

## ORDINANCE NO. 011-23 SD-6

### **BEFORE THE CITY COUNCIL OF THE CITY OF MARTINEZ, AS AND CONSTITUTING THE BOARD OF DIRECTORS OF CONTRA COSTA COUNTY SANITATION DISTRICT NO. 6, AN ORDINANCE ESTABLISHING A TEMPORARY ANNUAL UNIT CHARGE INCREASE FOR FISCAL YEARS 2023-24, 2024-25, AND 2025-26 AND ELECTING TO PLACE CHARGES ON THE TAX ROLL**

The City Council of the City of Martinez, as and constituting the Board of Directors of Contra Costa County Sanitation District No. 6 (SD-6), ordains as follows:

**WHEREAS**, the City Council (District Board) is authorized to establish sewer rates and charges for SD-6; and

**WHEREAS**, the current annual rate of \$1,950 does not generate revenue sufficient to fund the SD-6 cost of service; and

**WHEREAS**, the District Board retained Woodard & Curran, an independent third-party engineering and public financial consultant, to determine the cost of service for SD-6 and evaluate whether a rate increase is needed; and

**WHEREAS**, Woodard & Curran developed a report establishing that an annual increase of at least \$500 is needed to fund the cost of service; and

**WHEREAS**, on May 3, 2023, the District Board of SD-6 adopted Resolution No. 045-23 declaring its intention to temporarily increase the annual sewer service charge for FY 2023-24, FY 2024-25, and FY 2025-26 from \$1,950 to \$2,450, and to collect sewer service charges on the county property tax roll, and setting a Public Hearing for this matter on June 21, 2023; and

**WHEREAS**, the District mailed proper notice at least 45 days in advance of the Public Hearing to the owners of all properties served by the SD-6 system of the intent to levy an increased sewer service charge of \$2,450 for FY 2023-24, FY 2024-25, and FY 2025-26, and to collect the charge on the county property tax roll. As stated in the notice, the \$2,450 rate will revert back to \$1,950 in FY 2026-27, and remain at that level for subsequent years unless future action is taken; and

**WHEREAS**, the mailed notices included information about a property owner's right to submit a written protest against the proposed temporary rate increase, in accordance with Article XIID Section 6(a) of the California Constitution; and

**WHEREAS**, notice of the June 21, 2023 Public Hearing to consider the increase and the collection of the charge on the county property tax roll was duly published in a newspaper of general circulation; and

**WHEREAS**, the Public Hearing was held on June 21, 2023. After the close of the Public Hearing, written protests against the proposed temporary rate increase were tabulated, and it was determined that no majority protest occurred.

**NOW THEREFORE THE DISTRICT BOARD OF CONTRA COSTA COUNTY  
SANITATION DISTRICT NO. 6 DOES FURTHER ORDAIN AS FOLLOWS:**

**SECTION 1. TEMPORARY RATE INCREASE FOR FISCAL YEARS 2022-23, 2023-24, and 2024-25.** For fiscal years 2023-24, 2024-25, and 2025-26, the “annual unit charge” referred to in Section 11 of Ordinance No. 1 is prescribed at \$2,450.00.

**SECTION 2. REVERSION OF TEMPORARY RATE INCREASE.** Beginning in FY 2026-27, and for subsequent years, the annual unit charge shall revert to \$1,950, unless further action is taken.

**SECTION 3. COLLECTION ON TAX ROLL.** The Board of Directors elects to collect the annual unit charge for FY 2023-24 on the county property tax roll.

**SECTION 4. ENVIRONMENTAL FINDINGS.** The District Board finds that this ordinance is statutorily exempt from environmental review under the California Environmental Quality Act because the action is being taken to meet operating expenses, including salaries and benefits, incurred by the District to perform the services for which the fees and charges are being imposed, in accordance with Public Resources Code Section 21080(b)(8) and CEQA Guidelines Section 15273(a).

**SECTION 5. EFFECTIVE DATE.** This Ordinance becomes effective 30 days after passage and, within 15 days after passage, shall be published at least once with the names of Board members of Contra Costa County Sanitation District No. 6 voting for and against it in the Martinez News Gazette, a newspaper published in the City.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing ordinance was duly and regularly introduced at a Regular Meeting of said Contra Costa Sanitation District No. 6 Board, held on the 21st day of June, 2023, and duly passed and adopted at a Regular Meeting of said Board held on the \_\_\_\_ day of \_\_\_\_\_, 2023 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
BRIANNE ZORN, CHAIR  
CONTRA COSTA SANITATION DISTRICT NO.6 BOARD

ATTEST: \_\_\_\_\_  
CITY MANAGER, CLERK OF THE BOARD