

RESOLUTION NO. 2026- 332  
RESOLUTION OF MENDOCINO CITY COMMUNITY SERVICES DISTRICT  
ESTABLISHING UPDATED POLICY REGARDING EXTENSION OF SEWER SERVICE  
OUTSIDE ITS JURISDICTIONAL BOUNDARY

**WHEREAS**, on April 30, 1973, the Board of Directors adopted Resolution No. 13, Resolution of the Board of Directors of the Mendocino City Community Services District Establishing Policy Commitments Pursuant to Conditions of State Grant Contract (Project Number C-06-0709), which established a policy regarding extension of sewer service beyond its jurisdictional boundary, and;

**WHEREAS**, the Board of Directors desires to update its policy regarding extension of sewer service;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Mendocino City Community Services District that:

1. MCCSD's "Policy Regarding Extension of Service," as set forth in Resolution No. 13 of 1973, is hereby rescinded.
2. The District hereby adopts the following updated Policy Regarding Extension of Service to Areas Outside its Jurisdictional Boundary.

**POLICY REGARDING EXTENSION OF SERVICE**

Section 1. Definitions:

(a) Unless the provision or context otherwise requires, the definitions contained in Chapter 2 of Title 5, Division 3, Part 1 of the California Government Code, sections 56010 *et seq.*, govern the construction of this policy.

(b) "Commission" means the Mendocino County Local Agency Formation Commission.

Section 2. Requirements for extension of service outside the District's jurisdictional boundary. Service shall not be extended to any area or property outside the District's jurisdictional boundary, until all the following conditions are met:

(a) The applicant has provided the District with proof that the Commission has approved extension of service outside the District's jurisdictional boundary pursuant to section 56133 of the California Government Code;

(b) The applicant has provided the District with proof of receipt of all other land use entitlements, permits, and/or any further permissions necessary to access District service infrastructure, including but not limited to proof that the proposed project is consistent with all applicable Mendocino County land use planning policies;

(c) The applicant has executed a service agreement with the District as described in Section 4;

(d) The applicant has paid all reasonable expenses incurred by the District to process the applicant's request for extension, including any expenses incurred from responding to informational or other requests by the Commission or any other agency incident to such agency or agencies' review of the request for service to the subject property, except that the Board of Directors may in its discretion, waive some or all of the applicant's payment obligations;

(e) The Board of Directors has determined that the District's infrastructure has excess capacity sufficient to support the proposed service extension.

Section 3. Service Request Process: A request for extension of service outside the District's jurisdictional boundaries shall be made in the following manner:

(a) The applicant shall submit a service connection request to the attention of the District Superintendent, in a form the District may prescribe, but which must include the following information:

(i) The name and contact information of the applicant or applicant's agent;

(ii) The service requested, including a description of the maximum usage of District service capacity anticipated in connection with the service, and any other relevant information regarding anticipated usage which the District may require;

(iii) A map and legal description of the area proposed to be served;

(iv) A description of the project for which service is necessary;

(v) A description of improvements that will be necessary for service to be extended;

(vi) A description of land use permits or entitlements received for the project and outstanding permits or entitlements necessary before service can be extended;

(vii) Whether the area proposed for service is within the District's jurisdictional boundary;

(viii) Justification for the District's extension of service to the proposed area;

(ix) Whether annexation by the District of the proposed area to be served is sought or anticipated;

(x) A financial statement detailing and accepting responsibility for all associated costs;

(b) Within 60 business days of receipt of the request for service, or within 30 business days of receipt if the project described in the request is a housing development with 25 units or fewer, the District Superintendent or their designee will provide notice to the applicant either that the request is complete or that it requires additional information. If the District determines that additional information is necessary before the request can be deemed complete, and provides notice to the applicant of required additional information, it shall review and respond to each subsequent submission of additional information within 30 days (or 60 days if the request is for a housing development with more than 25 units) of the information's submission until the request is deemed complete.

(c) If the District Superintendent or their designee determines that the request is complete, they shall report in writing to the Board of Directors with a recommendation as to whether such extension of service would be in the best interests of the District, taking into account the anticipated usage of service, the cost of service provision, the present and future capacity of the District's systems, and any other factors relevant to the request.

(d) The Board of Directors shall consider the report and recommendation, together with any relevant evidence presented by the applicant or by any other person, at a public hearing. The Board may act upon the request, including by:

(i) Issuing a preliminary indication of the District's willingness to provide the requested service (a "will-serve letter"), stating that approval of service is conditioned on submittal of proof that the applicant has satisfied the provisions of Section 2 above and any other conditions the District may reasonably impose. Any such will-serve letter shall be valid for no more than two years from the date of issuance and shall state that the service extension is subject to the District's and any other relevant service providers' continued capacity and regulatory authority to serve the property; or

(ii) Denying the request for service extension on the ground that granting the request would not be in the District's best interests.

(e) Upon the Board's authorization described in Section 3(d)(i) above, the matter shall be tabled until the District has received notice that all the conditions described in Section 2 and any other conditions imposed by the District have been met. If the District Superintendent determines that all such conditions have been met, they shall make a supplemental report to the Board of Directors in writing, summarizing how such conditions have been met and recommending whether extension of service would be in the best interests of the District, taking into account the factors described in Section 3(c) above and information subsequently submitted by the applicant in compliance with any imposed conditions.

(f) The Board of Directors shall consider a supplemental report and recommendation made pursuant to Section 3(e), together with any relevant evidence presented by the applicant or by any other person, at a public hearing. The Board may act upon the request, including by:

(i) Authorizing the District Superintendent, or their designee, to negotiate terms of the service agreement described in Section 4, below;

(ii) Denying the request for service extension on the ground that granting the request would not be in the District's best interests.

Section 4. Upon the Board's authorization described in Section 3(f)(i) above, the District Superintendent, or their designee, and the applicant shall attempt to negotiate an agreement setting forth the terms of the requested service extension, which shall include the applicant's payment obligation for installing any equipment the District deems necessary, in its sole discretion, for the requested extension of service; any other charges appropriate to the service extension requested; and such other terms that the District has determined will ensure continued, efficient District operations and/or are necessary to protect the best interests of the District. A final agreement shall be approved by the Board at a public meeting before execution.


Section 5. This policy regarding extension of service beyond the District's jurisdictional boundary shall be in addition to any and all other rules, regulations, and policies, as set forth in any other resolution, order, or ordinance of the District, and any other laws or policies applicable to the District.

3. Should any provision of this Resolution, or the application thereof to any person or circumstance, be held invalid by the final action of a court, the remainder of this Resolution and the application of such provision to other persons or circumstances shall remain in full force and effect.

**PASSED AND ADOPTED** by the Board of Directors of the Mendocino City Community Services District, Mendocino County, California, at a Regular Meeting on April 27, 2026, by the following vote:

ROLL CALL VOTE: AYES: 4 (Shepard, Sullivan, Fields, Klinger)  
NOES: 0  
ABSENT: (Matthew Miksak) 1

ATTEST:

  
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Katie Bates, Board Secretary

  
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Andrea Shepard, Board President