



## AGENDA

### ADJOURNED REGULAR MEETING OF THE MAYWOOD CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE MAYWOOD COMMUNITY REDEVELOPMENT AGENCY

THURSDAY, JULY 6, 2023 AT 3:00 PM

Maywood City Council Chambers  
4319 E. Slauson Avenue, Maywood, CA 90270  
[www.cityofmaywood.com](http://www.cityofmaywood.com)

I. CALL TO ORDER/ROLL CALL

CALL TO ORDER  
ROLL CALL

II. CITY OFFICIALS

MAYOR  
Frank Garcia

CITY CLERK  
Andrea Aguilar

MAYOR PRO TEM  
Mayra Aguiluz

CITY TREASURER  
Mary Mariscal

COUNCIL MEMBERS  
Jessica Torres  
Eduardo De La Riva  
Heber Marquez

CITY MANAGER  
Jennifer E. Vasquez

CITY ATTORNEY  
Roxanne Diaz

III. MEETING INSTRUCTIONS

THIS MEETING WILL BE HELD IN PERSON.

THE MEETING WILL BE AVAILABLE FOR VIEWING VIA ZOOM:

<https://us02web.zoom.us/j/87233880981> AND VIA THE CITY'S FACEBOOK PAGE.

Public Participation Options:

1. **In-Person:** Council Chambers located at 4319 E. Slauson Avenue, Maywood, CA
2. **Before the Meeting:** Public comment will be accepted for the record in advance by 1:30 p.m. the day of the meeting by email to [daisy.guerrero@cityofmaywood.org](mailto:daisy.guerrero@cityofmaywood.org); or if you are unable to email, please call the City Clerk's Office at (323) 562-5714. Your comment will be made part of the written record but will NOT be read verbally at the meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the Council Meeting, please contact the City Clerk's Office (323) 562-5714 within 72 hours of the meeting.

**IV. MAYOR, COUNCILMEMBERS AND STAFF COMMENTS**

**V. PUBLIC PARTICIPATION (Agenda Items; Time Allotted: 3 Minutes)**

Speakers wishing to address the City Council on an item on the agenda may use the instructions provided in section **III. MEETING INSTRUCTIONS** beginning on page 1 of this agenda.

**VI. CONSENT CALENDAR**

1. SECOND READING AND ADOPTION OF ORDINANCE NO. 23-05, AN ORDINANCE OF THE CITY OF MAYWOOD REGARDING AN ANNUAL SEWER SERVICE CHARGE AND AMENDING CHAPTER 14 OF TITLE 6 OF THE MAYWOOD MUNICIPAL CODE

**VII. PUBLIC PARTICIPATION (Non-Agenda Items; Time Allotted: 3 Minutes)**

Speakers wishing to address the City Council on a non- agenda item you may use the instructions provided in section **III. MEETING INSTRUCTIONS** beginning on page 1 of this agenda.

**VIII. ADJOURNMENT - The next Regular Meeting of the Maywood City Council is Wednesday, July 26, 2023, at 6:00 p.m.**

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**PUBLIC ACCESS TO MEETING AGENDA AND AGENDA PACKETS**

I, \_\_\_\_\_, Andrea Aguilar, City Clerk or Deputy City Clerk, hereby certify that this agenda was duly posted by law at 4319 E. Slauson Avenue, Maywood, CA 90270 and the City Website. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection at the Maywood City Hall, 4319 E. Slauson Avenue, Maywood CA 90270. If you challenge in court any discussion or action taken concerning an item on this Agenda, you may be limited to rising only those issues you or someone else raised during the meeting or in written correspondence delivered to the City at or prior to the City's consideration of the item at the meeting. In compliance with the ADA, if you need special assistance for the meeting, call (323) 562-5723 within 72 hours prior to the meeting so the City can make reasonable arrangements to ensure accessibility.



# AGENDA REPORT

## CITY OF MAYWOOD



## AGENDA ITEM NO. 1.

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**DATE:** July 6, 2023

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** JENNIFER VASQUEZ, CITY MANAGER

**BY:** AHMAD ANSARI, CONTRACT CITY ENGINEER

**SUBJECT:** SECOND READING AND ADOPTION OF ORDINANCE NO. 23-05, AN ORDINANCE OF THE CITY OF MAYWOOD REGARDING AN ANNUAL SEWER SERVICE CHARGE AND AMENDING CHAPTER 14 OF TITLE 6 OF THE MAYWOOD MUNICIPAL CODE

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### RECOMMENDATION:

It is recommended that City Council adopt Ordinance No. 23-05 establishing an annual sewer service charge and amending Chapter 14 of Title 6 of the Maywood Municipal Code.

### BACKGROUND:

The sewer system servicing the City of Maywood ("City") is comprised of 24 miles of pipeline and 450 manholes with construction records dating back to the 1920s. The City's sewer system is rapidly aging and in need of remediation to maintain a healthy water cycle and to protect public health.

The California State Water Resources Control Board ("State Board") previously adopted Board Order No. 2006-0003-DWQ in 2006 and its amendment, Board Order No. WQ 2013-0058-EXEC in 2013, which established a sewer system monitoring and reporting program for cities throughout the state of California. The City has reported many sanitary sewer overflows since implementation of the State Board's monitoring and reporting program and, as a result, has received several notice of violations. Subsequent violations by the City will result in substantial penalties and fees.

On August 9, 2017, Maywood City Council approved the City's Sanitary Sewer Management Plan to outline and implement best management practices related to the operations and maintenance of the City's sewer system. On June 13, 2018, City Council adopted Ordinance No. 18-05 establishing sewer service charges to pay for operations and maintenance of the City's sewer system, including capital replacement costs. The City has levied annual sewer service charges, collected on the secured Los Angeles County ("County") property tax roll, since Fiscal Year 2018-19.

The City met with the County Public Works department ("County Public Works") in early 2021 regarding a partnership to complete cost-effective repairs to the City's sewer pipelines at highly critical locations. City staff has been in continuous communication with State Board staff to report on the City's actions for ensuring consistent maintenance and repair of the City's sewer system. State Board staff have been satisfied thus far with the City's progress on sewer improvements due in large part to the partnership with County Public Works. Therefore, City staff approached County Public Works to discuss the framework for County Public Works to permanently assume on-going maintenance and operations of the City's sewer system.

Upon conducting a comprehensive evaluation of the City's sewer system, County Public Works has agreed to

assume on-going maintenance and operations of the sewer system if the City developed a strategic plan to fund necessary sewer improvements that will bring the City's sewer system up to acceptable County Public Works standards. Also, the City was required to begin the process to become a member city of the County's Consolidated Sewer Maintenance District ("CSMD"). The County levies an annual sewer service charge through its CSMD to provide funding for the maintenance and operation of sewer systems in the unincorporated areas of the County and its member cities.

#### **DISCUSSION:**

County Public Works has approved the City's strategic plan to fund necessary sewer improvements. To formally annex into CSMD and become one of its member cities, County Public Works requires the City replace its current sewer service charge methodology based on number and size of water meters assigned to each respective parcel with the current CSMD sewer service charge methodology based on land use type per Table A in Section 20.40.100 of the Los Angeles County Code.

On April 26, 2023, City Council adopted a resolution authorizing City staff to undertake proceedings to become a member city of CSMD, approved Proposition 218 procedures to replace the City's current sewer service charge methodology with the CSMD sewer service charge methodology, and set a public hearing for June 28, 2028 in connection with the new sewer service charge commencing Fiscal Year 2023-24.

On June 28, 2028, the City Council held a public hearing on the new sewer service charge. At that public hearing, members of the public provided oral comments on the sewer service charges. That said, no written protests were submitted. Because no majority protest existed against the proposed new sewer service charge pursuant to Article XIII D of the California Constitution, the City Council moved forward and introduced Ordinance No. 23-05 to establish the annual sewer service charge.

Staff is now requesting that the City Council adopt Ordinance No. 23-05. After its adoption, the City will continue with the process to be formally annexed into CSMD as a member city, which will occur by the end of calendar year 2023. This will occur through the adoption of a resolution by the County Board of Supervisors. Once formally annexed into CSMD as a member city, County Public Works will assume responsibility of the administration and levy of the sewer service charges in the City of Maywood commencing with Fiscal Year 2024-25.

#### **LEGAL REVIEW:**

This item has been reviewed by the City Attorney.

#### **FISCAL IMPACT:**

The City's current sewer service charge under Ordinance No. 18-05 has generated approximately \$300,000 in annual revenue since Fiscal Year 2018-19. The new sewer service charge under the current CSMD methodology will generate approximately \$386,000 annually in the City, beginning in Fiscal Year 2023-24.

#### **ATTACHMENT(S)**

1. Ordinance No. 23-05 Annual Sewer Service Charge and Amending Chapter 14 of Title 6 of the Maywood Municipal Code

## **ORDINANCE NO. 23-05**

### **AN ORDINANCE OF THE CITY OF MAYWOOD REGARDING AN ANNUAL SEWER SERVICE CHARGE AND AMENDING CHAPTER 14 OF TITLE 6 OF THE MAYWOOD MUNICIPAL CODE**

**THE CITY COUNCIL OF THE CITY OF MAYWOOD DOES ORDAIN AS FOLLOWS:**

**Section 1.** The City Council finds:

A. Pursuant to the provisions of Chapter 14 of Title 6 of the City of Maywood Municipal Code and Article 4 of Chapter 6 of Part 3 of Division 5 of the California Health and Safety Code commencing with Section 5470, the City Council is authorized to levy an annual sewer service charge and to have such charge collected on the County of Los Angeles tax roll ("Tax Roll") in the same manner, by the same persons, and at the same time as, together with and not separately from, the general taxes of the City.

B. Pursuant to Ordinance No. 18-05, commencing in fiscal year 2018-19, the City has levied an annual sewer service charge upon each parcel of real property which is connected to the City's sewer system, based on water meter size.

C. In 2021, the City partnered with the Los Angeles County Public Works to complete cost-effective repairs and perform routine maintenance of the City's sewer system through an existing General Services Agreement. County Public Works levies an annual sewer service charge, through its Consolidated Sewer Maintenance District (CSMD), in the unincorporated areas of the County and its 37 Member Cities to provide funding to operate and maintain sewer systems. The City is currently not a CSMD Member City. The City has determined that becoming a CSMD Member City is the most cost-effective alternative for the City to adequately operate and maintain its sewer system to protect public health.

D. To become a CSMD Member City, County Public Works first requires the City to replace its existing annual sewer service charge, adopted pursuant to Ordinance No. 18-05, with a new annual sewer service charge based upon the methodology and annual rates that were established by the County pursuant to Chapter 20.40 of the Los Angeles County Code and California Health and Safety Code Sections 5471 and 5473.

E. The methodology established by the County is based on the number of "Sewage Units" assigned to each land use type per Table A in Section 20.40.100 of the Los Angeles County Code. A parcel's designated land use is shown on the County Assessor's rolls. The annual amount of the sewer service charge for each parcel shall be calculated by multiplying the current rate per Sewage Unit by the number of Sewage Units for the parcel pursuant to Table A in Section 20.40.100 of the Los Angeles County Code. The rate per Sewage Unit is comprised of two components: (1) the Base Component that will provide funding for preventative maintenance and 24-hour emergency response and service requests, and (2) the Accumulative Capital Outlay

Component (ACO Component) that will provide funding for capital outlay and condition assessments.

F. Following notice duly given in accordance with law, the City Council held a full and fair public hearing regarding the proposed new annual sewer service charge and heard and considered all objections and protests thereto. The City Council determined at the close of the public hearing that a majority protest, as calculated in accordance with Article XIII D of the California Constitution, does not exist.

**Section 2.** Section 6-14.04 (Deposit of fee revenues) of Chapter 14 of Title 6 of the Maywood Municipal Code is hereby renumbered as Section 6-14.05 and renamed as “Section 6-14.04 (Deposit of sewer service charge revenues)”.

**Section 3.** A new Section 16-14.04 is hereby added to Chapter 14 of Title 6 of the Maywood Municipal Code to read as follows:

**“16-14.04. Sewer Service Charge Levied Commencing Fiscal Year 2023-2024.**

(a) Commencing with fiscal year 2023-24, the annual sewer service charge authorized by Section 6-14.02 will be replaced with the annual sewer service charge authorized pursuant to this section. Commencing with fiscal year 2023-24, an annual sewer service charge is levied upon each parcel of real property, which is connected to the City's sewer system, as follows:

The annual sewer service charge is based on the number of “Sewage Units” assigned to each land use type per Table A in Section 20.40.100 of the Los Angeles County Code. The annual amount of the charge for each parcel shall be calculated by multiplying the rate per Sewage Unit by the number of Sewage Units for the parcel pursuant to Table A in Section 20.40.100 of the Los Angeles County Code. The rate per Sewage Unit is comprised of two components: (1) the Base Component that will provide funding for preventative maintenance and 24-hour emergency response and service requests, and (2) the Accumulative Capital Outlay Component (ACO Component) that will provide funding for capital outlay and condition assessments. The annual rate for the Base Component is \$41.50 per Sewage Unit and the annual rate for the ACO Component is \$9.00 per Sewage Unit, for a total annual rate of \$50.50 per Sewage Unit. Single-family homes and stores, for example, will each be assigned one Sewage Unit and charged \$50.50 per fiscal year commencing with fiscal year 2023-24.

(b) Commencing with fiscal year 2023-24, the annual sewer service charge shall be collected for each fiscal year on the County of Los Angeles tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, the general taxes of the City, provided, however, in any year the City Council may by resolution, provide for an alternative procedure for collection of the sewer service charge. For any parcel of real property for which the sewer service charge is not collected on the tax roll for the then current fiscal year, , the City may collect all or a portion of the sewer service charge for such year either: (1) on the tax roll in the following fiscal year or years; or (2) by directly billing the owner of the parcel during such year."

**Section 4.** The City Clerk is directed to certify to the enactment of this ordinance and to cause this ordinance to be published as required by law.

PASSED, APPROVED AND ADOPTED THIS 6<sup>th</sup> DAY OF JULY, 2023.

\_\_\_\_\_  
Frank Garcia, Mayor

ATTEST:

\_\_\_\_\_  
Andrea Aguilar, City Clerk

APPROVED AS TO FORM:

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Roxanne Diaz, City Attorney

I, Andrea Aguilar, City Clerk of the City of Maywood, do hereby certify that the foregoing Ordinance No. 23-05 was adopted at a regular meeting of the City Council of the City of Maywood held on the 6<sup>th</sup> day of July, 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Andrea Aguilar, City Clerk