

**RESOLUTION NUMBER 4618**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING A SEWER SERVICE ADJUSTMENT FOR CITY SEWER MONTHLY SERVICE RATES**

**WHEREAS**, Article XIID of the California Constitution sets forth the procedures for a City of Perris to follow with respect to adopting increases in “property related fees” such as sewer service fees; and

**WHEREAS**, the City manages and supplies the sewer services of the City by charging for sewer service provided to the residents of the City pursuant to Chapter 14.28 of the Perris Municipal Code, as such charges are adjusted from time to time; and

**WHEREAS**, the City provides certain sewer services to its customers and has provided notice to its customers of the City’s proposed increases; and

**WHEREAS**, the City’s increased rates are due to increases in the Consumer Price Index reflecting the increased costs of operating the sewer system; and

**WHEREAS**, Article XIID of the California Constitution requires that prior to the public hearing to increase sewer rates, the City and/or Authority mail to each customer, property owner or renter subject to the fee, at least 45 days prior to such public hearing, a notice describing (a) the amount of the fee or charge to be imposed upon each parcel, (b) the basis upon which the amount of the proposed fee or charge was calculated, (c) the reason for the fee or charge, and (d) the date, time, and location of a public hearing on the proposed fee or charge; and

**WHEREAS**, on July 10, 2013, the City’s Finance Department mailed the notice of public hearing to be held on August 27, 2013, relating to the increased sewer charges in accordance with California Constitution Article XIID Section 6; and

**WHEREAS**, the City published said notice in *The Perris Progress/Perris City News*, a newspaper of general circulation in the City, on July 24, 2013, and August 21, 2013; and

**WHEREAS**, the City has held such public hearing on August 27, 2013, and received and considered all oral and written protests related to the proposed increases in the water charges;

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***NOW, THEREFORE, BE IT RESOLVED*** by the City Council of the City of Perris, California, as follows:

***Section 1.*** The foregoing recitals are true and correct and incorporated herein by reference.

***Section 2.*** The Council has fully considered this matter and has:

- A. Reviewed the submittal, notice and the information submitted herewith regarding the proposed increase, the parcels to which the proposed fee increase would apply, and the reasons and basis for the increase and the fees;
- B. Provided notice of the proposed fee increase to the record owners (or renters responsible for payment of the fee) of all parcels to which the proposed fee increase would apply in accordance with Article XIID of the California Constitution;
- C. Heard and received all objections, protests, or other written communications from any owners (or renters) of real property subject to the fee;
- D. Taken and received oral and documentary evidence pertaining to the proposed fee increase; and
- E. Been fully informed of this matter.

***Section 3.*** The Council determines that written protests have not been received from property owners representing a majority of the parcels subject to the proposed fee increase.

***Section 4.*** That based on these facts and circumstances presented and the information received during the public hearing, the City Council finds that increases in sewer rates are necessary and are hereby adopted.

***Section 5.*** Adjustments to Monthly Sewer Rates. Pursuant to Section 14.28.150(6) permitting changes in rates by Resolution, the rates set forth in Sections 14.28.150 (A), as said rates may have been adjusted pursuant to prior resolutions or ordinances, are increased as set forth below.

- A. City Monthly Service Charge. The monthly service charge for all customers shall be as follows:
  1. For each residential service, the monthly service charge shall be an amount equal to the amount charged by EMWD plus an additional monthly service charge of \$8.35 per month; provided that for efficiency unit apartment

developments (as defined in Section 14.08.050) the monthly charge for each unit shall be the EMWD charge plus fifty percent (50%) of the City's charge.

2. For all other classifications, excluding schools, charges shall be the following: 7.884 cents per 100 cubic feet of water used per month *or the current monthly service charge, as described in item number one of this section, whichever is higher.*
3. For each school located on the property to be served, the monthly service charge shall be an amount equal to the amount charged by EMWD plus an additional monthly service charge as follows:  
  
Preschool/Elementary - \$0.3072 per student, teacher and employee;  
  
Middle/Junior High - \$0.3840 per student, teacher and employee;  
  
High School/College - \$0.4608 per student, teacher and employee.
4. The monthly sewer service charges described in this Section (except as described below with respect to EMWD) shall be adjusted and effective on September 15, 2013.

- B. EMWD Monthly Service Charge: There will be no change to the EMWD monthly service charge at this time.

**Section 6.** All other provisions of Chapter 14.28 shall remain in full force and effect.

**Section 7.** Any resolution or ordinance or portion thereof in conflict herewith relating to the increased sewer rates described herein is hereby repealed to the extent of such conflict and of no further effect to the extent of such conflict.

**Section 8.** The revised rates and charges approved and established herein shall take effect on the dates described under Section 5 hereof.

**Section 9.** The City Clerk shall certify as to the adoption of this Resolution.

**ADOPTED, SIGNED, and APPROVED** this 27<sup>th</sup> day of August, 2013.

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 4618 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 27<sup>th</sup> day of August, 2013, and that it was so adopted by the following called vote:

AYES: ROGERS, YARBROUGH, LANDERS, RODRIGUEZ, BUSCH  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

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City Clerk, Nancy Salazar