

RESOLUTION NO. 2022-302
RESOLUTION NO. 2022-302 RESOLUTION OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT TO RESCIND RESOLUTIONS 2022-298 and 299

WHEREAS, the Mendocino City Community Services District (MCCSD) provides sanitary sewer services and monitors the groundwater extraction within the District boundaries; and

WHEREAS, MCCSD sets monthly groundwater management fees pursuant to the authority as set forth in District Ordinances 18-3, and 20-03, and California Government Code, Community Services District Law, Sec. 61000 et seq.; and

WHEREAS, it is the intent of the MCCSD to protect the District's groundwater resources, and the cost of operation thereof; and **WHEREAS**, the District is required to share the costs of operating and maintaining the District's groundwater management costs equitably among the users within the District; and

WHEREAS, monthly groundwater management charges are property-related fees; and

WHEREAS, Article XIII D, Section 6(a) of the California Constitution outlines the process for imposing or increasing a property-related fee, and has three formally required components: (i) notice, (ii) hearing, and (iii) opportunity to protest; and

WHEREAS, MCCSD operates a publicly owned sanitary sewer system that provides wastewater collection, treatment and disposal; and

WHEREAS, MCCSD is required to share of costs of operating and maintaining the District's sanitary sewer system equitably among the users within the District; and **WHEREAS**, all the provisions of Proposition 218 applicable to the groundwater management program, are also applicable to the sanitary sewer system; and,

WHEREAS, MCCSD previously adopted Resolutions 298 and 299 as part of the process of complying with the Proposition 218 process; and

WHEREAS Resolutions 2022-298 and 299 were approved with the wrong date regarding the mailing of letters.

NOW, THEREFORE, the Board of Directors of the MCCSD resolves as follows:

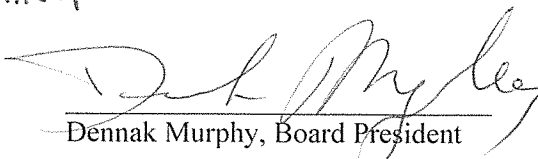
1. Resolutions 298 and 299 are hereby rescinded.

PASSED AND ADOPTED by the Board of Directors of the Mendocino City Community Services District at a Regular Meeting on October 3, 2022 by the following vote:

ROLL CALL VOTE:
AYES: 4
NOES: 0
ABSENT: ~~ABSTAIN:~~ 1



Ryan Rhoades, District Superintendent



Dennak Murphy, Board President