

RESOLUTION NO. 2021-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON, CALIFORNIA, DECLARING THE RESULTS OF A NOTICED PROTEST PROCEEDING AND APPROVING CERTAIN ACTIONS FOR RATES, FEES AND CHARGES FOR WASTEWATER (SEWER) SERVICE(S) IN ACCORDANCE WITH THE CITY'S ORDINANCE NO. 609 AND THE CITY OF PATTERSON MUNICIPAL CODE TITLE 13 UTILITIES, CHAPTER 13.02 SANITARY CODE

The City Council of the City of Patterson (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council of the City of Patterson undertook a sewer rate study to determine whether the current rate structures adequately provided for the maintenance, operation and replacement/rehabilitation of its wastewater (sewer) system; and

WHEREAS, City Council of the City of Patterson has determined that the current rate structure will not support the current and future costs of the system; and

WHEREAS, City Council of the City of Patterson operates the sewer utility where the sewer utility to provide sewer services for residents, commercial businesses and industries within the City's service area, including Diablo Grande and unincorporated County areas that lie within the City of Patterson's sphere of influence; and

WHEREAS, the proposed rates reflect the cost of providing service to all customers through apportionment of costs based on customer, capacity, and demand characteristics; and

WHEREAS, it has been determined that the recommended rates do not exceed the reasonable cost of providing sewer services in accordance with Government Code 50076; and

WHEREAS, at least forty-five (45) days in advance of the public hearing at which this Resolution was considered, notice of the public hearing and notice of oral and written protest procedures against the proposed rates increases, were mailed to all property owners and rate payers in compliance with California Constitution Article XIII D, "Property-Related Fees and Charges"; and

WHEREAS, a notice of public hearing was also published in the Patterson Irrigator local newspaper, posted in public place on 11 x 17 size poster, and advertised on the City's website to comply with applicable laws; and

WHEREAS, at the conclusion of the public hearing, the City Clerk tabulated the number of written protests received and reported that there was not a majority protest of the proposed sewer service rate increase by owners or authorized representative of identified parcels receiving such services; and

WHEREAS, City Council of the City of Patterson does approve the following sewer rates effective January 1, 2022:

RATES FOR SEWER SERVICE:

	Current	FY 21/22 Effective January 1, 2022	FY 22/23 Effective July 1, 2022	FY 23/24 Effective July 1, 2023	FY 24/25 Effective July 1, 2024	FY 25/26 Effective July 1, 2025
Residential						
Flat Rate	\$49.94	\$52.94	\$56.12	\$59.49	\$63.06	\$66.84
Diablo Grande (1)	\$74.91	\$79.41	\$84.18	\$89.24	\$94.59	\$100.26
Commercial						
Flat Rate includes 10 ccf*	\$49.94	\$52.94	\$56.12	\$59.49	\$63.06	\$66.84
Over 10 ccf - rate per ccf	\$2.84	\$3.01	\$3.19	\$3.38	\$3.58	\$3.79
Industrial						
Flow - per gallon	\$0.006	\$0.004	\$0.005	\$0.005	\$0.005	\$0.006
BOD - per lb	\$0.787	\$0.639	\$0.677	\$0.718	\$0.761	\$0.807
SS - per lb	\$0.787	\$0.623	\$0.661	\$0.700	\$0.742	\$0.787
1 - Diablo Grande rate is 1.5 times the City's residential flat rate. * 1 ccf = one hundred cubic feet = 748 gallons of water						

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE CITY OF PATTERSON, AS FOLLOWS:

Section 1 The above recitals are true and correct.

Section 2 The canvass of the written protests cast at the noticed protest proceeding held on June 15, 2021, is hereby approved and confirmed.

Section 3 The proposition, presented to qualified property owners and rate payers for receipt by the City Clerk on June 15th, 2021, each has received a notice. Of the qualified property owners and rate payers filing written protests at said noticed protest proceeding, the proposition has carried. The City Council is hereby authorized to take the necessary steps to affect the increased rates, fees and charges for sewer services(s) as authorized by the proposition.

Section 4 The City Clerk is hereby directed to enter this Resolution on the minutes of the City Council which shall constitute the official declaration of the result of such noticed protest proceeding.

Section 5 This Resolution shall become effective immediately upon its adoption.

Section 6 The City Clerk shall certify the adoption of this Resolution.

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Section 7 The City of Patterson implements the approved rates as adopted by this resolution.

The foregoing resolution was passed by the City Council at a regular meeting held on the 15th day of June 2021, and the resolution adopted by the following roll call vote:

AYES: Councilmembers Alves, Parham, Farinha, Homen and Mayor McCord

NOES: None

EXCUSED: None

APPROVED:



Dennis McCord, Mayor
City of Patterson

ATTEST:



Maricela L. Vela, City Clerk
City of Patterson

I hereby certify that the foregoing is a full, correct, and true copy of a resolution passed by the City Council of said City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a regular meeting held on the 15th day of June 2021 and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATED:

City Clerk of the City of Patterson