

RESOLUTION 2025-###

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO ESTABLISHING THE STORMWATER UTILITY ASSESSMENT RATE FOR FY 2025-26 AND REQUESTING THE CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT TO ADOPT AN ANNUAL PARCEL ASSESSMENT FOR DRAINAGE MAINTENANCE AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM

WHEREAS, as a result of amendments to the Federal Clean Water Act, prescribed discharges of municipal stormwater require a permit from the San Francisco Regional Water Quality Control Board under the National Pollutant Discharge Elimination System (NPDES) program;

WHEREAS, the City of San Pablo NPDES permit requires the implementation of selected Best Management Practices to minimize or eliminate pollutants from entering stormwater;

WHEREAS, it is the intent of the City to utilize funds received from its Stormwater Utility Assessment (SUA) for implementation of the NPDES program and drainage maintenance activities;

WHEREAS, at the request of the City, the Contra Costa County Flood Control & Water Conservation District (District) has completed the process for formation of a SUA, including the adoption of the Stormwater Utility Assessment Drainage Ordinance 93-47;

WHEREAS, the SUA and Program Group Costs Payment agreement between the City and the District requires that the City annually by May 1, determine the rate to be assessed to a single Equivalent Runoff Unit (ERU) for the forthcoming fiscal year;

WHEREAS, in 1993 the City Council of the City of San Pablo adopted Resolution 93-21 establishing a maximum SUA rate of \$45 per ERU;

WHEREAS, the SUA rate adopted for the current fiscal year (2024-25) is \$45 per ERU and has remained at that rate for the last sixteen (16) years; and

WHEREAS, establishing the SUA does not trigger CEQA since it is not a project per State CEQA Guidelines Section 15378, which states that a project does not include continuing administrative or maintenance activities, or the creation of government funding mechanisms or other government fiscal activities.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Pablo hereby determines that the SUA rate for Fiscal Year 2025-26 shall remain at \$45 for each ERU;

BE IT FURTHER RESOLVED that the City Council of the City of San Pablo hereby requests the District to adopt SUA levies based on the rate of \$45 per ERU; and

BE IT FURTHER RESOLVED that the foregoing recitations are true and correct and are included herein by reference as findings.

ADOPTED this 18th day of February, 2025, by the following votes:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

ATTEST:

APPROVED:

Dorothy Gantt, City Clerk

Arturo Cruz, Mayor