

Ordinance No. 75

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE IRONHOUSE SANITARY DISTRICT SETTING SEWER SERVICE FEES BELOW THE PREVIOUSLY APPROVED INCREASE FOR FISCAL YEAR 2021/2022

WHEREAS, at its meeting on June 16, 2020, after providing all notices required by law, the Board of Directors (the “Board”) of Ironhouse Sanitary District, a California Sanitary District (the “District”) held a public hearing as part of a regularly scheduled meeting and adopted Ordinance No. 71 setting the District’s sewer service fees for Fiscal Years 2020-2021 through 2024-2025.

WHEREAS, revenues from sewer service fees are meant to cover operations and maintenance costs, debt service obligations, fund reserves, and rate-funded capital improvement projects (collectively referred to as “Sewer System Costs of Service”); and

WHEREAS, the sewer service fee schedule set forth in Ordinance No. 71 was adopted based on the assumptions and calculations set forth in the Wastewater Rate and Capacity Fee Study and Report (“Study”); and

WHEREAS, the Study was drafted in compliance with Article XIIIID of the California Constitution (Proposition 218), and reasonably estimates the District’s revenue needs in order to meet its Sewer System Costs of Service; and

WHEREAS, the Finance Committee met on June 9, 2021 and identified potential new revenue from additional, unanticipated sewer connections that could be used for Sewer System Costs of Service; and

WHEREAS, based on the findings of the Finance Committee, the Board desires to reduce the previously approved sewer service fee increase scheduled to be assessed in Fiscal Year 2021-2022 from 5 percent to 3 percent; and

WHEREAS, the sewer fee schedule adopted by Ordinance No. 71 remains in full force and effect and the Board retains the discretion to increase the sewer service fees to the full amounts, which were previously approved by the Board, in compliance with Proposition 218 and all other applicable laws.

NOW, THEREFORE, BE IT RESOLVED, by the Board that, based on the foregoing facts and circumstances and on the entire administrative record, the Board hereby finds and determines as follows:

1. The above recitals are true and correct, are material to the adoption of this ordinance, and are incorporated herein by reference.
2. It can be seen with certainty that there is no possibility that the actions being taken by

this Ordinance may have a significant effect on the environment, and it is therefore exempt from CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

FURTHER RESOLVED, by the Board that based on the foregoing facts, circumstances and findings, and on the entire administrative record, the Board hereby ordains as follows:

1. The increase in sewer service fees for Fiscal Year 2021/22 will be 3 percent, rather than the 5 percent increase set forth in Ordinance No. 71.
2. The decrease in the approved sewer service fees will only apply to Fiscal Year 2021/22 and the Board retains the discretion to increase the fees to their previously approved amounts, as set forth in Ordinance No. 71.
3. This is an ordinance establishing a general regulation. If any portion of this ordinance is determined invalid or unenforceable for any reason by a court of competent jurisdiction, then such portion shall be deemed severed to the extent of the invalidity or unenforceability, and the remainder of this ordinance shall remain in full force and effect.
4. The District Secretary is hereby designated as the officer to publish or post this ordinance pursuant to applicable legal requirements.

I hereby certify that the foregoing is a full, true and correct copy of an ordinance duly passed and adopted by the Ironhouse Sanitary District Board of Directors at a meeting thereof held on the 15th day of June, 2021.

AYES, and in favor thereof, Members: C. Lauritzen, S. Morgan, D. Morrow,
P. Zirkle and A. Lowrey

NOES, Members: None

ABSENT, Members: None



Cecilia Goff
Secretary to the Board
(SEAL)

APPROVED:  

Christian Lauritzen
President of the Board