

RESOLUTION NUMBER 4669

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PERRIS, COUNTY OF RIVERSIDE, STATE OF
CALIFORNIA, ADOPTING A FORMULA FOR SEWER
SERVICE ADJUSTMENTS**

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 desires to adjust its future sewer service rates in accordance with a formula for a consumer price index adjustment over the next five years, beginning January 1, 2014; and

WHEREAS, City of Perris Municipal Code permits the City Council to adopt sewer rate adjustments or formulas for future adjustments by resolution following a public hearing; and

WHEREAS, Article XIID of the California Constitution and the laws enacted in connection therewith provide that prior to the public hearing to adopt a formula for adjusting sewer rates, the City mail to each property owner or customer subject to the fee, at least 45 days prior to such public hearing incorporating certain information; and

WHEREAS, on October 25, 2013, the Assistant Director of Finance of the City mailed the notice of public hearing to be held on December 10, 2013, relating to and describing the water adjustment formula in accordance with California Constitution Article XIID Section 6 to the applicable customers and/or parcels; and

WHEREAS, the City published said notice in The Perris Progress/Perris City News, a newspaper of general circulation in the City, on October 30, 2013 and November 6, 2013; and

WHEREAS, the City has held such public hearing on December 10, 2013, and received and considered all oral and written protests related to the proposed increases in the water charges;

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 formula for increases, the parcels to which the proposed formula would apply, and the reasons and basis for the formula for increases;
- B. Provided notice of the proposed formula for increases 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 the City sewer rates are necessary and are hereby adopted. The City Council hereby adopts the following formula with respect to which it shall adjust sewer service fees by resolution or ordinance:

Sewer service rate increases from January 1, 2014 through December 31, 2018 shall be based upon increases in the following consumer price index—U.S. Bureau of Labor and Statistics, U.S. Department of Labor, Consumer Price Index (Los Angeles - Orange County - Riverside), measured on the January index number and covering a year period, and subject to the City Council's right each year to forego or reduce the amount of the automatic inflationary adjustments. Sewer service rate adjustments will commence on July 15, 2014 and continue on July 15 for each such year after within the time limits of this resolution. The new fee shall be calculated on the fee in effect in the month prior to the new fee taking effect.

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. There will be no change to the City monthly service charge at this time.
- 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 methodology, rates and charges approved and established herein shall take effect July 15, 2014.

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

ADOPTED, SIGNED, and APPROVED this 10th day of December, 2013.

Mayor, Daryl R. Busch

ATTEST:

Nancy Salazar, City Clerk

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 4669 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 10th day of December, 2013, and that it was so adopted by the following called vote:

AYES: LANDERS, ROGERS, RODRIGUEZ, BUSCH

NOES: NONE

ABSENT: YARBROUGH

ABSTAIN: NONE

Nancy Salazar, City Clerk