

Attachment A

**BORONDA COUNTY SANITATION DISTRICT
ORDINANCE NO. _____**

**AN ORDINANCE OF THE BORONDA COUNTY SANITATION DISTRICT
AMENDING SECTION 16 OF ORDINANCE NUMBER 05134 TO PROVIDE
FOR THE COLLECTION OF SEWER SERVICE CHARGES THROUGH
THE COUNTY OF MONTEREY PROPERTY TAX ROLL**

This ordinance amends Section 16 of Ordinance No. 05134 of the Boronda County Sanitation District to provide for the collection of sewer service charges through the property tax roll of the County of Monterey pursuant to California Health and Safety Code Section 5470 et seq. in order to collect sewer service charges to cover the costs of providing wastewater collection services to Boronda County Sanitation customers.

The Board of Supervisors of the County of Monterey, acting as the acting as the Board of Directors of the Boronda County Sanitation District ordains as follows:

SECTION 1. FINDINGS AND DECLARATIONS.

A. The Board of Supervisors of the County of Monterey, acting as the Board of Directors of the Boronda County Sanitation District (“BCSD”) has determined that adding sewer service charges to the property tax roll is the least costly and most efficient method of collecting sewer service charges within the jurisdictional boundaries of the BCSD.

B. The BCSD is authorized by California Health and Safety Code section 5470 *et seq.* to impose and collect service charges to cover the costs of providing wastewater collection and treatment services.

C. The BCSD hereby desires, pursuant to Health and Safety Code section 5473, commencing with Fiscal Year 2024-25, to have sewer service charges for services rendered collected on the property tax roll of the County of Monterey in the same general manner, by the same persons, and at the same time as the collection of general property taxes, in the manner provided pursuant to by Health and Safety Code section 5470 *et seq.*

D. This Ordinance is exempt from the California Environmental Quality Act (“CEQA”) because it can be seen with certainty that there is no possibility that the enactment of this Ordinance would have a significant effect on the environment (Public Resources Code section 21065; CEQA Guidelines sections 15378(b)(4) and 15061(b)(3)) and because this Ordinance involves the approval of government revenues to fund existing services (Public Resources Code section 21080(b)(8); CEQA Guidelines section 15273(a)(4)).

SECTION 2. AMENDMENT TO SECTION 16.

A. Subsection (c) of Section 16 of Ordinance No. 05134 is hereby amended to read:

The BCSD shall collect monthly sewer service charges on the property tax roll of the County of Monterey in the same general manner, by the same persons, and at the same time as the collection of general property taxes, in the manner provided pursuant to by California Health and Safety Code section 5470 *et seq.*

B. Subsection (d) of Section 16 of Ordinance No. 05134 is hereby amended to read:

All sewer service charges shall be collected in advance on a bi-monthly basis on the property tax roll of the County of Monterey in the same general manner, by the same persons, and at the same time as the collection of general property taxes, in the manner provided pursuant to California Health and Safety Code section 5470 *et seq.* All charges for sewer services shall be in the name of the owner of the property being served as reflected on the last equalized assessment roll for the County of Monterey or as reflected in any deed or other satisfactory evidence of change of ownership recorded with the County Recorder since the last equalized assessment roll, upon presentation of such evidence to the County of Monterey, Department of Public Works, Facilities and Parks Director for such purposes. The property owner of record shall be the party ultimately responsible for the payment of sewer service charges.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of whether any one or more sections, subsections, sentences, clauses, or phrases is declared invalid.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective on the thirty-first day after its adoption.

PASSED AND ADOPTED on this _____ day of _____ 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:


Chair, Glenn Church
Monterey County Board of Supervisors

A T T E S T:

VALERIE RALPH
Clerk of the Board

By: _____
Deputy

APPROVED AS TO FORM BY:



Kelly L. Donlon
Assistant County Counsel