

RESOLUTION NUMBER 4178

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PERRIS, COUNTY OF RIVERSIDE, STATE OF
CALIFORNIA, INCREASING WATER SERVICE RATES
ESTABLISHED BY MUNICIPAL CODE CHAPTER 14.08**

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

WHEREAS, on November 19, 2008, Eastern Municipal Water District (“EMWD”) notified the City of its intention to increase the water charges for water purchased by the City to supply to its customers; and

WHEREAS, the City’s sole supply of water is provided by Eastern Municipal Water District, which necessitates the City adjusting the rates charged to its customers; and

WHEREAS, the City manages and supplies the water enterprise of the City by charging for water service provided to the residents of the City pursuant to Chapter 14.08 of the Perris Municipal Code, as such charges are adjusted from time to time by Resolution; and

WHEREAS, in addition to the cost of water, the ongoing operation, maintenance and capital improvement of the System are critical to the preservation of public health and safety in that the System provides essential water services to City residents, and the lack of funds caused by inadequate water rates jeopardizes the City’s ability to provide such services; and

WHEREAS, the increased rates are due to increases in the costs of purchased water, labor, electricity, supplies, equipment and gasoline; and

WHEREAS, City of Perris Municipal Code Section 14.08.060 permits the City Council to increase or decrease water rates by resolution following a public hearing; and

WHEREAS, Article XIID of the California Constitution requires that prior to the public hearing to increase water rates, the City mail to each 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 November 26, 2008, the Assistant Finance Director of the City mailed the notice of public hearing to be held on January 13, 2009, relating to the increased water 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 November 27, 2008; and

WHEREAS, the City has held such public hearing on January 13, 2009, 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 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 water rates are necessary and are hereby approved.

Section 5. Adjustments to Monthly Water Rates. Pursuant to Section 14.08.060 permitting changes in rates by Resolution, the rates set forth in Sections 14.08.020, 14.08.030, 14.08.040, 14.08.060, as said rates may have been adjusted pursuant to prior resolutions, are increased as set forth below.

- A. Monthly Service Charge. The monthly service charge for all customers shall be based upon meter size as follows (including residential, duplexes, condominiums, commercial, industrial, hotels and motels):

<u>Meter Size</u>	<u>Charge</u>
5/8"	\$ 10.41
3/4"	\$ 12.92
1"	\$ 20.06
1 1/2"	\$ 40.33
2"	\$ 82.84
3"	\$ 168.90
4"	\$ 266.70
6"	\$ 498.60

Multiple-family units or other customers (including residential, duplexes, condominiums, commercial, industrial, hotels and motels) served from one water meter, as described in Section 14.08.040, shall be billed the monthly service charge according to meter size, plus an additional unit charge of \$12.92 for each unit above one as shown above. The table of rates in Section 14.08.030 and 14.08.040, as adjusted by prior resolutions, is hereby revised to reflect this adjustment; and

- B. Monthly Water Consumption Charge. The water consumption charge (as measured by the monthly meter reading) for all customers shall be \$1.99 per one hundred feet of consumption.

Section 6. All other provisions of Chapter 14.08 shall remain in full force and effect.

Section 7. Any resolution or portion thereof in conflict herewith relating to the increased water 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 January 15, 2009.

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

RESOLUTION NUMBER _____

Page 4

ADOPTED, SIGNED and **APPROVED** this 13th day of January 13, 2009.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy L. Haughney

RESOLUTION NUMBER _____

Page 5

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

I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number _____ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 13th day of January, 2009, and that it was so adopted by the following called vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk, Judy L. Haughney