

County of Monterey

Government Center - Board Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901



Meeting Agenda - Final

Tuesday, May 7, 2024

10:30 AM

Join via Zoom at <https://montereycty.zoom.us/j/224397747> or in person at the address listed above

Boronda County Sanitation District

Chair Director Glenn Church - District 2

Vice Chair Director Chris Lopez - District 3

Director Wendy Root Askew - District 4

Director Mary L. Adams - District 5

Director Luis A. Alejo - District 1

Participation in meetings

While the Board chambers remain open, members of the public may participate in Board meetings in 2 ways:

1. You may attend the meeting in person; or,
2. You may observe the live stream of the Board of Supervisors meetings at <https://monterey.legistar.com/Calendar.aspx>, <http://www.mgtvonline.com/>, www.youtube.com/c/MontereyCountyTV or <https://www.facebook.com/MontereyCoInfo/>

If you choose not to attend the Board of Supervisors meeting but desire to make general public comment, or comment on a specific item on the agenda, you may do so in 2 ways:

a. submit your comment via email by 5:00 p.m. on the Monday prior to the Board meeting. Please submit your comment to the Clerk of the Board at cob@co.monterey.ca.us. In an effort to assist the Clerk in identifying the agenda item relating to your public comment please indicate in the Subject Line, the meeting body (i.e. Board of Supervisors Agenda) and item number (i.e. Item No. 10). Your comment will be placed into the record at the Board meeting.

b. you may participate through ZOOM. For ZOOM participation please join by computer audio at: <https://montereycty.zoom.us/j/224397747>

OR to participate by phone call any of these numbers below:

- +1 669 900 6833 US (San Jose)
- +1 346 248 7799 US (Houston)
- +1 312 626 6799 US (Chicago)
- +1 929 205 6099 US (New York)
- +1 253 215 8782 US
- +1 301 715 8592 US

Enter this Meeting ID number: 224397747 when prompted. Please note there is no Participant Code, you will just hit # again after the recording prompts you.

You will be placed in the meeting as an attendee; when you are ready to make a public comment if joined by computer audio please Raise your Hand; and by phone please push *9 on your keypad.

PLEASE NOTE: IF ALL BOARD MEMBERS ARE PRESENT IN PERSON, PUBLIC PARTICIPATION BY ZOOM IS FOR CONVENIENCE ONLY AND IS NOT REQUIRED BY LAW. IF THE ZOOM FEED IS LOST FOR ANY REASON, THE MEETING MAY BE PAUSED WHILE A FIX IS ATTEMPTED BUT THE MEETING MAY CONTINUE AT THE DISCRETION OF THE CHAIRPERSON.

Participación en reuniones

Mientras las cámaras de la Junta permanezcan abiertas, los miembros del público pueden participar en las reuniones de la Junta de 2 maneras:

1. Podrá asistir personalmente a la reunión; o,

2. Puede observar la transmisión en vivo de las reuniones de la Junta de Supervisores en <https://monterey.legistar.com/Calendar.aspx>, <http://www.mgtvonline.com/>, www.youtube.com/c/MontereyCountyTV o <https://www.facebook.com/MontereyCoInfo/>

Si elige no asistir a la reunión de la Junta de Supervisores pero desea hacer comentarios del público en general o comentar un tema específico de la agenda, puede hacerlo de 2 maneras:

a. envíe su comentario por correo electrónico antes de las 5:00 p.m. el lunes anterior a la reunión de la Junta. Envíe su comentario al Secretario de la Junta a cob@co.monterey.ca.us. En un esfuerzo por ayudar al secretario a identificar el tema de la agenda relacionado con su comentario público, indique en la línea de asunto el cuerpo de la reunión (es decir, la agenda de la Junta de Supervisores) y el número de artículo (es decir, el artículo n.º 10). Su comentario se colocará en el registro en la reunión de la Junta.

b. puedes participar a través de ZOOM. Para participar en ZOOM, únase por audio de computadora en: <https://montereycty.zoom.us/j/224397747>

O para participar por teléfono llame a cualquiera de estos números a continuación:

- +1 669 900 6833 EE. UU. (San José)
- +1 346 248 7799 EE. UU. (Houston)
- +1 312 626 6799 EE. UU. (Chicago)
- +1 929 205 6099 EE. UU. (Nueva York)
- +1 253 215 8782 EE. UU.
- +1 301 715 8592 EE. UU.

Ingrese este número de ID de reunión: 224397747 cuando se le solicite. Tenga en cuenta que no hay un código de participante, simplemente presione # nuevamente después de que la grabación lo solicite.

Se le colocará en la reunión como asistente; cuando esté listo para hacer un comentario público si se une al audio de la computadora, levante la mano; y por teléfono, presione *9 en su teclado.

TENGA EN CUENTA: SI TODOS LOS MIEMBROS DE LA JUNTA ESTÁN PRESENTES EN

PERSONA, LA PARTICIPACIÓN DEL PÚBLICO POR ZOOM ES ÚNICAMENTE POR CONVENIENCIA Y NO ES REQUERIDA POR LA LEY. SI LA ALIMENTACIÓN DE ZOOM SE PIERDE POR CUALQUIER MOTIVO, LA REUNIÓN PUEDE PAUSARSE MIENTRAS SE INTENTA UNA SOLUCIÓN, PERO LA REUNIÓN PUEDE CONTINUAR A DISCRECIÓN DEL PRESIDENTE.

NOTE: All agenda titles related to numbered agenda items are live web links. Click on the title to be directed to the corresponding Board Report.

PUBLIC COMMENTS: Members of the public may address comments to the Board concerning each agenda item. The timing of public comment shall be at the discretion of the Chair.

10:30 A.M. - Call to Order

Roll Call

Additions and Corrections by Clerk

The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

General Public Comments

This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board members may respond briefly to the statement made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Board at a future meeting.

Consent Calendar

1. Introduce, waive reading, and set a public hearing for May 21, 2024, at 10:30 a.m. as the date and time to consider adoption of an ordinance to amend Section 16 of the Boronda County Sanitation District (BCSD) Ordinance No. 5134 to provide for the collection of sewer service charges through the Property Tax Roll of the County of Monterey.

Attachments: [Board Report](#)
 [Attachment A - BCSD Ordinance Tax Roll](#)
 [Attachment B - BCSD LAFCO Map](#)

Adjournment



County of Monterey

Item No.1

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: ORD 24-012

May 07, 2024

Introduced: 4/22/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Ordinance

Introduce, waive reading, and set a public hearing for May 21, 2024, at 10:30 a.m. as the date and time to consider adoption of an ordinance to amend Section 16 of the Boronda County Sanitation District (BCSD) Ordinance No. 5134 to provide for the collection of sewer service charges through the Property Tax Roll of the County of Monterey.

RECOMMENDATION:

It is recommended that the Board of Supervisors, acting as the Board of Directors of the Boronda County Sanitation District (BCSD), introduce, waive reading, and set a public hearing for May 21, 2024, at 10:30 a.m. as the date and time to consider adoption of an ordinance to amend Section 16 of BCSD Ordinance No. 5134 to provide for the collection of sewer charges through the Property Tax Roll of the County of Monterey.

SUMMARY/DISCUSSION:

The Boronda County Sanitation District (BCSD) currently contracts with Monterey One Water (M1W) to provide sewer billing and collection services to BCSD customers. M1W recently notified the County of Monterey that beginning in Fiscal Year 2024-25, they will cease providing this service to the BCSD. Therefore, PWFP staff recommends that the Board introduce, waive reading and set a public hearing for May 12 to amend Section 16 of the BCSD Code to allow 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 service charges to cover the costs of providing wastewater collection services to BCSD customers.

The BCSD provides sanitation collection services to the community of Boronda. The County of Monterey County Department of Public Works, Facilities and Parks (PWFP) currently manages the BCSD and does not currently have the capability to provide in-house billing services. It has been determined that the least costly and most efficient method of collecting the sewer service charges is by placing these property related fees and charges on the Property Tax Roll beginning with the FY 2024-25 tax year. The County/BCSD has been utilizing this method to collect on delinquent BCSD accounts since on or about 2010.

In addition, the County of Monterey and the Treasurer-Tax Collector have authorized Easy Smart Pay, a third-party vendor, to provide a monthly payment option for the payment of property taxes which will include the BCSD sewer service charges.

If BCSD does not enroll into this service, the district will need to bill customers directly. To undertake this responsibility in-house would require an additional Accounting Technician position at a cost of \$124,500 annually, one-time software costs estimated between \$10,000-\$20,000 and ongoing software maintenance costs. These costs could be shared between the three sanitation districts (Pajaro, Boronda and Chualar). Alternatively, PWF could outsource the monthly billing, at a cost of \$4,500-\$7,700 annually, plus an initial implementation fee. Such a service will take time to procure and contract and will cost more than the proposed ordinance allowing charges to be included on the Property Tax Roll.

FINANCING:

If the ordinance is adopted, the cost associated with this change will be minimal. The Auditor-Controller's office charges ¼ of 1 percent of revenue collected on the County Property Tax Roll. The estimated 2024-25 revenue from the BCSD sanitation billing is \$175,800, resulting in an estimated charge by the Auditor-Controller of \$440. There would also be nominal staff time to prepare the necessary annual Board of Directors report to all the BCSD to collection annual sewer charged through the Property Tax Roll. This is the least expensive option for BCSD.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action supports the Board of Supervisors' Strategic Initiatives for Administration. Having the mechanism in place to collect fees, ensures the County the ability to pay for expenses.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Lynette Redman, Management Analyst III, (831) 796-6038

Approved by: Enrique Saavedra, PE, Chief of Public Works

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities & Parks

Attachments:

Attachment A - Ordinance

Attachment B - Location Map



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- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Approved by: Enrique Saavedra, PE, Chief of Public Works

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities & Parks

DocuSigned by:
Randell Ishii
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4/23/2024 | 3:55 PM PDT

Attachments:

- Attachment A - Ordinance
- Attachment B - Location Map

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

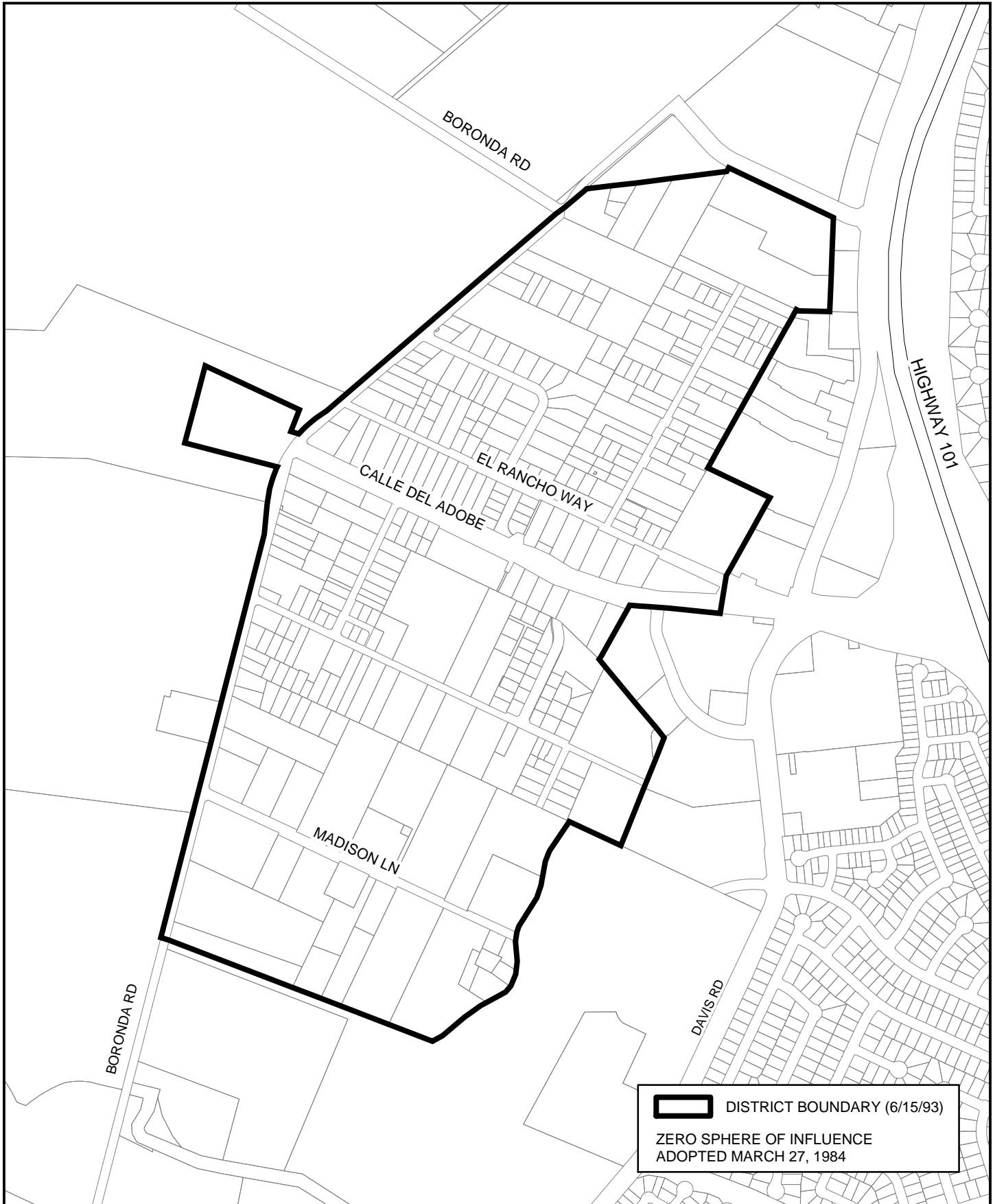
By: _____
Deputy

APPROVED AS TO FORM BY:

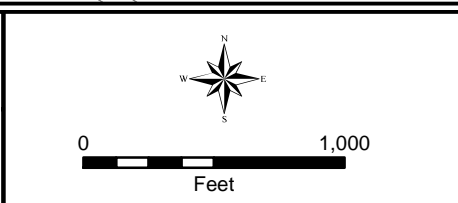


Kelly L. Donlon
Assistant County Counsel

Attachment B



LAFCO of Monterey County
 LOCAL AGENCY FORMATION COMMISSION
 P.O. Box 1369 132 W. Gabilan St., Suite 102
 Salinas, CA 93902 Salinas, CA 93901
 Telephone (831) 754-5838 Fax (831) 754-5831



SPECIAL DISTRICTS
BORONDA COUNTY
SANITATION DISTRICT



County of Monterey

Item No.

Board Report

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