June 16, 2022

Board of Directors
Ventura Regional Sanitation District
Ventura, California

ADOPTION OF VRSD BOARD RESOLUTION NO. 22-06 REGARDING COLLECTION OF SEWER SERVICE CHARGES THROUGH THE VENTURA COUNTY TAX ROLL

RECOMMENDATIONS

A. Adopt VRSD Board Resolution No. 22-06 Regarding Collection of Sewer Service Charges by the County of Ventura; and

B. Adopt Report (Attachment 1 **or** Attachment 2 depending upon the outcome of Proposed Ordinance No. VRSD-117 regarding rates for the Malibu Bay Club onsite wastewater treatment system) which lists the Assessor's Parcel Numbers and the corresponding amount of charges proposed for collection on the County tax rolls; and

C. Direct VRSD staff to file a certified copy of the adopted reports and ordinance with the Ventura County Auditor-Controller; and

D. Direct staff to coordinate collection of sewer service charges on the general Ventura County tax rolls with the County Auditor-Controller, Assessor, and Tax Collector, and to submit to the Auditor-Controller all required forms and data needed to place direct assessments on the tax roll.

FISCAL IMPACT

Collecting sewer service fees in this manner is authorized by state statute and is extremely efficient and economical compared to direct mailing and individual collection. 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.

BACKGROUND & PROPOSAL

California Health and Safety Code Section 5473 provides that VRSD may elect to have such sewer service charges collected on the applicable county property tax roll. The District has collected sewer service charges via the general Ventura County tax rolls for many years through this provision of law.

Whenever sewer service charges are increased, California law requires that a new resolution providing for collection on the tax rolls be adopted as well. In this regard there are two options before your Board at this time.

Option 1: On July 2, 2020 the Board approved Ordinance No. VRSD 115, setting sewer service charges for the Malibu Bay Club property owners through June 30, 2025. The sewer service rates proposed to be place on the tax rolls in **Attachment 1** for FY 2022-23 via Resolution 22-06 are consistent with the rates approved in Ordinance No. VRSD 115.

Option 2: Proposed VRSD Ordinance No. VRSD 117, which would increase sewer service charges specifically for the Malibu Bay Club residents/sewer system users following a Proposition 218 process, pending any protest vote, is scheduled for consideration of adoption at your Board's meeting on June 16, 2022. If the Board adopts Ordinance 117 following the Proposition 218 process, the sewer service rates proposed to be placed on the county tax rolls are listed in **Attachment 2** for FY 2022-23.

VRSD Board Resolution 22-06 (with the option of either Attachment 1 or 2 as described above) directing the collecting of the sewer service charges on the Ventura County tax roll, is attached for your consideration.

This letter has been reviewed by Legal Counsel as to form.

If you should have any questions or need additional information, please contact me by phone at (805) 658-4646 or via email at tinarivera@vrsd.com.

ALVERTINA RIVERA, DIRECTOR OF FINANCE

APPROVED FOR BUDGET IMPACT: Alvertina Rivera
Alvertina Rivera, Director of Finance

APPROVED FOR AGENDA:
Chris Theisen, General Manager

Attachments: 1. Exhibit "A" Parcel Listing – VRSD Ordinance 115
2. Exhibit "B" Parcel Listing – VRSD Ordinance 117
3. VRSD Resolution No. 22-06

MALIBU BAY CLUB
DISTRICT 04-20 ASSESSMENT
FY 22/23 - FINAL

APN	Situs No	Situs Street	Assessment
7000220015	11828	BEACH CLUB WY	$1,458.24
7000220025	11832	BEACH CLUB WY	$1,458.24
7000220035	11836	BEACH CLUB WY	$1,458.24
7000220045	11840	BEACH CLUB WY	$1,458.24
7000220055	11844	BEACH CLUB WY	$1,458.24
7000220065	11850	BEACH CLUB WY	$1,458.24
7000220075	11852	BEACH CLUB WY	$1,458.24
7000220085	11856	BEACH CLUB WY	$1,458.24
7000220095	11860	BEACH CLUB WY	$1,458.24
7000220105	11862	BEACH CLUB WY	$1,458.24
7000220115	11870	BEACH CLUB WY	$1,458.24
7000220125	11874	BEACH CLUB WY	$1,458.24
7000220135	11876	BEACH CLUB WY	$1,458.24
7000220145	11882	BEACH CLUB WY	$1,458.24
7000220155	11884	BEACH CLUB WY	$1,458.24
7000220165	11892	BEACH CLUB WY	$1,458.24
7000220175	11896	BEACH CLUB WY	$1,458.24
7000220205	11908	BEACH CLUB WY	$1,458.24
7000220215	11922	BEACH CLUB WY	$1,458.24
7000220225	11926	BEACH CLUB WY	$1,458.24
7000220235	11928	BEACH CLUB WY	$1,458.24
7000220245	11934	BEACH CLUB WY	$1,458.24
7000220255	11936	BEACH CLUB WY	$1,458.24
7000220265	11942	BEACH CLUB WY	$1,458.24
7000220275	11948	BEACH CLUB WY	$1,458.24
7000220285	11950	BEACH CLUB WY	$1,458.24
7000220295	11952	BEACH CLUB WY	$1,458.24
7000220335	11914	BEACH CLUB WY	$1,458.24
7000220355	11906	BEACH CLUB WY	$2,916.48
7000230025	11854	STARFISH LN	$1,458.24
7000230035	11856	STARFISH LN	$1,458.24
7000230045	11858	STARFISH LN	$1,458.24
7000230055	11860	STARFISH LN	$1,458.24
7000230065	11862	STARFISH LN	$1,458.24
7000230075	11866	STARFISH LN	$1,458.24
7000230085	11868	STARFISH LN	$1,458.24
7000230095	11872	STARFISH LN	$1,458.24
7000230105	11874	STARFISH LN	$1,458.24
7000230115	11876	STARFISH LN	$1,458.24
7000230125	11880	STARFISH LN	$1,458.24
7000230135	11882	STARFISH LN	$1,458.24
7000230155	11844	CORAL REEF LN	$1,458.24
7000230165	11848	CORAL REEF LN	$1,458.24
7000230175	11850	CORAL REEF LN	$1,458.24
7000230185	11854	CORAL REEF LN	$1,458.24
7000230195	11856	CORAL REEF LN	$1,458.24

APN	Situs No	Situs Street	Assessment
7000230205	11858	CORAL REEF LN	$1,458.24
7000230215	11862	CORAL REEF LN	$1,458.24
7000230225	11864	CORAL REEF LN	$1,458.24
7000230235	11866	CORAL REEF LN	$1,458.24
7000230245	11870	CORAL REEF LN	$1,458.24
7000230255	11872	CORAL REEF LN	$1,458.24
7000230265	11874	CORAL REEF LN	$1,458.24
7000230275	11876	CORAL REEF LN	$1,458.24
7000230285	11880	CORAL REEF LN	$1,458.24
7000230305	11838	EBB TIDE LN	$1,458.24
7000230315	11836	EBB TIDE LN	$1,458.24
7000230325	11840	EBB TIDE LN	$1,458.24
7000230335	11842	EBB TIDE LN	$1,458.24
7000230345	11846	EBB TIDE LN	$1,458.24
7000230355	11848	EBB TIDE LN	$1,458.24
7000230365	11850	EBB TIDE LN	$1,458.24
7000230375	11854	EBB TIDE LN	$1,458.24
7000230385	11856	EBB TIDE LN	$1,458.24
7000230395	11858	EBB TIDE LN	$1,458.24
7000230405	11862	EBB TIDE LN	$1,458.24
7000230415	11864	EBB TIDE LN	$1,458.24
7000230425	11866	EBB TIDE LN	$1,458.24
7000230435	11868	EBB TIDE LN	$1,458.24
7000230445	11870	EBB TIDE LN	$1,458.24
7000230455	11874	EBB TIDE LN	$1,458.24
7000240025	11912	WHALERS LN	$1,458.24
7000240035	11914	WHALERS LN	$1,458.24
7000240045	11916	WHALERS LN	$1,458.24
7000240055	11920	WHALERS LN	$1,458.24
7000240065	11922	WHALERS LN	$1,458.24
7000240075	11924	WHALERS LN	$1,458.24
7000240085	11926	WHALERS LN	$1,458.24
7000240095	11928	WHALERS LN	$1,458.24
7000240105	11934	WHALERS LN	$1,458.24
7000240115	11936	WHALERS LN	$1,458.24
7000240125	11938	WHALERS LN	$1,458.24
7000240135	11940	WHALERS LN	$1,458.24
7000240145	11942	WHALERS LN	$1,458.24
7000240155	11946	WHALERS LN	$1,458.24
7000240165	11948	WHALERS LN	$1,458.24
7000240175	11950	WHALERS LN	$1,458.24
7000240185	11952	WHALERS LN	$1,458.24
7000240195	11956	WHALERS LN	$1,458.24
7000240205	11958	WHALERS LN	$1,458.24
7000240215	11962	WHALERS LN	$1,458.24
7000240225	11964	WHALERS LN	$1,458.24
7000240235	11966	WHALERS LN	$1,458.24
7000240245	11968	WHALERS LN	$1,458.24
7000240255	11972	WHALERS LN	$1,458.24
7000240275	11896	WHITE WATER LN	$1,458.24

APN	Situs No	Situs Street	Assessment
7000240285	11900	WHITE WATER LN	$1,458.24
7000240295	11902	WHITE WATER LN	$1,458.24
7000240305	11906	WHITE WATER LN	$1,458.24
7000240315	11908	WHITE WATER LN	$1,458.24
7000240325	11910	WHITE WATER LN	$1,458.24
7000240335	11912	WHITE WATER LN	$1,458.24
7000240345	11916	WHITE WATER LN	$1,458.24
7000240355	11918	WHITE WATER LN	$1,458.24
7000240365	11920	WHITE WATER LN	$1,458.24
7000240375	11924	WHITE WATER LN	$1,458.24
7000240385	11926	WHITE WATER LN	$1,458.24
7000240395	11928	WHITE WATER LN	$1,458.24
7000240405	11930	WHITE WATER LN	$1,458.24
7000240415	11932	WHITE WATER LN	$1,458.24
7000240425	11936	WHITE WATER LN	$1,458.24
7000240435	11938	WHITE WATER LN	$1,458.24
7000240445	11940	WHITE WATER LN	$1,458.24
7000240455	11942	WHITE WATER LN	$1,458.24
7000240465	11946	WHITE WATER LN	$1,458.24
7000240475	11948	WHITE WATER LN	$1,458.24
7000240485	11952	WHITE WATER LN	$1,458.24
7000240495	11958	WHITE WATER LN	$1,458.24
7000240505	11956	WHITE WATER LN	$1,458.24
7000250015	11934	OCEANAIRE LN	$1,458.24
7000250025	11930	OCEANAIRE LN	$1,458.24
7000250035	11938	OCEANAIRE LN	$1,458.24
7000250045	11940	OCEANAIRE LN	$1,458.24
7000250055	11944	OCEANAIRE LN	$1,458.24
7000250065	11946	OCEANAIRE LN	$1,458.24
7000250075	11948	OCEANAIRE LN	$1,458.24
7000250085	11952	OCEANAIRE LN	$1,458.24
7000250095	11954	OCEANAIRE LN	$1,458.24
7000250105	11956	OCEANAIRE LN	$1,458.24
7000250115	11958	OCEANAIRE LN	$1,458.24
7000250125	11962	OCEANAIRE LN	$1,458.24
7000250135	11966	OCEANAIRE LN	$1,458.24
7000250145	11968	OCEANAIRE LN	$1,458.24
7000250175	41000	PACIFIC COAST HY	$1,458.24
7000250185	41000	PACIFIC COAST HY	$1,458.24
		TOTAL	$ 198,320.64

MALIBU BAY CLUB
DISTRICT 04-20 ASSESSMENT
FY 22/23 - FINAL

APN	Situs No	Situs Street	Assessment
7000220015	11828	BEACH CLUB WY	$2,293.32
7000220025	11832	BEACH CLUB WY	$2,293.32
7000220035	11836	BEACH CLUB WY	$2,293.32
7000220045	11840	BEACH CLUB WY	$2,293.32
7000220055	11844	BEACH CLUB WY	$2,293.32
7000220065	11850	BEACH CLUB WY	$2,293.32
7000220075	11852	BEACH CLUB WY	$2,293.32
7000220085	11856	BEACH CLUB WY	$2,293.32
7000220095	11860	BEACH CLUB WY	$2,293.32
7000220105	11862	BEACH CLUB WY	$2,293.32
7000220115	11870	BEACH CLUB WY	$2,293.32
7000220125	11874	BEACH CLUB WY	$2,293.32
7000220135	11876	BEACH CLUB WY	$2,293.32
7000220145	11882	BEACH CLUB WY	$2,293.32
7000220155	11884	BEACH CLUB WY	$2,293.32
7000220165	11892	BEACH CLUB WY	$2,293.32
7000220175	11896	BEACH CLUB WY	$2,293.32
7000220205	11908	BEACH CLUB WY	$2,293.32
7000220215	11922	BEACH CLUB WY	$2,293.32
7000220225	11926	BEACH CLUB WY	$2,293.32
7000220235	11928	BEACH CLUB WY	$2,293.32
7000220245	11934	BEACH CLUB WY	$2,293.32
7000220255	11936	BEACH CLUB WY	$2,293.32
7000220265	11942	BEACH CLUB WY	$2,293.32
7000220275	11948	BEACH CLUB WY	$2,293.32
7000220285	11950	BEACH CLUB WY	$2,293.32
7000220295	11952	BEACH CLUB WY	$2,293.32
7000220335	11914	BEACH CLUB WY	$2,293.32
7000220355	11906	BEACH CLUB WY	$4,586.64
7000230025	11854	STARFISH LN	$2,293.32
7000230035	11856	STARFISH LN	$2,293.32
7000230045	11858	STARFISH LN	$2,293.32
7000230055	11860	STARFISH LN	$2,293.32
7000230065	11862	STARFISH LN	$2,293.32
7000230075	11866	STARFISH LN	$2,293.32
7000230085	11868	STARFISH LN	$2,293.32
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7000230325	11840	EBB TIDE LN	$2,293.32
7000230335	11842	EBB TIDE LN	$2,293.32
7000230345	11846	EBB TIDE LN	$2,293.32
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7000230365	11850	EBB TIDE LN	$2,293.32
7000230375	11854	EBB TIDE LN	$2,293.32
7000230385	11856	EBB TIDE LN	$2,293.32
7000230395	11858	EBB TIDE LN	$2,293.32
7000230405	11862	EBB TIDE LN	$2,293.32
7000230415	11864	EBB TIDE LN	$2,293.32
7000230425	11866	EBB TIDE LN	$2,293.32
7000230435	11868	EBB TIDE LN	$2,293.32
7000230445	11870	EBB TIDE LN	$2,293.32
7000230455	11874	EBB TIDE LN	$2,293.32
7000240025	11912	WHALERS LN	$2,293.32
7000240035	11914	WHALERS LN	$2,293.32
7000240045	11916	WHALERS LN	$2,293.32
7000240055	11920	WHALERS LN	$2,293.32
7000240065	11922	WHALERS LN	$2,293.32
7000240075	11924	WHALERS LN	$2,293.32
7000240085	11926	WHALERS LN	$2,293.32
7000240095	11928	WHALERS LN	$2,293.32
7000240105	11934	WHALERS LN	$2,293.32
7000240115	11936	WHALERS LN	$2,293.32
7000240125	11938	WHALERS LN	$2,293.32
7000240135	11940	WHALERS LN	$2,293.32
7000240145	11942	WHALERS LN	$2,293.32
7000240155	11946	WHALERS LN	$2,293.32
7000240165	11948	WHALERS LN	$2,293.32
7000240175	11950	WHALERS LN	$2,293.32
7000240185	11952	WHALERS LN	$2,293.32
7000240195	11956	WHALERS LN	$2,293.32
7000240205	11958	WHALERS LN	$2,293.32
7000240215	11962	WHALERS LN	$2,293.32
7000240225	11964	WHALERS LN	$2,293.32
7000240235	11966	WHALERS LN	$2,293.32
7000240245	11968	WHALERS LN	$2,293.32
7000240255	11972	WHALERS LN	$2,293.32
7000240275	11896	WHITE WATER LN	$2,293.32

APN	Situs No	Situs Street	Assessment
7000240285	11900	WHITE WATER LN	$2,293.32
7000240295	11902	WHITE WATER LN	$2,293.32
7000240305	11906	WHITE WATER LN	$2,293.32
7000240315	11908	WHITE WATER LN	$2,293.32
7000240325	11910	WHITE WATER LN	$2,293.32
7000240335	11912	WHITE WATER LN	$2,293.32
7000240345	11916	WHITE WATER LN	$2,293.32
7000240355	11918	WHITE WATER LN	$2,293.32
7000240365	11920	WHITE WATER LN	$2,293.32
7000240375	11924	WHITE WATER LN	$2,293.32
7000240385	11926	WHITE WATER LN	$2,293.32
7000240395	11928	WHITE WATER LN	$2,293.32
7000240405	11930	WHITE WATER LN	$2,293.32
7000240415	11932	WHITE WATER LN	$2,293.32
7000240425	11936	WHITE WATER LN	$2,293.32
7000240435	11938	WHITE WATER LN	$2,293.32
7000240445	11940	WHITE WATER LN	$2,293.32
7000240455	11942	WHITE WATER LN	$2,293.32
7000240465	11946	WHITE WATER LN	$2,293.32
7000240475	11948	WHITE WATER LN	$2,293.32
7000240485	11952	WHITE WATER LN	$2,293.32
7000240495	11958	WHITE WATER LN	$2,293.32
7000240505	11956	WHITE WATER LN	$2,293.32
7000250015	11934	OCEANAIRE LN	$2,293.32
7000250025	11930	OCEANAIRE LN	$2,293.32
7000250035	11938	OCEANAIRE LN	$2,293.32
7000250045	11940	OCEANAIRE LN	$2,293.32
7000250055	11944	OCEANAIRE LN	$2,293.32
7000250065	11946	OCEANAIRE LN	$2,293.32
7000250075	11948	OCEANAIRE LN	$2,293.32
7000250085	11952	OCEANAIRE LN	$2,293.32
7000250095	11954	OCEANAIRE LN	$2,293.32
7000250105	11956	OCEANAIRE LN	$2,293.32
7000250115	11958	OCEANAIRE LN	$2,293.32
7000250125	11962	OCEANAIRE LN	$2,293.32
7000250135	11966	OCEANAIRE LN	$2,293.32
7000250145	11968	OCEANAIRE LN	$2,293.32
7000250175	41000	PACIFIC COAST HY	$2,293.32
7000250185	41000	PACIFIC COAST HY	$2,293.32
		TOTAL	$ 311,891.52

VENTURA REGIONAL SANITATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO. 22-06

RESOLUTION REGARDING COLLECTION OF MALIBU BAY CLUB SEWER SERVICE CHARGES BY THE COUNTY OF VENTURA ON THE PROPERTY TAX ROLLS

WHEREAS, Ventura Regional Sanitation District ("VRSD") is a duly authorized and formed pursuant to the County Sanitation District Act (Health & Safety Code Section 4700 et seq.); and

WHEREAS, VRSD owns and operates an onsite wastewater treatment system which employs tertiary treatment of wastewater at the Malibu Bay Club in accordance with permits issued by the Los Angeles Regional Water Quality Control Board; and

WHEREAS, California Health & Safety Code Sections 5473 et seq. authorizes and provides the VRSD with the option to collect its sewer service charges collected on the county tax roll; and

WHEREAS, VRSD has duly adopted Ordinance No. VRSD-115 [July 02, 2020] which are incorporated herein by reference and provide for the establishment of sewer service charges to be imposed on any person owning any building or condominium served by the Malibu Bay Club onsite wastewater treatment system;

OR

WHEREAS, VRSD has duly adopted Ordinance No. VRSD-117 [June 16, 2022] pursuant to a Proposition 218 and California Constitution compliant process -- which are incorporated herein by reference and provide for the establishment of sewer service charges to be imposed on any person owning any building or condominium served by the Malibu Bay Club onsite wastewater treatment system; and

WHEREAS, the Ventura County Auditor-Controller has established procedures that require VRSD to defend, indemnify, and hold harmless the County of Ventura from any challenge to VRSD's utilization of the procedure established in California Health & Safety Code Section 5473.

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

1. The collection of sewer service charges specified in Section 25 of Ordinance No. VRSD-115 (Attachment 1) or Ordinance No. VRSD-117 (Attachment 2) shall be made on the County Assessor's tax roll for the County of Ventura pursuant to the provisions of California Health & Safety Code Section 5473 et. seq.; and

2. The Ventura Regional Sanitation District shall defend, indemnify, and hold harmless the County of Ventura and the Ventura County Auditor-Controller from any action arising from the Ventura Regional Sanitation District's utilization of the procedure established in the California Health & Safety Code Section 5473 to collect sewer service charges.

PASSED, APPROVED AND ADOPTED this 16th day of June, 2022 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

LAURA HERNANDEZ, Chairman
Board of Directors

Juliet Rodriguez, Clerk of the Board