

SANTA YNEZ COMMUNITY SERVICES DISTRICT

MEMORANDUM

TO: Board of Directors

FROM: Wendy Berry, Secretary/Treasurer

DATE: May 19, 2021

SUBJECT: Review and Adoption of District Resolution 21-02, Approval of Preliminary Environmental Review Form, Authorizing Filing of Notice of Exemption, and Setting Forth Findings Related to Sewer Service Charges

Recommendation

Adopt Resolution 21-02, approving preliminary environmental review form, authorizing filing of notice of exemption and setting forth findings relating to sewer service charges.

Policy Implications

The District adopted the California Environmental Quality Act (CEQA) Guidelines by Resolution 10-05. CEQA was enacted in 1970 as a system of checks and balances for land-use development and management decisions in California. In general there are three main purposes of CEQA:

- To inform public decision-makers of potential adverse environmental impacts of public or private projects carried out or approved by them.
- To provide for public participation in the environmental review process.
- To identify, and require the implementation of, feasible alternatives or measures that would mitigate (reduce or avoid) a proposed project's adverse environmental impacts.

The District's Environmental Review Committee is required to conduct an environmental review to determine if there will be an environmental impact or not.

Background

A rate study was completed and adopted by Ordinance O-16-02 increasing the sewer fees and Resolution 16-06 adopting the CEQA documents for the 2016 rate increase. The 2016 rate study was prepared by Clayton Tuckfield & Associates and approved by the Board of Directors in March 2016 which resulted in a 3.75% increase for the years 2016-2021. The District contracted with Clayton Tuckfield & Associates to prepare another rate study for another five years and that rate study was adopted by your Board in March of 2021 for the fiscal years 2021/2022-2025/2026 which resulted in no increase for the 2021/2022 fiscal year and a 4.25% increase each year for the next four years.

Discussion

The District's Environmental Committee has conducted a preliminary review of the Ordinance and has concluded that the adoption thereof is exempt from environmental

review under the California Environmental Quality Act (“CEQA”) pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273 of Title 14 of the California Code of Regulations. Said conclusion is set forth in the Preliminary Environmental Review form prepared by the Environmental Committee, a copy of which has been presented to and reviewed by the Board of Directors.

The Committee determined the proposed rate increase is exempt under CEQA. If Resolution No. 21-02 is approved by your Board, staff will file a Notice of Exemption (NOE) with the County Clerk Office.

Attached:

Resolution 21-02
Preliminary Review Form
Notice of Exemption

RESOLUTION NO. 21-02

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SANTA YNEZ COMMUNITY SERVICES DISTRICT APPROVING
PRELIMINARY ENVIRONMENTAL REVIEW FORM, AUTHORIZING
FILING OF NOTICE OF EXEMPTION, AND SETTING FORTH
FINDINGS RELATING TO SEWER SERVICE CHARGE INCREASE

WHEREAS, at the regular meeting of May 19, 2021, the Board of Directors of the Santa Ynez Community Services District is proposing to adopt Ordinance No. O-21-01 increasing the District's sewer service charges (the "Ordinance").

WHEREAS, the District's Environmental Committee has conducted a preliminary review of the Ordinance and has concluded that the adoption thereof is exempt from environmental review under the California Environmental Quality Act ("CEQA") pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273 of Title 14 of the California Code of Regulations. Said conclusion is set forth in the Preliminary Environmental Review form prepared by the Environmental Committee, a copy of which has been presented to and reviewed by the Board of Directors.

WHEREAS, the Board of Directors desires to adopt certain findings, approve the Preliminary Environmental Review form, and take other actions relating to the adoption of the Ordinance.

NOW, THEREFORE, the Board of Directors of the Santa Ynez Community Services District does hereby find, resolve and order as follows:

1. Revenues derived from the sewer service charges set forth in the Ordinance will not exceed the funds required to provide the service.
2. Revenues derived from the sewer service charges set forth in the Ordinance will not be used for any purpose other than that for which the charges are imposed.
3. The amount of the sewer service charges imposed under the Ordinance upon any parcel or person will not exceed the proportional cost of the service attributable to the parcel.
4. The sewer service charges set forth in the Ordinance will not be imposed unless sewer service is actually used by, or immediately available to, the owner of the property in question and the charges do not represent standby charges.
5. The sewer service charges set forth in the Ordinance do not constitute charges for general government services.
6. The sewer service charges set forth in the Ordinance are reasonable, fair, equitable, not arbitrary, uniform and without discrimination against particular property owners.
7. The Board of Directors hereby approves the Preliminary Environmental Review form prepared by the District's Environmental Committee.

8. The California Environmental Quality Act (CEQA) authorizes a public agency to establish, modify or approve rates, tolls, fares or other charges without any environmental impact assessment and requires the agency to incorporate written findings in its record of the proceedings in which an exemption from CEQA is claimed, setting forth with specificity the basis for the claim of exemption (Public Resources Code Section 21080(b)(8); 14 California Code of Regulations Section 15273). The Board of Directors finds that the adoption of the Ordinance is exempt from CEQA and that the service charges set forth in the Ordinance are for the purpose of
 - a. Meeting operating expenses, including employee wage and fringe benefits;
 - b. Purchasing or leasing supplies, equipment or materials;
 - c. Meeting financial reserve needs and requirements; and
 - d. Obtaining funds for capital projects necessary to maintain service within existing service areas.
9. The Board of Directors further finds that (i) there is no substantial evidence in the record before the District that the Ordinance or the adoption of the increased service charges will have a significant effect on the environment, and (ii) no environmental review is required.
10. The Secretary of the District is hereby authorized and directed to sign and file with the Santa Barbara County Clerk a Notice of Exemption relating to the adoption of the Ordinance.

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:

Karen Jones, President of the
Board of Directors

ATTEST:

Wendy Berry, Secretary of the
Board of Directors

Preliminary Environmental Review Form

SANTA YNEZ COMMUNITY SERVICES DISTRICT
1070 Faraday
P.O. Box 667
Santa Ynez, CA 93460
(805) 688-3008

Name of Project: Adoption of Ordinance No. O-21-01 Revising Sewer Service Charges

Location: Throughout Santa Ynez Community Services District

Entity or Person Undertaking Project: (Check appropriate box)

- Santa Ynez Community Services District
- Other: Name _____
Address: _____

Environmental Committee Determination:

The District's Environmental Committee, having undertaken and completed a preliminary review of this proposed activity in accordance with the California Environmental Quality Act Guidelines ("CEQA Guidelines") has concluded that:

- A. The activity does not require further environmental assessment because:
 - 1. The proposed action is statutorily exempt as a rate increase under Public Resources Code Section 21080(b)(8) of the Public Resource Code.
 - 2. The project constitutes a feasibility or planning study under CEQA Guidelines Section 15262.
 - 3. The project is an Emergency Project under CEQA Guidelines Section 15269.
 - 4. The project is a Ministerial Project under CEQA Guidelines Section 15268.
 - 5. The project is Categorical Exempt under Title 14 California Code of Regulations Section 15273
 - 6. The project involves another public agency which constitutes the lead agency.

Name of Lead Agency: Santa Ynez Community Services District

B. The District is the lead agency and the activity is a project which requires further evaluation of the possible significant effects on the environment.

Date: May 19, 2021

Jose Acosta, General Manager

Notice of Exemption

TO: Office of Planning and Research
P.O. Box 3044
1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

FROM: Santa Ynez Community Services District
P.O. Box 667
Santa Ynez, CA 93460-0667

or

County Clerk
County of Santa Barbara
105 E. Anapamu Street
Santa Barbara, CA, 93101

Project Title: Adoption of Ordinance No. O-21-01 Revising Sewer Service Charges

Project Location – Specific: Throughout Santa Ynez Community Services District

Project Location – City: Unincorporated Town of Santa Ynez

Project Location – County: Santa Barbara

Description of Project: Ordinance revising sewer service charges for users of the District's sewer system.

Name of Public Agency approving project: Santa Ynez Community Services District

Name of Person or Agency carrying out project: Santa Ynez Community Services District

Exempt status: (check one)

- Ministerial project.
- Not a project.
- Emergency Project.
- Categorical Exemption. Title 14 California Code of Regulations Section 15273
State type and class number:
- Declared Emergency.
- Statutory Exemption. Section 21080(b)(8) of Public Resources Code
State Code section number:
- Other. Explanation:

Reason why project is exempt:

Rate increase for services of the kind described in Section 21080 (b) (8) of the Public Resources Code and Title 14 California Code of Regulations Section 15273 to fund operating expenses, procure supplies, equipment and materials and fund reserves and capital projects necessary to maintain service within the existing service area of the District. There is no substantial evidence that this ordinance or the change in fees will have significant effect on the environment.

Lead Agency Contact Person: Jose Acosta

Telephone: (805) 688-3008

Signature of Lead Agency Representative:

Date Received for Filing: _____

Jose Acosta, General Manager
Dated: May 19, 2021

