



## TAMALPAIS COMMUNITY SERVICES DISTRICT

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### RESOLUTION NO. 2021-01

#### **A RESOLUTION OF THE TAMALPAIS COMMUNITY SERVICES DISTRICT TO ADOPT AND ESTABLISH REVISED SEWER SERVICE CHARGES EFFECTIVE BEGINNING JULY 1, 2021 AND TO PROVIDE FOR THE COLLECTION AND ENFORCEMENT OF THOSE RATES AND OTHER CHARGES**

#### **RECITALS**

1. Tamalpais Community Services District (the "District") provides sanitary sewer service to its customers at the rates presently set forth in District Resolution No. 2017-02, adopted on May 10, 2017.
2. Government Code Section 61115 authorizes the District to establish by resolution, rates and other charges for services and facilities that the District provides and to provide for the collection and enforcement of those rates and charges.
3. Presently, the sewer rates under District Resolution No. 2017-02 are fixed at an amount that does not yield sufficient revenue to reflect increased operation and maintenance costs, in addition to the increased cost of sanitary wastewater treatment provided by Sausalito-Marin City Sanitary District (SMCSD) and Sewer Agency of Southern Marin (SASM).
4. It is therefore necessary that the sanitation rates be increased to yield sufficient revenues to pay the operating expenses of the District's sanitation operation, including the treatment of its wastewater flows, to provide for repairs to and replacement of sanitation works owned and operated by the District, and to pay the interest and principal on District debt associated with the sanitation system.
5. The proposed and existing rates spread the District's costs to customers through a Base Sewer System Charge intended to recover certain fixed sewer costs and a Usage Charge intended to recover other costs in proportion to each customer's winter water usage. Winter water usage is an industry-accepted method of estimating wastewater generation from each customer. The basis for the proposed rates is described in the *Sewer System Financial Plan and Rate Update Study – Revised Final Report*, prepared by The Reed Group, Inc., dated August 25, 2020, which was accepted by the TCSD Board on March 10, 2021.
6. In accordance with Section 6 of Article XIII D of the California Constitution, the District provided mailed notice to recorded owners, conducted a Proposition 218 Public Hearing, considered the protests against the proposed rate increase, and determined that a majority of the owners of the identified parcels did not present written protests against the proposed rates.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. **Schedule of Charges for Sanitary Sewer Service.**

A. *Annual sanitary sewer service charge:* Effective July 1, 2021, and subject to adjustment pursuant to the schedule below, the annual sanitary sewer service charge for each District sanitary sewer customer is as follows:

**Sewer Rate Schedules for FY 21-22 Through FY 25-26**

	<b>FY 21-22</b>	<b>FY 22-23</b>	<b>FY 23-24</b>	<b>FY 24-25</b>	<b>FY 25-26</b>
Base Sewer System Charge	\$1,374.88	\$1,429.86	\$1,487.04	\$1,546.52	\$1,608.40 per DU or EDU
Usage Charge	\$ 33.42	\$ 34.74	\$ 36.12	\$ 37.56	\$ 39.06 per CCF of winter water usage

i. The District shall determine the number of dwelling units on each parcel based on Marin County records. If the District determines that a particular parcel contains more dwelling units than have been previously known by the District, the District may charge additional fees for the additional dwelling units.

ii. Non-residential equivalent dwelling units (EDUs) are determined for each account based on winter water usage with 1 EDU equal to the average usage for single family homes.

iii. Winter water usage (i.e., estimated wastewater flow) is based on water usage for the January and March bi-monthly billing periods (4 months total), as provided by the Marin Municipal Water District, subject to a 60 CCF residential cap for each dwelling unit.

2. **Effective Date.** This resolution shall become effective July 1, 2021.

3. **Effect on Prior Legislation Setting Service Charges.** On July 1, 2021, this resolution shall supersede any prior resolution or ordinance setting sanitary sewer service charges, except that, in the event that this resolution or any portion of the foregoing schedules of charges for sanitary sewer services are for any reason invalidated or declared inapplicable to any customer by a court of law, the rates set forth in Resolution 2017-02 shall be deemed to have remained in effect.

4. **Exempt from CEQA.** In accordance with the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000 et seq. and the regulations promulgated pursuant to CEQA ("the State Guidelines"), the District Board finds that this resolution establishes and modifies rates and charges for the purposes of meeting operating expenses of the District, meeting financial reserve needs and requirements of the District, and/or obtaining funds for capital projects that are necessary to maintain services within existing service areas in the District. (State Guidelines §15273.)

**I HEREBY CERTIFY** that the foregoing resolution is a full, true, and correct copy of a resolution duly and regularly adopted and passed by the Board of Directors of the Tamalpais Community Services District, County of Marin, California, at a meeting thereof, held on the 12th day of May, 2021 by the following vote:

AYES:

NAYS:

ABSENT:

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Matthew McMahon, President, Board of Directors

ATTEST:

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Heather Abrams, Secretary, Tamalpais Community Services District