ORDINANCE NO. 98

ORDINANCE AND GENERAL REGULATION OF THE GOVERNING BOARD OF THE GOLETA SANITARY DISTRICT ESTABLISHING REVISED CAPACITY FEES AND ANNEXATION FEES AND FINDING THE FEES EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND REPEALING ORDINANCE NO. 97

WHEREAS, the Goleta Sanitary District ("District") is a Sanitary District formed and operating under the Sanitary District Act set forth in Health and Safety Code Section 6400 et seq. Pursuant to Section 6520.2 of the Act, the District has the authority to require any resident or property owner who desires to connect any property or structure to District facilities to pay a proportionate share of the cost of said facilities, either by an increased installation charge or by other arrangement.

WHEREAS, the District adopted Ordinance No. 87, dated January 15, 2018, which approved revised provisions relating to the Capacity Fees the District charges for connecting to the District's sewer facilities. The District adopted Ordinance No. 89, dated March 19, 2018, which clarified the definition of "Capital Project" as set forth in Ordinance No. 87. The District adopted Ordinance No. 97, dated July 7, 2026, which established new Capacity Fees and Annexation Fees for connecting to the District's sewer facilities.

WHEREAS, the District adopted Ordinance No. 88, dated March 5, 2018, which approved revised provisions relating to the Annexation Fees the District charges to establish equity between properties presently within the boundaries of the District, which have already financed the cost of sewer facilities, and properties within areas which may be annexed to the District in the future.

WHEREAS, Government Code Section 66013 provides that when a local agency imposes facility Capacity and Annexation Fees, those fees shall not exceed the estimated reasonable cost of providing the service for which the charge is imposed.

WHEREAS, the Governing Board ("Board") has evaluated the Capacity Fees included in Ordinance No. 97 and wishes to revise the Capacity Fees charged for newly constructed ADUs.

WHEREAS, the District engaged Raftelis to prepare a Sewer Connection and Annexation Fee Report, dated June 9, 2026, to determine appropriate and legally permissible Capacity and Annexation Fee amounts. Said Fee Report refers to "connection fees" which can also be referred to as Capacity Fees. Capacity Fees is the nomenclature used in the District's Administrative Code and will also be the term used in this Ordinance.

WHEREAS, the Board has evaluated the amount of the Capacity Fees proposed in the Fee Report and supporting evidence in accordance with Government Code Section 66016.6 and finds that the Capacity Fees do not exceed the estimated reasonable cost of providing service, in accordance with Government Code Section 66013.

WHEREAS, the Board has also evaluated the amount of the Annexation Fees proposed in the Fee Report and supporting evidence in accordance with Government Code Section

66016.6 and finds that the Annexation Fees do not exceed the estimated amount required to provide access to the sewer service for which the fee is levied, as provided in California Government Code Section 66013.

WHEREAS, the Capacity and Annexation Fees are not an incident of property ownership, nor are they a property-related service having a direct relationship to property ownership. Accordingly, the provisions of California Constitution Article XIIID are not applicable.

WHEREAS, The Capacity Fees and Annexation Fees are exempt from review under the California Environmental Quality Act ("CEQA"). First, Capacity Fees and Annexation Fees, in and of themselves, do not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and therefore are not considered a "project" under CEQA. (Pub. Resources Code, § 21065, 14 Cal. Code Regs., § 15378, subd. (a).) Second, Capacity Fees and Annexation Fees are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment; here, there is no possibility that the Capacity Fees and Annexation Fees, in and of themselves, may have a significant effect on the environment. (14 Cal. Code Regs., § 15061, subd. (b)(3).) And third, even if the Capacity Fees and Annexation Fees are considered a project for purposes of CEQA, the Capacity Fees and Annexation Fees are still exempt because CEQA does not apply to the modification and approval of rates for the purpose of meeting operating expenses, purchasing supplies, equipment or materials, and obtaining funds for capital projects, necessary to maintain service within existing service areas. (Pub. Resources Code, § 21080, subd. (b)(8); 14 Cal. Code Regs., § 15273, subd. (a)(4).).

WHEREAS, the fees established herein have been approved by the Board at a noticed public meeting, all in accordance with applicable provisions of law.

WHEREAS, GOLETA SANITARY DISTRICT ADMINISTRATIVE CODE, Title 6 – RATES, FEES AND CHARGES, Chapter 1. District Charges, Article 3. Capacity Fees, sets forth the Capacity Fees imposed by the District. Article 6. Annexation Fees, set forth the Annexation Fees imposed by the District. The Board desires adopt this Ordinance in order to delete and replace certain provisions of Article 3 in regard to Capacity Fees and Article 6 in regard to Annexation Fees. However, the remaining provisions of Articles 3 and 6 shall remain in full force and effect.

NOW, THEREFORE, BE IT ORDAINED by the Governing Board of the Goleta Sanitary District as follows:

1. **Incorporation Of Recitals** The Recitals set forth above are hereby incorporated herein and made an operative part of this Ordinance.

2. **Revised Provisions Relating To Capacity Fees**

   GOLETA SANITARY DISTRICT ADMINISTRATIVE CODE, Title 6 – RATES, FEES AND CHARGES, Chapter 1. District Charges, Article 3. Capacity Fees, SECTION 6-

1.3.1 DEFINITIONS, subsections (b) and (i) are hereby deleted and replaced, in their entirety, with the following:

(b) "Base Charge" shall mean the Capacity Fee of Six Thousand and Seventy Dollars ($6,070.00) payable by a single-family residence, as said Base Charge may be adjusted annually as provided herein.

(i) "ERU" shall mean the equivalent of a single-family residential dwelling unit, assuming (i) a hydraulic flow rate of 150 gallons per day, and (ii) loadings and strength factors that are typical for a single-family residence within the District.

GOLETA SANITARY DISTRICT ADMINISTRATIVE CODE, Title 6 – RATES, FEES AND CHARGES, Chapter 1. District Charges, Article 3. Capacity Fees, SECTION 6-1.3.7 CAPACITY FEE TABLES is hereby deleted and replaced, in its entirety, with the following:

TABLE 1

Calculation of Capacity Fee Under Section 3(a)

TYPE OF CONNECTION BEING MADE	CAPACITY UNIT OF BENEFIT FACTOR
Single-family residence	1.00
Multiple-family residence, condominium or apartment (excluding ADUs), per Dwelling Unit	0.83
Mobile home park, per unit	0.83
Commercial, industrial and institutional uses, per ERU, with a minimum of 1.00 per connection. Commercial and industrial facilities shall pay not less than their proportionate share of the cost of capacity in the District's trunk, interceptor and outfall sewers and treatment facilities, considering the amount of flow generated by the facility and the strength, composition and cost to treat the sewage generated by the facility based on available information. The District's decision in this regard shall be final and conclusive on all Persons.	1.00

TABLE 2 Calculation of Capacity Fee for ADUs Under Section 3(b)
CAPACITY FEE CALCULATION
Fixture charge calculated as follows: (Drain Fixture Units divided by 20) x Base Charge

3. **Revised Provisions Relating To Annexation Fees**

GOLETA SANITARY DISTRICT ADMINISTRATIVE CODE, Title 6 – RATES, FEES AND CHARGES, Chapter 1. District Charges, Article 6. Annexation Fees, SECTION 6-1.6.1 PROCESSING FEE is hereby deleted and replaced, in its entirety, with the following:

SECTION 6-1.6.1 ANNEXATION PROCESSING FEE

A fee of $200.00 (the "Annexation Processing Fee") shall be paid to the District at the time of filing the application to cover the District's costs in processing the application.

GOLETA SANITARY DISTRICT ADMINISTRATIVE CODE, Title 6 – RATES, FEES AND CHARGES, Chapter 1. District Charges, Article 6. Annexation Fees, SECTION 6-1.6.2 ANNEXATION FEE is hereby deleted in its entirety.

4. **Miscellaneous**

(a) Partial Invalidity If any term or provision of this Ordinance or the application thereof to any person or circumstance is, to any extent, determined to be invalid or unenforceable, the remainder of this Ordinance, or the application of such term or provision to persons or circumstances other than those as to which it is determined to be invalid or unenforceable, shall not be affected thereby, and each such term and provision of this Ordinance shall be valid and enforceable to the fullest extent permitted by law.

The Board hereby declares that it would have passed this Ordinance and each term and provision hereof, irrespective of the fact that any one or more term or provision be determined to be invalid or unenforceable.

(b) Balance of Administrative Code To Remain In Effect Except as otherwise specifically set forth herein, the balance of the Administrative Code shall remain in full force and effect. For example, and not by way of limitation, the balance of the Administrative Code, which remains in full force and effect, includes provisions enacted

by way of Ordinance Nos. 87, 88, and 89 that have not otherwise been specifically changed by this Ordinance.

(c) Effective Date. This Ordinance shall be effective as of November 2, 2026.

(d) Repeal of Prior Ordinance As of the effective date of this ordinance, Ordinance No. 97 is hereby repealed in its entirety.

PASSED AND ADOPTED this 2nd day of November, 2026, by the following vote of the Governing Board of the Goleta Sanitary District:

AYES: **Majoewsky, Frye, Fuller, Glancy**

NOES: **None**

ABSENT: **Nevins**

ABSTAIN: **None**

Steven T. Majoewsky
President of the Governing Board

COUNTERSIGNED:

Robert O. Mangus, Jr.
Secretary of the Governing Board

CERTIFICATION

I, Robert O. Mangus, Jr., Secretary of the Goleta Sanitary District, hereby certify that the forgoing is a true and correct copy of Ordinance No. 98 which was duly adopted by the Governing Board of the Goleta Sanitary District at a meeting of said Governing Board duly held on July 6, 2026.

Date: November 2, 2026

Robert O. Mangus, Jr.
Secretary of the Governing Board