

**ORDINANCE NO. 2020-01 OF THE WOODBRIDGE SANITARY DISTRICT
ESTABLISHING RATES FOR SEWER SERVICE**

WHEREAS, the Woodbridge Sanitary District (“District”) operates a wastewater treatment plant and provides sanitary sewer services to the community of Woodbridge; and

WHEREAS, California law allows the District to recover the full cost of providing sewer service to its customers, including the costs of operating, maintaining, repairing, and replacing components of the wastewater treatment plant, pipelines, and other infrastructure through the establishment of sewer service charges (“sewer rates”); and

WHEREAS, the Board of Directors of the Woodbridge Sanitary District (“District”) have examined the District’s existing sewer rates, and contracted with Hansford Economic Consulting to prepare a Rate Study to determine whether future adjustments to the District’s sewer rates are necessary in order to continue to provide sanitary sewer service to the District’s customers; and

WHEREAS, the Rate Study was received by the District Board of Directors on April 15, 2020, and made available to the public at the District’s Office on April 16, 2020; and

WHEREAS, the Rate Study concluded that the existing sewer rates will not adequately recover the District’s costs of providing sewer service to customers over the next six (6) years; and

WHEREAS, the Sewer Rate Schedule developed by Hansford Economic Consulting, attached hereto as Exhibit “A” and incorporated herein by reference, includes the proposed rates for sanitary sewer service over the next six (6) years; and

WHEREAS, the findings and determinations contained herein are based upon the Rate Study documenting the estimated reasonable costs of providing sanitary sewer service to the community of Woodbridge; and

WHEREAS, the Board of Directors of the Woodbridge Sanitary District hereby find and determine the following with regard to the proposed rate increases to the District’s sewer rates:

1. The revenues derived from the proposed sewer rates will not exceed the funds required to provide the sewer services;
2. The amount of the proposed sewer rates will not exceed the proportional cost of the service attributable to each parcel upon which they are proposed to be imposed;
3. The proposed sewer rates will not be imposed on a parcel unless the sewer services are actually used by, or are immediately available to, the owner or tenant of the parcel;
4. The proposed sewer rates will not be used for any other purpose than that for which they are imposed;
5. The proposed sewer rates are not levied for general governmental services;

6. The proposed sewer rates are not calculated or developed on the basis of any parcel map, but are based upon reasonable estimates of the demand placed upon the District in its role as a provider of the sewer services; and

7. The proposed rates represent increases in the charges needed to operate the District's sewer collection and treatment facilities; and

WHEREAS, the District Board of Directors hereby find and determine that in accordance with the provisions of California Constitution article XIII D, section 6 ("Article XIII D"):

1. The District identified the parcels upon which the increased sewer service charges are proposed to be imposed, and calculated the amount of fees or charges to be imposed upon each parcel;

2. On May 8, 2020, the District mailed written Notice to its customers, including the owners of each parcel upon which the increase to the sewer rates are proposed for imposition, which explained: (a) the amount of the charges; (b) the basis on which they were calculated; (c) the reason for the proposed increase; (c) the date, time, and location of the public hearing on the proposed increases; and (d) an explanation of the protest-hearing process and instructions for providing a written protest; and

3. On June 24, 2020, more than 45 days after mailing the above Notice, the District conducted a public hearing and considered all written protests against the proposed increases to the sewer rates; and

4. At the conclusion of the public hearing, written protests against the proposed increases to the sewer service charges were not presented by a majority of customers or property owners subject to the proposed sewer rates:

NOW, THEREFORE, the Board of Directors of the Woodbridge Sanitary District does ordain as follows:

Section 1. The District Board of Directors hereby adopts the recitals and findings set forth above.

Section 2. The District Board of Directors hereby adopts, by not less than a two-thirds vote, pursuant to Government Code section 5471, the sewer rate schedule set forth in Exhibit "A," attached hereto and incorporated herein by reference;

Section 3. This Ordinance supersedes and voids all prior ordinances, resolutions, and other District actions which are inconsistent with its terms, including all prior ordinances and resolutions establishing or amending sewer rates.

Section 4. Adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to section 15061(b)(3) of the CEQA Guidelines (14 CCR 15061(b)(3), as it is determined and declared that this Ordinance will not have a significant effect on the environment.

Section 5. Should any provision of the above Ordinance be deemed invalid or unconstitutional, the invalid or unconstitutional section or sections shall not affect the validity of the remainder of the Ordinance.

Section 6. This Ordinance was introduced at the regular meeting of the Woodbridge Sanitary District held June 24, 2020, and a first reading was conducted:

Ayes:
Noes:
Abstaining:
Absent:

Section 7. This Ordinance was adopted at the regular meeting of the Woodbridge Sanitary District held July 29, 2020 by the following vote:

Ayes:
Noes:
Abstaining:
Absent:

Section 8. The District Secretary is hereby authorized and directed to publish a summary of this Ordinance in the manner provided in Government Code Section 25124.

Section 9. This Ordinance shall become effective thirty (30) days after adoption.

PASSED AND ADOPTED by the Board of Directors of the Woodbridge Sanitary District this 29th day of July, 2020 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Larry Norvall
President, Board of Directors

ATTEST:

Irlanda Mora
District Secretary

APPROVED AS TO FORM:

S. Dean Ruiz
Legal Counsel

EXHIBIT “A”

Proposed Fee Schedule

Land Use	Current Year	2020-21 Year 1	2021-22 Year 2	2022-23 Year 3	2023-24 Year 4	2024-25 Year 5	2025-26 Year 6
Detached Residential							
1 Bedroom	\$217.76	\$235.20	\$260.70	\$279.63	\$316.34	\$320.16	\$337.91
2 Bedroom	\$290.35	\$313.60	\$347.60	\$372.84	\$421.78	\$426.89	\$450.54
3 Bedroom	\$362.94	\$392.00	\$434.50	\$466.05	\$527.23	\$533.61	\$563.18
4 Bedroom	\$435.52	\$470.40	\$521.40	\$559.26	\$632.68	\$640.33	\$675.81
5 Bedroom	\$508.11	\$548.80	\$608.30	\$652.47	\$738.12	\$747.05	\$788.45
6 Bedroom	\$580.70	\$627.20	\$695.20	\$745.68	\$843.57	\$853.77	\$901.08
7 Bedroom	\$653.29	\$705.60	\$782.10	\$838.89	\$949.01	\$960.49	\$1,013.72
8 Bedroom	\$725.87	\$784.00	\$869.00	\$932.10	\$1,054.46	\$1,067.21	\$1,126.35
Low Strength Commercial							
	<i>Commercial Annual Rate per EDU</i>						
Office	\$266.94	\$283.18	\$311.59	\$334.69	\$375.42	\$380.25	\$403.22
Veterinary Clinic	\$266.94	\$283.18	\$311.59	\$334.69	\$375.42	\$380.25	\$403.22
Beauty	\$274.06	\$292.43	\$322.55	\$346.29	\$389.52	\$394.44	\$417.62
Retail	\$280.03	\$300.31	\$331.89	\$356.19	\$401.55	\$406.53	\$429.89
Unclassified Low Strength [1]	\$268.55	\$285.34	\$314.16	\$337.41	\$378.72	\$383.57	\$406.60
Medium Strength Commercial							
	<i>Commercial Annual Rate per EDU</i>						
Retirement Home	\$285.72	\$300.92	\$331.27	\$358.58	\$385.89	\$413.20	\$440.51
Mobile Home Park	\$290.35	\$312.60	\$343.75	\$370.45	\$397.14	\$423.84	\$450.54
Apartments / Condos	\$290.35	\$312.60	\$343.75	\$370.45	\$397.14	\$423.84	\$450.54
Public Meeting Place	\$290.35	\$312.60	\$343.75	\$370.45	\$397.14	\$423.84	\$450.54
Mtg. Place - Religious	\$290.35	\$312.60	\$343.75	\$370.45	\$397.14	\$423.84	\$450.54
Bar	\$294.09	\$310.41	\$342.58	\$371.49	\$400.39	\$429.30	\$458.21
Service Station no Garage	\$303.41	\$320.94	\$355.06	\$385.69	\$416.32	\$446.94	\$477.57
Unclassified Medium Strength [1]	\$290.37	\$306.24	\$337.66	\$365.90	\$394.15	\$422.40	\$450.65
High Strength Commercial							
	<i>Commercial Annual Rate per EDU</i>						
Dump Station	\$2,742.15	\$3,057.18	\$3,581.85	\$4,043.51	\$4,505.18	\$4,966.85	\$5,428.52
RV Park w/o Sewer	\$2,742.15	\$3,057.18	\$3,581.85	\$4,043.51	\$4,505.18	\$4,966.85	\$5,428.52
Restaurant	\$459.13	\$494.93	\$559.39	\$616.69	\$673.99	\$731.28	\$788.58
Unclassified High Strength [1]	\$555.60	\$587.48	\$649.39	\$704.93	\$760.46	\$815.99	\$871.52

[1] If a business locates to Woodbridge that does not fit any one customer category listed, the WSD should determine which strength the customer belongs to and charge the unclassified cost per EDU shown until a rate study is conducted that includes the customer category.