



**Date:** June 18, 2015

**To:** Mayor and City Council, as and constituting The Board of Contra Costa County Sanitation District No. 6 (Board)

**From:** Tim Tucker, City Engineer

**Subject:** Final adoption of ordinance designating the Clerk and Engineer of the District and ordinance defining meeting proceedings.

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**Recommendation**

- A. Motion to adopt Ordinance No. 001 C.S. SD-6 defining the Board of Contra Costa County Sanitation District No. 6 and Meeting Proceedings.
- B. Motion to adopt Ordinance No. 002 C.S. SD-6 repealing Ordinance No. 3 and amending Ordinance No. 1 to designate the Martinez City Manager as the Clerk of the Board of Directors and the Martinez City Engineer as the Engineer of Contra Costa County Sanitation District No. 6.

**Background**

Contra Costa County Sanitation District No. 6 (District) was formed in 1992 to provide sanitary sewer series to the Stonehurst subdivision in the Alhambra Valley Area. The Contra Costa County Board of Supervisors' Resolution 92/57 formed the District.

**Discussion**

At the City Council meeting of May 20, 2015 the above ordinances were introduced and public testimony was taken in accordance with California Government Code. The ordinance is now before you for final adoption and will become effective after 30 days.

**Fiscal Impact**

None.

**Attachments**

- Ordinances

**APPROVED BY:**   
Rob Braulik, City Manager

**ORDINANCE NO. 001 C.S SD-6**

**BEFORE THE MARTINEZ CITY COUNCIL, AS AND CONSTITUTING THE BOARD OF DIRECTORS  
OF CONTRA COSTA COUNTY SANITATION DISTRICT NO. 6**

**AN ORDINANCE DEFINING THE BOARD OF CONTRA COSTA COUNTY SANITATION  
DISTRICT NO. 6 AND MEETING PROCEEDINGS**

**SECTION 1. Board Members and Presiding Officer:** The standing City of Martinez Mayor and standing City of Martinez Council Members shall constitute the Contra Costa Sanitation District No. 6 Board of Directors. The City of Martinez standing Mayor shall preside at all meetings of the Contra Costa Sanitation District No. 6 Board; or, in case of his/her absence, a Mayor pro tem, appointed by the Council, shall preside. In case of the absence of the Clerk, the Deputy City Clerk shall act in his/her stead. If there is none, the Mayor or Mayor pro tem shall appoint one of the Council members as City Clerk pro tem.

**SECTION 2. Regular Meetings:** Meetings of the Contra Costa Sanitation District No. 6 Board shall be held on "as needed" bases at the City Hall Building, 525 Henrietta Street, between Alhambra Avenue and Castro Street, in the City of Martinez or such other place located within the City limits designated by the City Council.

The regular meetings of the Contra Costa Sanitation District No. 6 Board shall be held on the 1st and/or 3rd Wednesdays of every month, as needed, at the hour of 7:00 p.m.; provided, that when the regular meeting date falls upon a holiday the meeting shall be held on the next day thereafter at 7:00 p.m.

**SECTION 3. Special Meetings:** Special meetings may be called at any time by the Mayor or by three Council members by delivering written notice to each Board member and to each local newspaper of general circulation, radio or television station requesting same in writing. Such meeting may be held at any place specified in the notice of the special meeting. Such notice must be delivered personally or by mail at least 24 hours before the time of such meeting as specified therein.

**SECTION 4. Quorum and Majority Vote.**

- A. A majority of the members of the Contra Costa Sanitation District No. 6 Board shall constitute a quorum for the transaction of business except a Board member who has a conflict of interest pursuant to the Political Reform Act of 1974 shall not be counted towards the establishment of a quorum unless that Board member's participation is legally required for the action or decision to be made.
- B. Resolutions, orders for the payment of money, and all ordinances require a recorded majority vote of the total membership of the Contra Costa Sanitation District No. 6 Board. The adoption of urgency ordinances shall require the affirmative vote of four Board members for passage.

C. For all other matters, unless the law provides otherwise, a majority vote of those Board members voting shall be necessary for the adoption of any motion, except that a motion shall not be deemed adopted unless at least two Board members have voted for it. The vote of any Board member abstaining or otherwise failing to vote on a motion, resolution or ordinance shall not be considered a vote for or against the motion, resolution or ordinance. Instead, and except in those cases where a Board member abstains because s/he has a conflict of interest under the Political Reform Act of 1974, an abstention or failure to vote shall be considered as consent to the will of the majority as expressed by the majority vote on the motion or resolution.

**SECTION 5. EFFECTIVE DATE.** This Ordinance becomes effective 30 days after the date of adoption.

**SECTION 6. POSTING AND PUBLICATION.** At least five (5) days prior to its final adoption, a certified copy of the full text of this ordinance shall be posted in the office of the City Clerk. Within 15 days after adoption, the City Clerk shall publish this ordinance with the names of those City Council members voting for and against the ordinance in a newspaper of general circulation published and circulated in the City of Martinez. The Clerk of Contra Costa Sanitation District No. 6 Board shall post in the office of the Martinez City Clerk a certified copy of the full text of the adopted ordinance.

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**I HEREBY CERTIFY** the foregoing ordinance was duly and regularly introduced at a Regular Meeting of the Board of Contra Costa County Sanitation District No. 6, held on the 20<sup>th</sup> day of May, 2015, and duly passed and adopted at a Regular Meeting of said Board held on the 1<sup>st</sup> day of July, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ROB SCHRODER, CHAIR  
CONTRA COSTA SANITATION DISTRICT NO. 6 BOARD

Attest: \_\_\_\_\_  
Clerk of the Board

**ORDINANCE NO. 002 SD-6**

**BEFORE THE MARTINEZ CITY COUNCIL, AS AND CONSTITUTING THE BOARD OF DIRECTORS OF  
CONTRA COSTA COUNTY SANITATION DISTRICT NO. 6**

**AN ORDINANCE REPEALING ORDINANCE NO. 3 AND AMENDING ORDINANCE  
NO. 1 TO DESIGNATE THE MARTINEZ CITY MANAGER AS THE CLERK OF THE BOARD OF  
DIRECTORS AND THE MARTINEZ CITY ENGINEER AS THE ENGINEER OF  
CONTRA COSTA COUNTY SANITATION DISTRICT NO. 6**

The Martinez City Council, as and constituting the Board of Directors of Contra Costa County Sanitation District No. 6, ordains as follows:

**SECTION 1. AMENDMENT.** Subsection 2.1.d of Ordinance No. 1 of Contra Costa County Sanitation District No. 6 is amended to read:

d. "Clerk" shall mean the City Manager of the City of Martinez or the City Manager's designated deputy, or any other person designated by the Board to perform the services or make the determinations permitted or required under this Ordinance to be made by the Clerk.

**SECTION 2. AMENDMENT.** Subsection 2.1.h of Ordinance No. 1 of Contra Costa County Sanitation District No. 6 is amended to read:

h. "Engineer" shall mean the City Engineer of the City of Martinez, as Engineer ex officio of the District, or the City Engineer's designated deputy, or any other person designated by the Board to perform the services or make the determinations permitted or required under this Ordinance to be made by the Engineer.

**SECTION 3. REPEAL.** Ordinance No. 3 of Contra Costa County Sanitation District No. 6 is repealed.

**SECTION 4. EFFECTIVE DATE.** This Ordinance becomes effective 30 days after the date of adoption.

**SECTION 5. POSTING AND PUBLICATION.** At least five (5) days prior to its final adoption, a certified copy of the full text of this ordinance shall be posted in the office of the City Clerk. Within 15 days after adoption, the City Clerk shall publish this ordinance with the names of those City Council members voting for and against the ordinance in a newspaper of general circulation published and circulated in the City of Martinez. The Clerk of Contra Costa Sanitation District No. 6 Board shall post in the office of the Martinez City Clerk a certified copy of the full text of the adopted ordinance.

\* \* \* \* \*

**I HEREBY CERTIFY** the foregoing ordinance was duly and regularly introduced at a Regular Meeting of said Contra Costa Sanitation District No. 6 Board held on the 20<sup>th</sup> day of May, 2015, and duly passed and adopted at a Regular Meeting of said Board held on the 1<sup>st</sup> day of July, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ROB SCHRODER, CHAIR  
CONTRA COSTA SANITATION DISTRICT NO. 6 BOARD

Attest: \_\_\_\_\_  
Clerk of the Board