

1 RESOLUTION NO. _____

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 RIALTO, CALIFORNIA, APPROVING A DATE FOR A
5 PROPOSITION 218 PUBLIC HEARING FOR THE PROPOSED
6 ADJUSTMENT TO THE WATER AND WASTEWATER RATES

7 **WHEREAS**, the City of Rialto last performed a rate study for the water and
8 wastewater utilities in 2018.

9 **WHEREAS**, the City of Rialto's last water and wastewater rate adjustment was
10 January 1, 2018.

11 **WHEREAS**, Industry standards dictate that utility rates be reviewed at least every five
12 years to ensure that utility rates accurately reflect the cost of running these funds in a self-
13 sufficient manner.

14 **WHEREAS**, On April 11, 2023, the City Council authorized FG Solutions, LLC to
15 evaluate that water and wastewater rates accurately reflected the cost of running these funds
16 in a self-sufficient manner.

17 **WHEREAS**, Proposition 218, (California Constitution Articles XIII C and D), which
18 was passed by the voters in November 1996 and became an Amendment to the California
19 Constitution, which imposed certain requirements when implementing increased rates or fees
20 for services including water and wastewater services; and

21 **WHEREAS**, in order for a fee or rate to be imposed or increased, Article XIID
22 requires that, among other things, (1) the parcel upon which a rate or fee is proposed for
23 imposition, be identified, (2) the amount of the rate or fee to be imposed on each such parcel
24 be calculated, (3) written notice by mail of the proposed rate or fee be provided to the "owner
25 of record" for each identified parcel, and (4) all properties receiving the service for which the
26 fee is charged with a minimum of 45 days written notice prior to the City Council holding a
27 public hearing on the proposed rate increase; and
28

1 **WHEREAS**, the City Council has authorized the vote to include property owners and
2 tenants to have the ability to "protest" the proposed rate increase until the close of the public
3 hearing.

4 **WHEREAS**, if written protests against the proposed rate or fee are presented by a
5 majority of owners or tenants of the identified parcels, the fee or charge may not be imposed;
6 and

7 **WHEREAS**, the City, jointly with the Rialto Utility Authority, desire to initiate
8 proceedings to increase water and sewer rates and desire to set a Proposition 218 public
9 hearing date and time.

10 **NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Rialto as
11 follows:

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

14 **Section 2.** The Proposition 218 public hearing shall be held on February 27, 2024,
15 at 6:30 p.m. in the City Council Chambers located at 150 South Palm Avenue, Rialto,
16 California.

17 **Section 3.** The City Council hereby approves the "Proposition 218 Notice to
18 Property Owners of a Public Hearing on Proposed Increases in Water and
19 Sewer/Wastewater Rates" and authorizes the Proposition 218 notifications be mailed to the
20 owner of record's address shown on the most recently available San Bernardino County
21 Auditor-Controller's assessment roll and the Rialto Water Services account holder at least
22 forty-five (45) days prior to the Proposition 218 public hearing.

23 **Section 4.** The property owners or tenant may file a written protest opposing the
24 rates before the end of the Public Hearing and only one written protest per affected property
25 will be counted towards the majority protest.

26 **Section 5.** This Resolution shall take effect from and after the date of its passage
27 and adoption.
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PASSED APPROVED AND ADOPTED this ____ day of _____, 2023.

DEBORAH ROBERTSON, Mayor

ATTEST:

BARBARA McGEE, City Clerk

APPROVED AS TO FORM:

ERIC S. VAIL, City Attorney

1 **STATE OF CALIFORNIA**)
2 **COUNTY OF SAN BERNARDINO**) ss
3 **CITY OF RIALTO**)

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing
5 Resolution No.____ was duly passed and adopted at a regular meeting of the City Council of
6 the City of Rialto held on the 12th day of December 2023.

7 Upon motion of Council Member _____, seconded by Council Member
8 _____, the foregoing Resolution No. ____ was duly passed and adopted.

9 Vote on the motion:

10 AYES:

11 NOES:

12 ABSENT:

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14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the
15 City of Rialto this _____ day of _____, 2023.

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17 _____
18 BARBARA McGEE, CITY CLERK
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