

SANTA YNEZ COMMUNITY SERVICES DISTRICT

MEMORANDUM

TO: Board of Directors
FROM: Wendy Berry, Secretary/Treasurer
DATE: May 18, 2022
SUBJECT: Adopt Resolution 22-11, electing to have sewer fees and charges collected on the tax roll for fiscal year 2022/2023, directing the preparation and filing of a report, fixing the time and place for a public hearing and providing for notice thereof.

Recommendation: Adopt Resolution 22-11, electing to have sewer fees and charges collected on the tax roll for fiscal year 2022/2023, directing the preparation and filing a report, fixing the time and place for a public hearing and providing for notice thereof.

Policy Implications: The California Health and Safety Code Section 5473 et seq., provides the general taxes, sewer service charges, sewer availability charges, certain sewer capacity fees, and other expenses for the collection on the tax roll.

Section 6066 of the Government Code specifies the public hearing notice for collection of sewer fees on the tax roll shall be published in a newspaper of general circulation within the entity and if one does not exist then in such paper published in the county within which the greater part of such district is located.

Fiscal Implications: Sewer fees account for 65% of the Districts annual income. Placing the sewer fees and other related charges on the tax roll gives the District a lump sum revenue in December and April and guarantees the District will receive the revenue when the property taxes are paid.

Placing the sewer fees on the tax roll eliminates the administrative burden of direct customer billing and collection. The collection of sewer fees on the tax roll is common for public agencies that only provide sewer services. Special Districts that provide both water and sewer can disconnect water service to properties when utility bills are unpaid. There is no mechanism to disconnect sewer services, therefore, nonpayment is eventually placed on the tax roll, even when monthly bills are sent to customers.

Alternatives Considered: Direct billing of sewer customers

History: The District has placed sewer fees and related charges on the tax roll as far back as the records indicate.

Discussion: Approving this Resolution and public notice is the first step in the process for electing to place the sewer fees and other related fees on the tax roll. The next steps are preparing the report, holding a public hearing, and approving the report.

The report is a list of parcel numbers the District serves with the proposed charges for fiscal year 2022/2023.

The Public Hearing notice informs the property owners what sewer fee charges will be placed on the tax roll. This notice gets published once a week for three weeks in the Santa Ynez Valley News.

The District has historically not received any public comments or protests regarding the collection of sewer fees on the tax roll.

The tax roll report is due to the County of Santa Barbara no later than the first week of August.

If the Resolution is not approved, the District would be required to implement direct billing of customers. The new software from Black Mountain can handle the billing. Staff estimates one or more additional administrative staff would be required to implement direct customer billing.

The public hearing notice needs to be published in a regular circulated newspaper within the community per the Government Code. Public hearing notice publication cost depends on the newspaper selected. Staff has used the Santa Ynez Valley news for years since it is regularly circulated and community wide. The cost last year was \$346 for publication. Other choices include the Santa Barbara News Press and the Santa Ynez Valley Star.

Attachment:

Resolution 22-11

Public Hearing Notice

RESOLUTION NO. 22-11

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ
COMMUNITY SERVICES DISTRICT ELECTING TO HAVE SEWER FEES AND
CHARGES COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2022-2023,
DIRECTING THE PREPARATION AND FILING OF REPORT, FIXING TIME AND
PLACE FOR HEARING, AND PROVIDING FOR NOTICE THEREOF

WHEREAS, the Board of Directors of the Santa Ynez Community Services District, Santa Barbara County (the "District"), has passed and adopted ordinances prescribing sewer service charges, sewer availability charges and sewer capacity fees, and has approved installment payment plans providing for the deferred payment of sewer capacity fees and other expenses by certain property owners; and

WHEREAS, pursuant to California Health and Safety Code Section 5473 et seq., this Board desires to provide for the collection on the tax roll with the general taxes of (a) sewer service charges for fiscal year 2022-2023, (b) sewer availability charges for fiscal year 2022-2023, and (c) certain sewer capacity fees and other expenses for which the District agreed with the property owners to defer payment (collectively, the "Sewer Fees and Charges").

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

1. Pursuant to Health and Safety Code Section 5473 the election is hereby made to have the Sewer Fees and Charges collected on the tax roll in the same manner, by the same persons, at the same time as, together with, and not separately from, the general taxes.
2. District staff is directed to prepare and file with the Secretary of the Board a written report containing a description of each parcel of real property receiving sewer service and/or facilities and the amount of the Sewer Fees and Charges for each such parcel (the "Report").
3. A hearing on the report shall be held before this Board on Wednesday, June 15, 2022, at 5:30 p.m., at 1070 Faraday Street, Santa Ynez, California.
4. Pursuant to Health and Safety Code Section 5473.1, the Secretary shall cause a notice of the filing of the Report and of the time and place set for the hearing, at which oral or written presentation can be made, to be published pursuant to Government Code Section 6066 once a week for two successive weeks preceding said hearing with at least five (5) days intervening between the respective publication dates, not counting such publication dates, and the first publication date being not less than fourteen (14) days prior to the date set for hearing, in the Santa Ynez

Valley News, a newspaper of general circulation printed and published within the County in which the District is located, there being no newspaper printed and published in the District.

5. The Secretary is hereby authorized and directed to sign and publish said notice on behalf of the Board as ordered above.
6. The above-mentioned notice shall be in the form set forth in Exhibit "A" attached hereto and by this reference made a part hereof.

PASSED AND ADOPTED this 18th day of May 2022, by the following vote of the Board of Directors of the Santa Ynez Community Services District.

AYES:

NOES:

ABSENT:

ABSTAIN:

Karen Jones, President of the
Board of Directors

ATTEST:

Wendy Berry, Secretary of the
Board of Directors

EXHIBIT "A"

SANTA YNEZ COMMUNITY SERVICES DISTRICT
NOTICE OF PUBLIC HEARING

NOTICE OF HEARING ON
ELECTION TO HAVE SEWER FEES AND CHARGES
COLLECTED ON THE TAX ROLL
AND THE FILING OF A REPORT RELATED TO
SUCH FEES AND CHARGES
FOR THE FISCAL YEAR 2022-2023

NOTICE IS HEREBY GIVEN THAT, pursuant to Section 5473 and 5473a of the California Health and Safety Code, the Board of Directors of the Santa Ynez Community Services District has elected to have certain charges for wastewater services and/or facilities collected on the tax roll in the same manner as its general taxes, and has caused to be filed with its Secretary a written report containing (a) a description of each parcel of real property to which such services and/or facilities are to be provided for fiscal year 2022-2023, and (b) the amount of the fees and charges to be collected on the tax roll for each such parcel, such fees and charges having been computed in conformity with the ordinances adopted by the District.

NOTICE IS FURTHER GIVEN that on Wednesday, the 15th of June 2022, at the hour of 5:30 p.m., at 1070 Faraday Street, Santa Ynez, California, the District's Board of Directors will hear and consider all protests and objections to the report. Oral or written presentations may be made.

A copy of the report is available for review at the District office, 1070 Faraday Street, Santa Ynez, California, during regular office hours, Monday through Friday.

By order of the Board of Directors of the Santa Ynez Community Sewer Services District.

PLEASE PUBLISH IN LEGAL ADS ON May 26, 2022, June 2, and June 9, 2022 IN THE SANTA YNEZ VALLEY NEWS

Dated: May 18, 2022
Wendy Berry, Secretary
Santa Ynez Community Services District

Please provide proof of publication

