



# GARBERVILLE SANITARY DISTRICT

P.O. BOX 211 • GARBERVILLE, CA 95542 • (707) 923-9566

## RESOLUTION NO. 20-001

A RESOLUTION OF THE BOARD OR DIRECTORS OF THE GARBERVILLE SANITARY DISTRICT AUTHORIZING STAFF TO PROCEED WITH PROPOSITION 218 NOTICING AND SETTING THE PUBLIC HEARING FOR PROPOSED ADJUSTMENTS TO WATER AND SEWER FEES FOR FISCAL YEARS 2020 - 2025

WHEREAS, the District desires to adjust the methodology by which the water and sewer rates are calculated to provide equitable and balanced water and sewer rates amongst customers; and

WHEREAS, the District has identified additional costs associated with diverting, treating, storing, and delivering water into the District's water supply; and

WHEREAS, the District has identified additional costs associated with collecting, treating, storing, and transmitting sewer from the customers to the District's sewer treatment plant; and

WHEREAS, the District has identified ongoing operational, debt service, capital improvement, and asset replacement needs associated with the District's water and sewer utility systems; and

WHEREAS, in order to fund the identified water and sewer system operational, debt service, capital improvement, and asset replacement needs, it will be necessary to make adjustments to the District's current water and sewer service fees; and

WHEREAS, the adoption of this resolution is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA guidelines codified at 14 CCR § 15273 because the resolution pertains to the adoption of charges necessary to maintain services within the District's existing service area; and

WHEREAS, on November 5, 1996, California voters approved Proposition 218 Omnibus Implementation Act; Article XIID of the California State Constitution, requiring specific procedures be followed with regard to "property-related" fee increases, including the need to provide written notice at least 45 days in advance of a public hearing; and

WHEREAS, on July 24, 2006, the California Supreme Court confirmed that charges for water, wastewater, and sewer services are subject to Proposition 218 procedures (*Bighorn- Desert View Water Agency v. Verjil* (2006) 39 Cal. 4th 205).

NOW, THEREFORE, THE GARBERVILLE SANITARY DISTRICT BOARD OR DIRECTORS DOES RESOLVE AS FOLLOWS:

1. A Proposition 218 Public Hearing will be held on **APRIL 28, 2020**, to consider adjustments to the District's water and sewer service fees.
2. A Notice of Public Hearing that provides details related to the specific water and sewer service fee adjustments being proposed will be mailed no later than **March 12, 2020**, in compliance with the State-mandated minimum 45-day required notice to all affected property owners and customers.

Passed and adopted by the Garberville Sanitary District's Board of Directors on January 28, 2020 during a regular business meeting, by the following vote:

AYES: Directors Linda Brodersen, Doug Bryan, Julie Lyon  
NOES: Directors Ø  
EXCUSED: Directors Ø

Linda K Brodersen, Chairperson

ATTEST:

Ralph Emerson  
Ralph Emerson  
Clerk of Board of Directors