

ORDINANCE NO. 2023 -

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA,
AMENDING ORDINANCE NO. 2017-2442 EXTENDING THE WASTEWATER RATES
ADOPTED FOR FISCAL YEARS 2022-2023 TO FISCAL YEARS 2023-2024 and 2024-2025
WITH NO INCREASE**

WHEREAS, the City of National City (“City”) provides sewer services to approximately 9,000 customers; and

WHEREAS, pursuant to Ordinance No. 2017-2442, adopted by the City Council on December 5, 2017, the City adopted a five-year sewer service fee rate adjustment schedule commensurate with projected Regional Wastewater treatment increases and elected to have sewer service charges collected on the tax roll, as provided by California Health and Safety Code Section 5473 et seq; and

WHEREAS, a study was conducted and determined that the rates approved for Fiscal Year 2022-2023 could be extended to Fiscal Years 2023-2024 & 2024-2025 with no increase; and

WHEREAS, if no increase in wastewater rates are proposed, then Proposition 218 notification is not required and a Public Hearing can be held to extend the rates at the same level as previously adopted.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY HEREBY
ORDAINS AS FOLLOWS:**

Section 1: That the City Council hereby amends Ordinance No. 2017-2442 which established sewer service charges for Fiscal Years 2018-2019, 2019-2020, 2020-2021, 2021-2022, and 2022-2023 and to maintain the rates established for Fiscal Year 2022-2023 for Fiscal Years 2023-2024 and 2024-2025 as set forth in Exhibit “A” of the staff report, which is incorporated herein by reference effective July 1, 2023.

Section 2: This Ordinance shall take effect and be in force thirty days (30) from the date of its passage, and before the expiration of fifteen (15) days after its passage, it or a summary of it, shall be published once with the names of the members of the City Council voting for and against the same in the Star News, a newspaper of general circulation published in the County of San Diego.

Section 3: The City Council declares that the judicial invalidity of any subsection or portion of this chapter shall not affect the validity of any other remaining section or portion; that the City council would have adopted each of those remaining portions, notwithstanding any later declared invalidity. If any provision determined invalid under the preceding sentence can either be judicially severed or interpreted in a way that could harmonize it with the remaining provisions, then it may be severed or interpreted and applied so as to give full purpose, meaning and effect to the remaining provisions of this Chapter.

Section 4: The proposed action is exempt from the California Environmental Quality Act (“CEQA”) under Section 15061(b)(3) – general rule; the project is not considered a project under CEQA as there is no possibility that the activity raised by this Ordinance may have a significant impact on the environment; the city currently charges sewer services fees and by this ordinance will extend the existing fee schedule for two years.

Section 5: The City Clerk shall certify to the adoption of this Ordinance and shall publish in accordance with the law.

INTRODUCED at a regular meeting of the City Council of National City, held on this 16th day of May, 2023.

PASSED and ADOPTED this 6th day of June, 2023.

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, MMC, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, City Attorney