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May 24, 2021

Board of Directors
Triunfo Water & Sanitation District
Ventura County, California

SEWER SERVICE CHARGES FOR COLLECTION ON TAX ROLLS FOR FISCAL YEAR 2021-22

Summary

California Health and Safety Code Section 5473 prescribes the procedure for the District to collect Triunfo Water & Sanitation District sewer service charges through the County of Ventura general tax rolls. The law requires the Board to conduct a public hearing and approve a complete listing of the parcels for which fees are to be collected prior to being placed on the tax rolls. Staff recommends that the public hearing be held at the June 28, 2021, Regular Board Meeting.

Background

The Triunfo Water & Sanitation District collects sewer service charges through the Ventura County general tax rolls by a method provided in California Health & Safety Code Section 5473. A complete listing of parcels must be approved by the Board prior to being placed on the tax rolls for collection; therefore, a listing of parcels currently on the tax rolls with the amounts of charges to be collected for Fiscal Year (FY) 2021-22 is submitted for your approval and reentry on the tax rolls for collection in FY 2021-22 (Exhibit A).

Exhibit B is also submitted for your approval. This lists new parcels with the amounts of charges to be placed on the tax roll for the first time for collection in FY 2021-22. The procedures necessary to implement sewer service charge collection by placement on the Ventura County general tax rolls have been reviewed and approved by District Legal Counsel. It is suggested the hearing required by Section 5473.1 of the California Health & Safety Code be held at your regular June 28, 2021, meeting for the parcels listed on Exhibit B.

Exhibits A & B are on file with the Clerk of the Board. Public hearing notices will be published once a week for two successive weeks.

Please contact me at 805-658-4621 or email marknorris@triunfowsd.com if you have any questions or need additional information.

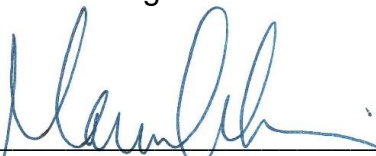
Fiscal Impact

Collecting sewer service fees in this manner is extremely efficient and economical compared to direct mailing. There are also significant savings that result from not having to prepare and mail statements, process receipts, track payments, and handle late and delinquent payments.

Recommendation

It is recommended the Board:

- A. Accept the reports listing parcels to be placed on the tax rolls for collection in FY 2021-22 (Exhibits A & B); and
- B. Set 5:15 p.m. on June 28, 2021, at the Board Meeting held via teleconference, as the time and place for a public hearing to be held on said reports; and
- C. Direct staff to notify by mail each person to whom any parcel listed on Exhibit B is assessed: 1) the District's proposal to have service charges for FY 2021-22 collected on the tax rolls; 2) the time and place of the public hearing for the proposed assessment report; and
- D. Direct staff to publish on June 14 and June 21, 2021, notices in the Ventura County Star, a newspaper of general circulation published and circulated in the District, noticing a June 28, 2021, public hearing.

REVIEWED AND APPROVED: 
Mark Norris - General Manager

- Attachments: 1. Resolution No. TWSD 2021-003
2. Exhibits A & B (on file with the Clerk of the Board)

RESOLUTION NO. TWSD 2021-003

A RESOLUTION OF THE TRIUNFO WATER & SANITATION DISTRICT BOARD OF DIRECTORS REGARDING COLLECTION OF SEWER SERVICE CHARGES BY THE COUNTY OF VENTURA

WHEREAS, the Triunfo Water & Sanitation District (TWSD) has duly adopted Ordinance No. TWSD-200 which provides for the establishment of sewer service charges; and

WHEREAS, California Health & Safety Code Section 5473 provides that TWSD may elect to have such sewer service charges collected on the County property tax roll; and

WHEREAS, a written report entitled "Sewer Service Charges for Collection on Tax Rolls for Fiscal Year 2021-22" was presented to the TWSD Board of Directors at its regular meeting of May 24, 2021; and

WHEREAS, assessments are in conformance with Proposition 218 which affects fee assessments placed on or added to the fiscal year 2021-22 secured tax bills; and

WHEREAS, pursuant to Health & Safety Code Section 5473.1, on May 24, 2021, the TWSD Board of Directors set a public hearing on said report at its regular meeting of June 28, 2021; and

WHEREAS, a hearing on said report has been held, and at said hearing the TWSD Board of Directors heard and considered all objections or protests to said report, and protests from a majority of owners of separate parcels (as construed in accordance with Health & Safety Code Section 5473.2) was not received; and

WHEREAS, the Auditor-Controller for the County of Ventura (County) has established procedures which require TWSD to defend, indemnify and hold harmless the County from any challenge to TWSD's utilization of the procedure established in Health & Safety Code Section 5473 for the collection of sewer service charges on the County tax roll.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, THAT:

1. All recitals contained above are true and incorporated by reference herein.
2. The written report described above is hereby adopted and it is determined that each charge as set forth in the report is proper.
3. The Clerk of the TWSD Board of Directors shall timely file or cause to be filed with the County Auditor-Controller a certified copy of said report stating that the report has been adopted by the TWSD Board of Directors.

4. The collection of TWSD sewer service charges for Fiscal Year 2021-22, as specified in Section 6 of Ordinance No. TWSD-200, shall be made on the assessor's tax roll for the County of Ventura pursuant to the provisions of California Health & Safety Code Section 5473 et. seq., and pursuant to Section 5473.4 the Auditor-Controller shall enter the amounts of charges against the respective parcels or lots of land as they appear on the current assessment roll.
5. The amount of the charges shall constitute a lien against the parcel or lot of land against which the charge has been imposed as of noon on the first Monday in March immediately preceding the date of levy.
6. The Triunfo Water & Sanitation District shall defend, indemnify and hold harmless the County of Ventura and the Ventura County Auditor-Controller from any action arising from the use by TWSD of the procedure established in the California Health & Safety Code Section 5473 to collect sewer service charges.

PASSED, APPROVED, AND ADOPTED this 28th day of June, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Raymund Tjulander, Chair
Triunfo Water & Sanitation District
Board of Directors

Attest:

Juliet Rodriguez
Clerk of the Board