



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: DECEMBER 4, 2018

FROM: COMMUNITY & ECONOMIC DEVELOPMENT WARDS: ALL
DEPARTMENT

SUBJECT: MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF RIVERSIDE AND RIVERSIDE COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH FOR TECHNICAL PLAN REVIEW SERVICES FOR ONSITE WASTEWATER TREATMENT SYSTEMS FOR A FIVE YEAR TERM OF JANUARY 1, 2019 THROUGH DECEMBER 31, 2023

ISSUE:

Approve the Memorandum of Understanding between the City of Riverside and Riverside County Department of Environmental Health for technical plan review services for Onsite Wastewater Treatment Systems for a five year term anticipated to be from January 1, 2019 through December 31, 2023.

RECOMMENDATIONS:

That the City Council:

1. Approve the Memorandum of Understanding with Riverside County Department of Environmental Health for technical plan review services for Onsite Wastewater Treatment Systems for a five year term of January 1, 2019 through December 31, 2023; and
2. Authorize the City Manager, or his designee, to execute the Memorandum of Understanding with Riverside County Department of Environmental Health, including making minor and non-substantive changes and to sign all documents and instruments necessary to complete the transaction.

BACKGROUND:

The City Building & Safety Division receives permit applications for private developments that are not served by the City's wastewater collection system, and are therefore required to install onsite wastewater treatment systems, also known as private septic systems. Historically, the technical plan check services for these systems has been provided by Riverside County's Department of Environmental Health. Due to changes in State regulations and oversight, Riverside County now requires these services to be provided under a Memorandum of Understanding between the County and the parties that are requesting project review and plan check services. Approval of

this MOU will allow these technical services to continue unimpeded in order to maintain our high level of customer service within the City.

DISCUSSION:

Section 713 of the California Plumbing Code requires a property to connect to the public sewer at the time a building permit is issued for new construction, or if an existing private septic tank system fails or requires expansion and a public sewer is available thereafter. However, mandatory connections are exempted if the public sewer is more than 200 feet away from the property or otherwise unavailable.

Based on the exemptions above, the City continues to receive permit applications for onsite wastewater treatment systems. These applications require plan check services and technical expertise, which have historically been provided to the City by the Riverside County Department of Environmental Health. These services would continue to be provided to the City under the proposed Memorandum of Understanding between the City and Riverside County. This MOU can be terminated by either the City or County providing at least 30 days advance written notice to either party.

Staff recommends the adoption of the Memorandum of Understanding as presented and in the format approved by the City Attorney. In order for these services to continue to be provided by Riverside County, this MOU must be executed by January 1, 2019. If the City does not execute the Agreement by that date, the County would cease providing plan check services and staff would have to consider an alternative solution and return with a request to authorize a consultant contract to provide these services along with additional agreements with the State of California for permitting, oversight, and reporting. Given the technical expertise needed, a delay in customer service would be likely if the City wishes to pursue alternative solutions.

The Public Works Director concurs with this staff report and its recommendations.

FISCAL IMPACT:

There is no fiscal impact associated with this action. Riverside County currently charges developers/owners for plan check services relating to Onsite Wastewater Treatment Systems. The County also manages reporting and permitting with the State on these systems. There are no direct costs to the City for these services. Under the MOU, the property owners would continue to pay the County directly for these plan check services. If the MOU is denied and supporting contract services are necessary, the City would recoup associated consultant costs through the collection of additional plan check fees administered by the City.

Prepared by:	David Welch, Interim Community & Economic Development Director
Certified as to availability of funds:	Edward Enriquez, Interim Chief Financial Officer/City Treasurer
Approved by:	Rafael Guzman, Assistant City Manager
Approved as to form:	Gary G. Geuss, City Attorney

Attachment: Memorandum of Understanding