

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA,
ACTING AS THE GOVERNING AUTHORITY OF
COUNTY SERVICE AREA 12

IN THE MATTER OF ADOPTING A REPORT)
LISTING SEWER SERVICE CHARGES AND)
CONNECTION CHARGES IN COUNTY)
SERVICE AREA 12 IN THE MISSION CANYON)
AREA AND PROVIDING FOR COLLECTION)
ON THE TAX ROLL)

RESOLUTION NO. 23-108

WHEREAS, the California Government Code provides that a county may collect charges within a county service area to pay in whole or in part for a particular authorized extended service furnished in the county service area; and

WHEREAS, the Board of Supervisors of the County of Santa Barbara has heretofore established County Service Area 12 in the Mission Canyon area of the unincorporated territory of the County to construct, operate and maintain the public community sewer systems in that portion of County Service Area 12 where hook-ups to a community public system were required on or before September 1, 1987, and further to administer requirements for installation and use of private wastewater disposal systems in those portions of County Service Area 12 where such private systems now or hereafter are permitted and required; and

WHEREAS, the collection, treatment and disposal of wastewater is an extended service authorized to be furnished within County Service Area 12 in accordance with, and to be collected in the same manner and at the same time as the county general ad valorem property taxes pursuant to the provision of Ordinance 3574 (§ 22A-35 of the Santa Barbara County Code); and

WHEREAS, as authorized by Government Code Section 25215 et seq., benefit assessments; user fees, rates or other charges; and property related fees and charges for approved services within said county service area may be collected in the same manner as other charges and taxes; and

WHEREAS, the Board of Supervisors finds that the charges set forth in this resolution are exempt from CEQA review pursuant to Public Resources Code § 21080, subd. (b) (8) and California Code of

Regulations, Title 14 § 15273, in that the charges will be used for operating expenses, for the purchase of supplies, equipment and materials, and for meeting financial reserve needs and requirements; and

WHEREAS, on May 9, 2023, the attached *County Service Area 12 Fixed Charges Fee Report 2023-2024*, incorporated herein by reference, was filed with the Clerk of the Board as set forth pursuant to Chapter 22A of the Santa Barbara County Code, listing costs of said services and setting the amount to be charged to each parcel of real property in County Service Area 12 for such services; and

WHEREAS, a public hearing on the said report relating to the collection of sewer service and sewer connection charges within County Service Area 12 was set for May 9, 2023, in the Supervisors Hearing Room, Fourth Floor, County Administration Building, Santa Barbara, California, and notice thereof published pursuant to Government Code Section 6066.

WHEREAS, § 53753.5 of the Government Code provides that the procedures and approval process set forth in Section 4 of Article XIII D of the California Constitution shall not apply unless an assessment is increased, and this assessment remains at the previously approved rate:

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The sewer charges for sewer service, including operation and maintenance in County Service Area 12 for Fiscal Year 2023-2024 shall remain at \$316.82 for each residential dwelling unit or each residential dwelling unit equivalent as adopted pursuant to Ordinance 5111 on July 7, 2020.
2. The charges for connection of a building sewer to the County Service Area 12 sewer system for Fiscal Year 2023-2024 shall be \$5,633.00 for each residential dwelling unit or residential dwelling unit equivalent. This connection charge does not apply for prepaid connections as shown on Exhibit B of the Joint Powers Agreement with the City of Santa Barbara dated May 5, 2015.
3. The Board of Supervisors, acting as the governing authority of County Service Area 12, finds that the recitations above are true and correct, and that said charges are hereby adopted, made and assessed for County Service Area 12 as set forth in the attached *County Service Area 12 Fixed Charges Fee Report 2023-2024* and incorporated herein by reference, to pay sewer service charges, and said charges are to be collected at the same time and in the same manner as county general ad valorem property taxes pursuant to the provision of Ordinance 3574 (§ 22A-35 of the Santa Barbara County Code).

4. The Clerk of the Board is directed to file with the County Auditor-Controller, on or before August 10, 2023, a certified copy of this Resolution and the report, indicating adoption by the Board, acting as the governing authority of County Service Area 12. Upon such filing, the County Auditor-Controller shall enter the charges on the tax roll for the 2023-2024 fiscal year. The charges shall be collected at the same time and in the same manner, and subject to the same penalties and priority of lien, as county taxes are collected, and all laws providing for the collection and enforcement of county taxes shall apply to the collection and enforcement of the charges.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, acting as the governing authority of County Service Area 12, this day of May 9, 2023, by the following vote:

AYES: Supervisors Williams, Capps, Hartmann, Nelson and Lavagnino

NOES: None

ABSTAIN: None

ABSENT: None

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: Sheela Habuena
Deputy

ACCEPTED AND AGREED:
COUNTY OF SANTA BARBARA

By: [Signature]
Das Williams, Chair
Board of Supervisors

APPROVED AS TO FORM
RACHEL VAN MULLEM
COUNTY COUNSEL

By: [Signature]
Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM:
BETSY M. SCHAFFER, CPA
AUDITOR-CONTROLLER

By: [Signature]
Deputy