

*SANTA YNEZ COMMUNITY SERVICES DISTRICT*

**MEMORANDUM**

**TO:** Board of Directors  
**FROM:** Wendy Berry, Secretary/Treasurer  
**DATE:** May 20, 2020

**SUBJECT:** Adopt Resolution 21-03, electing to have sewer fees and charges collected on the tax roll for fiscal year 2021/2022, directing the preparation and filing a report, fixing the time and place for hearing and providing for notice thereof.

**Recommendation:** Adopt Resolution 21-03, electing to have sewer fees and charges collected on the tax roll for fiscal year 2021/2022, directing the preparation and filing a report, fixing the time and place for hearing and providing for notice thereof.

Direct staff to advertise in additional publications if your Board desires.

**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.

Approving this Resolution 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 and holding a hearing, and then approving the report. The tax roll report is due to the County of Santa Barbara no later than the first week of August. Without approving this Resolution, staff will not be able to continue with the process and will have to begin monthly billing of the sewer fees to the customers. Currently, the District's financial software cannot handle this task but the new software from Black Mountain could handle the billing.

**Fiscal Implications:** 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. However, the District has just experienced COVID-19, where the County of Santa Barbara waived the penalty for paying the property tax late but the District has received the majority of its revenue.

Placing the sewer fees on the tax roll eliminates the District from monthly billing and the collection of overdue or nonpayment of sewer fees. The collection of sewer fees on the tax roll is common for public agencies that only provide sewer services. A CSD that provides both water and sewer can disconnect water service to properties when any portion of the monthly bill is unpaid. When water service is disconnected, payment is

eventually received for the monthly bill. There is no mechanism to disconnect sewer services thus nonpayment would eventually be placed on the tax roll even if monthly bills were sent to customers.

**Alternatives Considered:** None.

**History:** The District has always participated in placing the sewer fees and related charges on the tax roll as far back as the records indicate. The Public Hearing notice notifying the rate payers the fees will be placed on the tax roll, gets published once a week for two 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.

**Discussion:** 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 community wide and inexpensive. The costs last year (\$175) for publication. Other choices include the Santa Barbara News Press (\$192) and the Santa Ynez Valley Star (\$656)

**Attachment:**

Resolution 21-03

Public Hearing Notice

RESOLUTION NO. 21-03

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 2021-2022,  
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 2021-2022, (b) sewer availability charges for fiscal year 2021-2022, 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 16, 2021, 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 19th day of May 2021, by the following vote of the Board of Directors of the Santa Ynez Community Services District.

AYES:

NOES:

ABSENT:

ABSTAIN:

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Karen Jones, President of the  
Board of Directors

ATTEST:

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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 2021-2022

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 2021-2022, 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 16th of June 2021, 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.

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**PLEASE PUBLISH IN LEGAL ADS ON May 27, 2021 and June 10, 2021 AND IN CLASSIFIED ON June 3 IN THE SANTA YNEZ VALLEY NEWS**

Dated: May 20, 2021  
Wendy Berry, Secretary  
Santa Ynez Community Services District

**Please provide proof of publication**

