

FAIRFIELD-SUISUN SEWER DISTRICT
RESOLUTION NO. 2026-08

**A RESOLUTION ADOPTING SEWER SERVICE CHARGES AND
SEWER CAPACITY CHARGES**

WHEREAS, the Fairfield-Suisun Sewer District (“District”) is authorized by the Fairfield-Suisun Sewer District Act to provide wastewater services to the cities of Fairfield and Suisun City, as well as buildings outside of the District as determined by a contract with the County of Solano and to levy charges to pay for that service; and,

WHEREAS, any increase in fees and charges for property-related wastewater service must comply with the procedural and substantive requirements of Article XIID, section 6, of the California Constitution, which was enacted by the California Voters in 1996 as part of Proposition 218; and,

WHEREAS, on November 24, 2025, the Board authorized staff to provide notice of a proposed fee increase to support increased capital spending and operating costs and the date, time and location of a public hearing on the proposal, all in compliance with the substantive and procedural requirements of Proposition 218 and other relevant laws; and,

WHEREAS, the District also adopted Resolution 2025-36, Adopting Procedures to Implement Government Code Sections 53759.1 and 53759.2 (AB2257) for Property-Related Sewer Fees and Charges; and,

WHEREAS, in compliance with the substantive and procedural requirements of Proposition 218 and other relevant laws, staff mailed a Notice to Property Owners of Proposed Wastewater Rate Increase and Public Hearing (“Notice”) to each property owner in the District’s service area of the proposed Sewer Service Charge fee (“fee”) increase, which notice contained the date, time and place of the public meeting; a general explanation of the matter to be considered; the amount of the fee proposed to be imposed upon each parcel, the basis upon which the amount of the proposed fee was calculated, and the reason for the fee; and stated that a detailed fee analysis concerning the proposed fee increases, including the cost or estimated cost of providing the service for which each fee is proposed to be charged, the revenue sources anticipated to provide the service, and the basis of the allocation of the cost of the services, was available for review at www.fairfieldsuisunsewer.ca.gov; and,

WHEREAS, in compliance with the substantive and procedural requirements of AB 2257 and other relevant laws, the Notice also included information on submitting a written objection by March 26, 2026 at 5:00 p.m. so the Board can review the objections received, and District’s response to determine whether clarification, reduction, or further review is needed for the proposed fee, charge, or assessment, or to proceed with the public hearing; and

WHEREAS, on April 27, 2026 the Board conducted a noticed public hearing to consider the proposed fee increase at the time and place specified in the Notice; and,

WHEREAS, at the hearing, this Board reviewed and considered the proposed fee increase, all supporting information, including but not limited to the data described above, any objections and protests against the proposal, any other information in support of or in opposition to the proposal, and all other relevant information presented as prescribed by law; and,

WHEREAS, at that time, an opportunity was given to all interested persons, organizations and agencies to present oral or written testimony and other information concerning the proposed fees and all related matters; and,

WHEREAS, the Board has calculated the protests submitted and not withdrawn to the increased fee, including reviewing the validity of such protests in accordance with applicable law, and finds that a majority protest does not exist; and

WHEREAS, the increase is necessary for the public health and safety and that the fee increase be effective July 1, 2026; and,

WHEREAS, pursuant to Government Code Section 66013, the District is authorized to impose fees for sewer connections and to impose Sewer Capacity Charges for public facilities in existence at the time the charge is imposed and for new facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged; and,

WHEREAS, the District's Sewer Capacity Charges ("Capacity Charges") are imposed on any property or any person requesting a new, additional, or larger connection to the District's wastewater system; and,

WHEREAS, an analysis of the District's Capacity Charges was prepared by Hildebrand Consulting, LLC dated April 1, 2026, entitled "2025 Sewer Rate and Capacity Charge Study" (the "Report"), a copy of which is on file with the District Administrative Services Department, available for public review, and incorporated into this Resolution by this reference as if set forth in full; and,

WHEREAS, on November 24, 2025, the District's Board approved and adopted the Report; and,

WHEREAS, the Report establishes that the amount of the proposed Capacity Charges are no more than necessary to cover the reasonable costs of the services for which the fees are charged, and that the manner in which those costs are allocated to a capacity fee payor bear a fair or reasonable relationships to the payor's burden on, or benefits received from, the District's services; and,

WHEREAS, the District desires to implement Capacity Charges that will keep pace with the annual rate of inflation while reducing the administrative burden of annual modification; and,

WHEREAS, pursuant to Government Code section 66016(a), the District held a public hearing at its regularly scheduled April 27, 2026 meeting to consider adoption of the proposed Capacity Charges; and,

WHEREAS, pursuant to Government Code section 66016(a), the District made available to the public all data indicating the cost, or estimated cost, required to provide the service for which these Capacity Charges will be levied, and the revenue sources anticipated to provide the service, for at least 10 days before its regularly scheduled April 27, 2026 meeting; and,

WHEREAS, the District finds it necessary and appropriate to adopt the proposed Capacity Charges for the District; and,

WHEREAS, the proposed Capacity Charges are not “taxes” as defined in Section I, paragraph (e) of Article XIII C of the California Constitution (commonly referred to as “Proposition 26”) because the proposed Capacity Charges are imposed for a specific service provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable cost to the District of conferring the benefit; and the fee is imposed for a specific government service provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable cost to the District of providing the service; and,

WHEREAS, the California Environmental Quality Act (CEQA), Section 15273, Rates, Tolls, Fares, and Charges, states that CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of (i) meeting operating expenses, including employee wage rates and fringe benefits; (ii) purchasing or leasing supplies, equipment, or materials; (iii) meeting financial reserve needs and requirements; (iv) obtaining funds for capital projects, necessary to maintain service within existing service areas; or (v) obtaining funds necessary to maintain such intra-city transfers as are authorized by city charter; and,

WHEREAS, the proposed Capacity Charges are for the first four of the purposes, including meeting operating expenses, purchasing or leasing supplies, equipment, or materials, meeting financial reserve needs and requirements, and obtaining funds for capital projects, and, therefore, the adoption of this Resolution is categorically exempt from CEQA; and,

WHEREAS, the Board of Directors finds, based on all evidence in the record, that the proposed Capacity Charges, as described below, do not exceed the estimated reasonable cost of providing the service.

NOW THEREFORE BE IT RESOLVED, ORDERED AND FOUND by the Board of Directors of the Fairfield-Suisun Sewer District as follows:

1. Each of the foregoing recitals is true and correct.

2. There are 44,401 parcels subject to the proposed Sewer Service Charge fee increase; the number of valid written protests submitted and not withdrawn does not exceed fifty percent (50%) of such parcels, and therefore a majority protest does not exist.
3. The Board hereby adopts the sewer service charges set forth below, effective for the fiscal year beginning July 1, 2026:

	Effective Date:	Proposed Rates					
		July 1, 2026	July 1, 2027	July 1, 2028	July 1, 2029	July 1, 2030	
Residential (monthly) ¹		\$54.91	\$60.40	\$66.44	\$71.09	\$74.64	per dwelling unit
Commercial							
Monthly Account Charge and Regular Strength Volumetric ²		\$17.13	\$18.84	\$20.72	\$22.17	\$23.28	per account per mo.
or High Strength Volumetric ³		\$4.56	\$5.02	\$5.52	\$5.91	\$6.21	per HCF
Case-by-Case ⁴		\$7.81	\$8.59	\$9.45	\$10.11	\$10.62	per HCF
Monthly Account Charge and Volumetric (direct connect) ⁵		\$17.13	\$18.84	\$20.72	\$22.17	\$23.28	per account per mo.
or Volumetric (through local collection) and BOD (by weight) and TSS (by weight)		\$3,823.53	\$4,205.88	\$4,626.47	\$4,950.32	\$5,197.84	per MG
		\$5,601.60	\$6,161.76	\$6,777.94	\$7,252.40	\$7,615.02	per MG
		\$605.32	\$665.85	\$732.44	\$783.71	\$822.90	per 1000 lbs
		\$324.73	\$357.20	\$392.92	\$420.42	\$441.44	per 1000 lbs
Travis Air Force Base (volumetric)		\$3.67	\$4.04	\$4.44	\$4.75	\$4.99	per HCF

4. This Board further finds that each of the following is true and correct:
 - a. Each fee imposed herein is a levy other than an ad valorem tax, a special tax or an assessment, and is imposed upon a parcel or a person as an incident of property ownership consisting of a user fee for wastewater service.
 - b. This wastewater service fee is for property related services, having a direct relation to property ownership.
 - c. Revenues derived from the fees will not exceed the funds required to provide property related wastewater service.
 - d. Revenues derived from the fees will not be used for any purpose other than that for which the fees are imposed.
 - e. The amount of the fee imposed on any parcel does not exceed the proportional cost of service attributable to that parcel.
 - f. The fees are imposed only upon parcels that use or have wastewater service available for immediate use and capable of serving the property.

NOW THEREFORE BE IT FURTHER RESOLVED, ORDERED AND FOUND THAT based on the entirety of the record before it, which includes without limitation, the Report, all reports, minutes and public testimony submitted as part of April 27, 2026 meeting of the Board of Directors of the Fairfield-Suisun Sewer District finds as follows:

1. The sewer capacity fees as set forth below are hereby approved and adopted:

Sewer Capacity Fees: \$8,030 per Equivalent Dwelling Unit

2. The Capacity Fees shall increase annually beginning July 1, 2027, by no more than the Engineering News Record (ENR) Construction Cost Index (CCI) for San Francisco based on the change from April for the second prior calendar year to April for the prior calendar year, provided that any such increase shall not exceed the reasonable cost of providing the service attributable to the fee.
3. The Capacity Fees set forth above shall become effective on July 1, 2026 and shall remain in effect until changed by the Board of Directors.
4. All other rates, charges, fees, penalties, etc. not provided for in this Resolution that are currently charged in connection with operation of the District shall be unaffected by this Resolution and shall remain in effect.
5. The Board of Directors of the Fairfield-Suisun Sewer District finds that the adoption of fees and charges set forth herein is statutorily exempt from the California Environmental Quality Act (CEQA) under section 15273 of the State CEQA Guidelines.
6. Each component of the wastewater service fee, the sewer capacity fees and all portions of this Resolution are severable. Should any individual component of the wastewater service fee, the Sewer Capacity Charges, or any portion of this Resolution be adjudged to be invalid and unenforceable by a body of competent jurisdiction, then the remaining wastewater service fee and sewer capacity fees components and/or Resolution portions shall be and continue in full force and effect, except as to those components and/or Resolution portions that have been adjudged invalid. The Board of Directors declares that it would have adopted this Resolution and each section, subsection, clause, sentence, phrase, and other portion thereof, irrespective of the fact that one or more section, subsection, clause, sentence, phrase, or other portion may be held invalid or unconstitutional.
7. The General Manager is authorized and directed to take all steps necessary and proper to implement this Resolution.

PASSED AND ADOPTED this 27th day of April 2026, by the following vote:

AYES: Directors Carr-Dawson-Hernandez-Moy-Pal-Panduro
Shepherd-Tonnesen-Washington-Williams

NOES: Directors Washington

ABSTAIN: Directors None

ABSENT: Directors Moy, Panduro, Williams

Jessie Dawson
President

ATTEST: Jessie Dawson
District Clerk