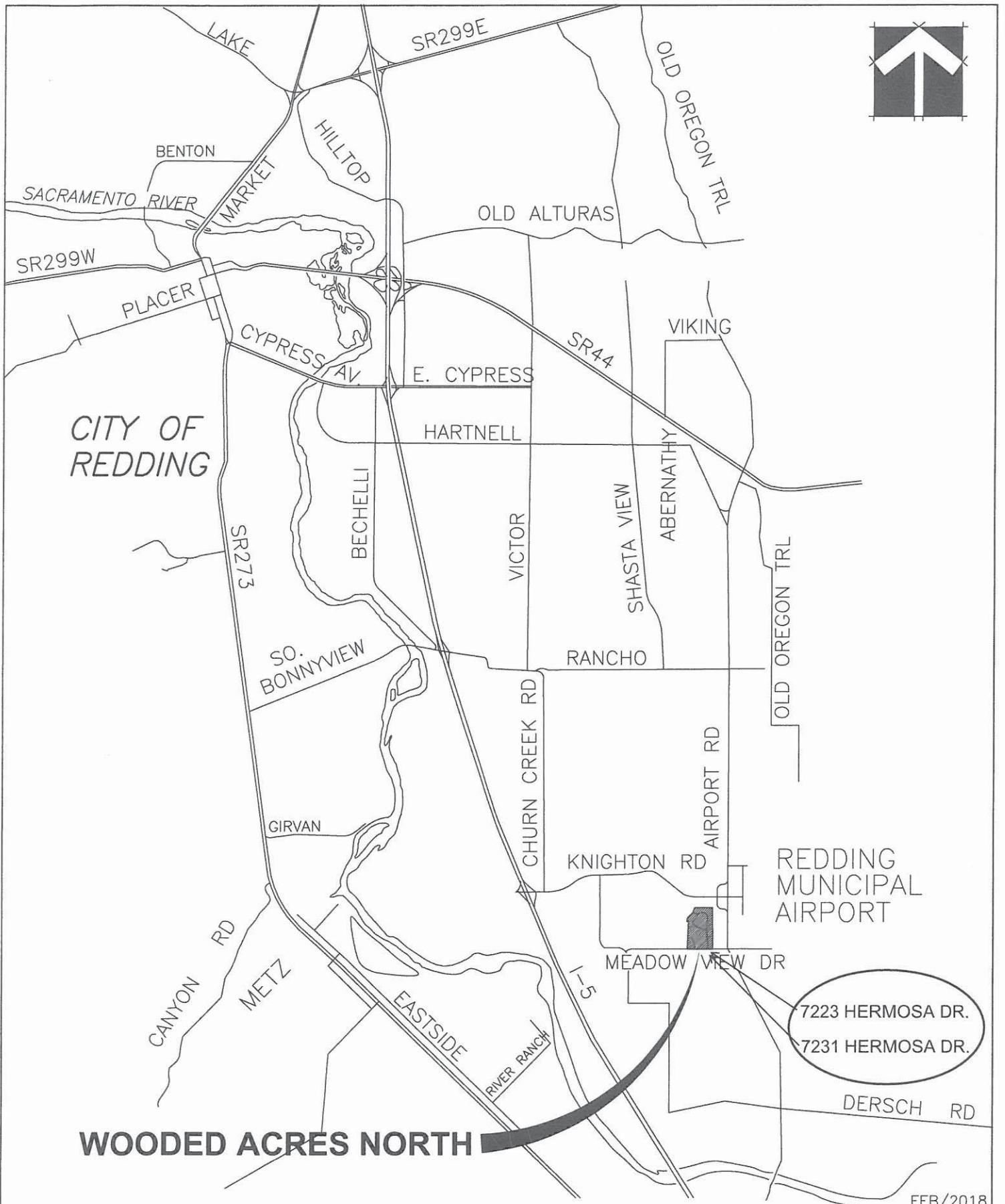
ERIN D. RESNER, Mayor

ATTEST:

FORM APPROVED:


PAMELA MIZE, City Clerk
BARRY E. DeWALT, City Attorney

2021-053



FEB/2018

CITY OF REDDING

**PUBLIC WORKS
DEPARTMENT**



WOODED ACRES NORTH

LOCATION MAP EXHIBIT C

LAFCO RESOLUTION 2021-09

**RESOLUTION OF THE SHASTA LOCAL AGENCY FORMATION COMMISSION
CITY OF REDDING – WASTEWATER SERVICES EXTENSION**

WHEREAS, Properties located at 7223 & 7231 Hermosa Way, Redding, CA (Shasta County Assessor's Parcel Numbers (056-040-040 & -041) are located outside the City of Redding's jurisdictional boundary and Shasta LAFCO's approved Sphere of Influence; and

WHEREAS, the applicant (City of Redding) submitted an application, requesting City wastewater services be extended to these properties; and

WHEREAS, the application to LAFCO acknowledges health and safety risks of a failing leachfield as described in a Shasta County Environmental Health Division (SCEHD) letter and conditions under which City services are to be provided; and

WHEREAS, The City of Redding passed Resolution 2021-053, Requesting the Shasta Local Agency Formation Commission Initiate Proceedings for a Service Extension Outside City Limits, on May 4 2021; and

WHEREAS, pursuant to CEQA Guidelines this services extension is exempt from CEQA and qualifies for a Class 1 exemption (Section 15301) from the preparation of environmental documents. This class exempts the operation, repair, and minor alteration of existing publicly-owned utility facilities used to provide public utility services when there is negligible or no expansion of an existing use.

WHEREAS, Shasta LAFCO prepared, distributed to affected agencies, and posted Notices for the proposed action; and

WHEREAS, in the manner required by law, the Executive Officer has noticed and scheduled the City proposal for Commission consideration on June 3, 2021; and

WHEREAS, pursuant to Government Code Section 56663, the conducting authority proceedings is waived with 100% consent from landowners within the proposed extension area; and

WHEREAS, the Commission has heard, discussed and considered all evidence presented at a meeting held for the City of Redding Service Extension, on June 3 2021.

NOW THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED as follows:

The Commission hereby determines the extension of water services to the property located outside its jurisdictional boundary subject to the following conditions:

- A. Completion of a 30-day reconsideration period provided under Government Code Section 56895.
- B. Payment of any outstanding fees as identified in the Commission's adopted fee schedule.
- C. A Consent to Annexation Form signed by the property owners.

Adopted on June 3 2021, by the following vote:

- AYES:
- NOES:
- ABSTAINS:
- ABSENT:

Dated: _____

Irwin Fust, Chairman
Shasta Local Agency Formation Commission

Attest:

Dated: _____

George Williamson, Executive Officer

Exhibit A – Map