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Board of Directors

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June 28, 2021

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

PUBLIC HEARING TO PLACE SEWER SERVICE CHARGES ON THE VENTURA COUNTY SECURED PROPERTY TAX ROLLS FOR FISCAL YEAR 2021-22

Summary

On May 24, 2021, the Triunfo Water & Sanitation District (TWSD) Board directed staff to schedule a public hearing on June 28, 2021, regarding collection of sewer service charges via the tax rolls. The District has collected sewer service charges via the General Ventura County Secured Property Tax Roll for many years. This is a very economical method, costing only one-quarter of one percent of the amount billed.

Procedures required for the proposed collection of sewer service charges on the tax rolls are set forth in California Health & Safety Code Section 5473.1. 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 Fiscal Year (FY) 2021-22 tax rolls (Exhibit A). Exhibit B is also submitted for your approval and this lists the new parcels with the charge amounts to be placed on the tax roll for the first time for collection. The public hearing required for placing sewer service charges on the tax rolls was scheduled for June 28, 2021, and legal notices were published in the Ventura County Star. Additionally, the notice was mailed to property owners listed on Exhibit B (available at the meeting). The approved lists must be submitted to the County of Ventura by July 1, 2021 to be included in the FY2021-22 secured tax rolls.

The District has traditionally done a small amount of manual billing in addition to those parcels on the tax rolls. In the past, this has included service to residences connected after the cutoff date for tax roll inclusion, commercial/industrial facilities, non-tax parcels, and etcetera. The commercial/industrial parcels have been adjusted based on actual flows and placed on the tax rolls. This practice is within TWSD Ordinance procedures. Below is a summary of the Equivalent Residential Units (ERUs) charged by the District on the tax rolls for the past 2 years and proposed for FY2021-2022 (there are an additional 266 ERUs collected through manual billing) and programmed service rates.

Table 1. Summary of ERUs

TAX ROLL YEAR	SINGLE FAMILY	MULTIPLE FAMILY	APTS	COMM	SHOPPING CENTERS	RESTAURANTS/ MARKETS	WATER FLOW COMMERCIAL	WATER FLOW RESTAURANTS	TOTAL ERUs
FY19-20	8175	2425	1217	666	102	212	376	8	13182
FY20-21	8188	2425	1217	667	102	210	399	8	13216
FY21-22	8196	2425	1217	615	100	209	272	7	13083

Table 2. Sewer Service Rates for FY22

TWSD FY2022 Sewer Service	Current Rate (per ERU per year)	July 1, 2021 (per ERU per year)
Category		
Single Residential, Multiple Residential, and Commercial	\$827.76	\$951.84
Apartment Units	\$662.04	\$761.28
Shopping Centers	\$1,469.88	\$1,690.32
Restaurants, Markets, and Mortuaries	\$1,904.16	\$2,189.76

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

- A. Conduct a public hearing to receive written and oral comments on the proposal to collect sewer service charges via the property tax statement;
 - 1) Call to order and open the public hearing.
 - 2) Receive staff report and recommendations.
 - 3) Report of written communications by Clerk of the Board.
 - 4) Public comment.
 - 5) Close public hearing.
 - 6) Discussion by Board of Directors
- B. Unless there is a majority protest, adopt the reports (Exhibits A & B) which have the assessor's parcel numbers and amount of charges proposed for collection on the tax rolls;
- C. Adopt TWSD Resolution No. TWSD 2021-003 Regarding Collection of Sewer Service Charges by the County of Ventura;
- D. Direct staff to file a certified copy of the adopted reports and resolution with the Ventura County Auditor-Controller; and

- E. Direct staff to coordinate collection of sewer service charges on the General Ventura County Secured Property Tax Roll with the County Auditor-Controller, Assessor, and Tax Collector.

REVIEWED AND APPROVED


Mark Norris - General Manager

Attachments: 1. TWSD Resolution No. TWSD 2021-003
2. Exhibits "A" & "B" Parcel Listings are available with the Clerk of the Board

cc: Jeff Burgh, Auditor-Controller's Office, County of Ventura

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

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