

ORDINANCE O2025-XX

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
MANTECA, STATE OF CALIFORNIA, REPEALING AND
REPLACING SECTION 13.16.010 AND ADDING SECTION
13.16.060 OF THE MANTECA MUNICIPAL CODE

WHEREAS, the City of Manteca (“City”) seeks to update its sewer rates and amend certain sections of the Chapter 13.16 (Sewer Service Charges) of Title 13 (Public Services) of the Manteca Municipal Code (“MMC”); and

WHEREAS, Section 13.16.010 (Monthly Rates) of the MMC currently sets forth the monthly sewer rates for customers of the City’s sewer collection and treatment system; and

WHEREAS, staff is recommending that the MMC be amended to allow the City Council to fix charges for rates for sewer services by resolution and revise rates from time to time with the objective that the City’s sewer collection and treatment system be operated on a sound economic basis; and

WHEREAS, the City wishes to make these changes to streamline adoption of sewer charges in the future; and

WHEREAS, the additional MMC amendments adopted by this Ordinance will also clarify and simplify sewer charges imposed on the City’s customers; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meeting of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS FOLLOWS:

SECTION 1: The above findings are true and correct, are material to the adoption of this Ordinance, and are incorporated herein by reference.

SECTION 2: Environmental Review. The City Council finds that the adoption of the Ordinance is not considered a project under the California Environmental Quality Act (“CEQA”), Public Resources Code Section 21065 and CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387) Section 15378 because the Ordinance does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, as the Ordinance addresses requirements for a government funding mechanism which do not involve any commitment to any specific project. The Ordinance are also exempt from CEQA as there is no possibility for causing a significant effect on the environment, per Section 15061(b)(3).

No specific projects are associated with the Ordinance. The Ordinance is policy-oriented

ATTACHMENT 1

and would establish a funding mechanism for future sewer facilities. When and if specific projects are developed and proposed for implementation, the environmental impacts of such facilities would be evaluated in accordance with CEQA and City practice.

SECTION 3: Amendment. Title 13, Chapter 13.16, Section 13.16.010 of the MMC, entitled “Monthly Rates,” is hereby repealed and replaced with:

“§ 13.16.010 Charges established.

The City Council shall set the monthly rates for sewer service charges by ordinance or resolution. The failure to pay any charge shall constitute a violation of this chapter.”

SECTION 4: Amendment. Title 13, Chapter 13.16, Section 13.16.060 of the MMC, entitled “Refund of sewer charges” is hereby added as follows:

“§ 13.16.060 Refund of sewer service charges.

- A. Whenever the amount of any sewer charge has been overpaid, or paid more than once, or has been erroneously or illegally collected or received by the city, it may be refunded as provided in this section.
- B. The claimant or their guardian, conservator, executor, or administrator must submit a written application to the city’s public works director within six months of the alleged overpayment or erroneous or illegal collection. The application must clearly establish claimant’s right to the refund by written records.
- C. Upon receipt of the claim, the city’s finance director will evaluate the request and provide a written evaluation of their analysis, including any refund due, within sixty days.
- D. Any claimant aggrieved by the finance director’s decision with respect to its refund request may appeal to the city manager by filing a notice of appeal with the city clerk within 15 days of the public works director’s decision. The city manager will render a written decision within sixty days of the claimant’s filing of the appeal. The findings of the city manager shall be final, and any amount due shall be immediately due and payable upon the service of notice of the city manager’s decision.”

SECTION 5: Severability. If any section, sub-section, subdivision, paragraph, clause or phrase in this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more sections, sub-sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

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SECTION 6: Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

City of Manteca, a municipal corporation

MAYOR: _____
GARY SINGH

ATTEST: _____
CASSANDRA CANDINI-TILTON
CITY CLERK

STATE OF CALIFORNIA }
COUNTY OF SAN JOAQUIN } SS:
CITY OF MANTECA }

I, Cassandra Candini-Tilton, City Clerk of the City of Manteca, do hereby certify that the foregoing Ordinance had its first reading and was introduced during the public meeting of the City Council on the ___ day of _____, 2025, and had its second reading and was adopted and passed during the public meeting of the City Council on the ___ day of _____, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
CASSANDRA CANDINI-TILTON
City Clerk