

# Attachment C

## Attachment F

### Before the Board of Supervisors in and for the County of Monterey, State of California

#### Resolution No. 24-0 \_\_\_\_\_

Adopt a Resolution to:

- a. Conduct a Public Hearing to accept protests against the proposed wastewater service fee increase by within the Pajaro County Sanitation District pursuant to Proposition 218 requirements;
- b. Direct Clerk of the Board to tabulate and certify assessment ballots received before the conclusion of the public hearing;
- c. Determine if a majority protest exists;
- d. If a majority protest exists, no assessment may be imposed;
- e. If no majority protest exists, approve the proposed wastewater rate increase; and
- f. Recommend a \$1,409,300 funding source for the Fiscal Year 2024-25 General Fund subsidy required based on the proposed wastewater rate structure.

**WHEREAS**, the Pajaro County Sanitation District (PCSD) provides wastewater services to properties located in the PCSD pursuant to Ordinance No. 5134, and as such wastewater charges are adjusted from time to time; and

**WHEREAS**, wastewater service rates have remained unchanged for over 15 years, resulting in an inability of the PCSD to generate sufficient revenues to fund operational and infrastructure costs; and

**WHEREAS**, a PCSD Rate Study was completed by Tuckfield & Associates in February 2024 (Rate Study). The Rate Study established new residential and commercial sewer rates for the next five (5) years needed to sustain wastewater operations, accomplish capital improvements, and establish reasonable reserves; and

**WHEREAS**, four (4) community outreach events were held in November and March 2024 to inform PCSD property owners of the proposed rate increases and implementation schedule, and answer questions posed by event participants.

**WHEREAS**, on March 26, 2024, the Board of Supervisors set a public hearing for May 21, 2024, at 1:30 p.m. to hear protests against the proposed increase to wastewater rates by property owners pursuant to Proposition 218 requirements; and

**WHEREAS**, PWF staff was directed to mail a Notice of Public Hearing to property owners in the PCSD and publish the Notice of Public Hearing in the Monterey County Weekly not less than 45 (forty-five) days prior to the date of this public hearing; and

**WHEREAS**, the Notice of Public Hearing with proposed wastewater rates with a Spanish translation was mailed to property owners on March 28, 2024 and published in the Monterey County Weekly on April 4, 2024; and

**WHEREAS**, Notice of Public Hearing with proposed wastewater rates was posted on the County of Monterey Public Works, Facilities and Parks webpage; and

**WHEREAS**, such a Public Hearing was held on May 21, 2024, and the PCSD Board of Directors considered all protests related to the proposed increase in the wastewater service fees;

## DECISION

**NOW, THEREFORE BE IT RESOVLED**, that the PCSD Board of Directors, does hereby find and determine as follows:

*Section 1.* The foregoing recitals are true and correct and incorporated herein by this reference.

*Section 2.* The PCSD Board of Directors has fully considered this matter and has:

- a. Reviewed the notice and the information submitted herewith regarding the proposed increase and the reasons for the increase in the sewer service fees; provided notice of the proposed fee increase to the record owners of the parcels to which the proposed fee increase would apply in accordance with Article XIII §D of the California Constitution;
- b. Heard and received all objections, protests, or other written communications from any owners of real property subject to the fee;
- c. Taken and received oral and documentary evidence pertaining to the proposed fee increase;
- d. Been fully informed of this matter;

*Section 3.* Written protests have not been received from property owners representing a majority of the parcels subject to the proposed fee increase;

*Section 4.* Proposed wastewater service fees will be billed beginning July 1, 2024;

*Section 5.* Based on these facts and circumstances presented and the information received during the public hearing, increases in wastewater rates are necessary and hereby adopted.

*Section 6.* New Monthly Wastewater Rates are increases are set forth below:

### Wastewater Service Charges

Classification		July 1, 2024	July 1, 2025	July 1, 2026	July 1, 2027	July 1, 2028	
Residential (\$/DU)	EDU Multiple	\$/mo	\$/mo	\$/mo	\$/mo	\$/mo	
	1.00	\$60.00	\$67.60	\$75.50	\$83.72	\$92.27	
Multifamily (\$/DU)	0.80	\$48.00	\$54.08	\$60.40	\$66.97	\$73.81	
Mobile Homes (\$/DU)	0.70	\$42.00	\$47.32	\$52.85	\$58.60	\$64.59	
Non-Residential	Strength Factor	\$/mo	\$/mo	\$/mo	\$/mo	\$/mo	
	Low Strength	1.00	\$60.00	\$67.60	\$75.50	\$83.72	\$92.27
	High Strength	1.56	\$93.80	\$105.67	\$118.02	\$130.87	\$144.23

Notes:

1. An Equivalent Dwelling Unit (EDU) is defined as the flow and strength of a single-family residence consisting of 6 hundred cubic feet (HCF) of wastewater flow per month with Bio-chemical Oxygen Demand (BOD) strength of 250 milligrams per liter (mg/l) and Suspended Solids (SS) strength of 250 mg/l.

2. Low-Strength wastewater is defined as wastewater with a BOD and SS strength of less than or equal to 250 mg/l.
3. High-Strength wastewater is defined as wastewater with a BOD and SS strength of more than or 250 mg/l. and less than or equal to 600 mg/l.
4. For wastewater with a BOD and/or SS strength greater than or equal to 600 mg/l, the charge per EDU will be determined by the District Engineer and based on the actual strength of BOD and SS. (Charge = \$60 \* (Flow HCF)/6 HCF \* (0.5977 + (BOD mg/l)/250 BOD \* 0.2073 + (SS mg/l)/250 mg/l \* 0.1949).

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Board of Directors of the Pajaro County Sanitation District in and for the County of Monterey, as follows that said Board:

- a. Conducted a Public Hearing to accept protests against the proposed wastewater service fee increase by PCSD property owners pursuant to Proposition 218 requirements;
- b. Directed the Clerk of the Board to tabulate and certify assessment ballots received before the conclusion of the public hearing;
- c. Determined that (\_\_\_) a majority protest exists (\_\_\_) no majority protest exists;
- d. If a majority protest exists, said Board found that no assessment may be imposed;
- e. If no majority protest exists, said Board approved the proposed wastewater rate increase as set forth above and incorporated herein by this reference; and
- f. Recommend a \$1,409,300 funding source for the Fiscal Year 2024-25 General Fund subsidy required based on the proposed wastewater rate structure.

PASSED AND ADOPTED on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book \_\_\_ for the meeting on May 21, 2024.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors,  
County of Monterey, State of California

By \_\_\_\_\_  
, Deputy