



County of Sonoma

State of California

Date: May 14, 2019

Item Number: _____

Resolution Number: _____

☒ 4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Setting Rates, Providing for Collection on the Tax Roll of On-Site Waste Water Disposal Management Charges, Adopting a Report on Charges for On-Site Waste Water Management for County Service Area 41, The Sea Ranch Zone 2 for Fiscal Year 2019-20

Whereas, in compliance with California Constitution Article XIII D, section 6, property-related fees and charges such as the Sea Ranch on-site waste water disposal management charge has been established to ensure that revenues derived from the fee do not exceed the funds required to provide the property-related service; revenues derived from the fee are used for any other purpose other than for which the fee is imposed; the amount of the fee imposed upon any parcel or person as an incident of property ownership does not exceed the proportional cost of the service attributable to the parcel; the fee has not been imposed for a service unless that service is actually used by, or immediately available to, the owner of the property subject to the fee; and the fee has not been imposed for general governmental services; and

Whereas, in compliance with California Constitution Article XIII D, section 6(a)(2), the County mailed notice of this proposed rate, the date and time of the public hearing, and the opportunity to protest the proposed rate to the record owner of each identified parcel forty-five days (45) days before the public hearing;

Whereas, California Government Code section 25215.5 and Health and Safety Code section 5473 provide that the Board may elect to have charges collected in the same manner as general ad valorem property taxes and requires the preparation of a report setting out the proposed charges for on-site waste water disposal services furnished and made available with County Service Area 41 Sea Ranch Zone 2 ("Written Report"); and

Whereas, the Board has determined that it is necessary to establish the proposed on-site waste water disposal management rate at \$168 for fiscal year 2019-20 to yield sufficient revenues to pay the operating expenses for providing these on-site waste water disposal management services ("Charges"); and

Whereas, the Board has determined that the Charges should be collected on the County tax roll for fiscal year 2019-20 and pursuant to Health and Safety Code section 5473.1, the

Board of Supervisors has caused a Written report to be prepared and filed with the Clerk of the Board containing a description of each parcel of real property within The Sea Ranch Zone 2 to which the Charge is applicable (the "Identified Parcels") and the amount of the Charge for each Identified Parcel for fiscal year 2019-20; and

Whereas, the Clerk of the Board has published notice of the proposed Charge in newspaper of general circulation pursuant to Government Code section 6066; and

Whereas, on May 14, 2019, at the time and place set forth in the public notice, the Board of Supervisors conducted a public hearing on the proposed Charge and the Written Report and heard and considered all objections and protests, and at the close of the public hearing, the Board determined that written protests had not been presented by a majority of owners of the Identified Parcels.

Now, Therefore, Be It Resolved the Board of Supervisors hereby overrules all protests and objections to the Written Report and approves the Written Report as filed.

Be It Further Resolved the Board of Supervisors hereby levies the Charge for fiscal year 2019-20 in the amount of \$168 and the adoption of this resolution constitutes the levy of the Charge against Identified Parcels for the fiscal year commencing July 1, 2019 and ending June 30, 2020.

Be It Further Resolved that the Charge shall be collected for fiscal year 2019-20 on the County of Sonoma tax roll in the same manner and at the same time as, together with and not separately from, the general taxes of the County.

Be It Further Resolved that the Clerk of the Board is hereby authorized and directed to file the Written Report with the County Auditor-Controller-Tax Collector-Treasurer with a statement endorsed on said Written Report over the Clerk's signature that the Written Report has been approved and finally adopted by the Board of Supervisors. Upon receipt of the Written Report from the Clerk, the County Auditor-Controller-Tax Collector-Treasurer shall enter the amount of the Charge against the Identified Parcels as they appear on the current assessment roll.

Be it Further Resolved that this Resolution shall become effective on the date that this Resolution has been adopted by the Board of Supervisors.

Supervisors:

Gorin: Zane: Gore: Hopkins: Rabbitt:

Ayes: Noes: Absent: Abstain:

So Ordered.