

ORDINANCE NUMBER 1095

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, PROVIDING FOR THE PASS THROUGH OF SEWER RATES ADOPTED BY EASTERN MUNICIPAL WATER DISTRICT

WHEREAS, Eastern Municipal Water District (“EMWD”) provides sewage treatment and reclamation services to residential and commercial customers in the City of Perris (“City”), including the customers of the City’s sewer and water system; and

WHEREAS, pursuant to a 1980 Interagency Agreement between the City and EMWD, the City acts as EMWD’s agent for the purpose of billing and collecting EMWD’s charges for sewage treatment and reclamation services that EMWD provides to customers of the City’s sewer and water system; and

WHEREAS, the rates charged by EMWD for sewage treatment and reclamation services are established by the Board of Directors of EMWD and passed through to the City’s customers; and

WHEREAS, the City Council previously adopted its own secondary ordinances and/or resolutions to implement adjustments in EMWD’s rates, which has led to some confusion among the City’s customers and delays in implementing EMWD’s revised rates; and

WHEREAS, the City Council desires to simplify the means for carrying out the City’s billing obligations under the Interagency Agreement.

THE CITY COUNCIL OF THE CITY OF PERRIS DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Recitals Adopted. The foregoing recitals are hereby adopted by reference as if fully set forth herein.

Section 2. Pass Through of EMWD Sewer Charges. Upon City’s receipt of a certified copy of a resolution, duly adopted by the EMWD Board of Directors, setting or revising the rates charged by EMWD for sewage treatment and reclamation, City shall pass through such charges to the City’s sewer and water customers in accordance with the Interagency Agreement. The adjusted rates shall take effect as of the billing cycle designated by EMWD.

Section 3. Recovery of Amounts Not Charged. On December 19, 2001, the EMWD Board of Directors adopted Resolution 3352.4 increasing the monthly EMWD charge for residential service for all EMWD customers from \$15.57 to \$16.43. The increase was effective January 1, 2002, and was billed to all EMWD customers, other than the City’s customers, effective February 1, 2002. The total amount of the increase that was not passed

through to the City's customers prior to the effective date of this Ordinance shall be passed through during the next available billing cycle.

Section 4. Authority to Take Further Action. The City Manager and Finance Director are hereby authorized and directed to execute documents and take such further action as is necessary to implement this Ordinance.

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

Section 6. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance by the City Council of the City of Perris and shall cause a summary of this Ordinance to be published in accordance with Government Code Section 36933.

Section 7. Effective Date. This Ordinance shall take effect thirty (30) days after its passage.

ADOPTED, SIGNED and APPROVED this 26th day of March, 2002.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 1095, introduced at a regular meeting of the City Council of the City of Perris held on the 12th day of March, 2002, was duly and regularly adopted by the City Council at a regular meeting thereof held on the 26th day of March, 2002, and that it was so adopted by the following called vote:

AYES: Rogers, Yarbrough, Landers, Motte, Busch
NOES:
ABSENT:
ABSTAIN:

City Clerk, Margaret Rey