

1 RUA RESOLUTION NO. \_\_\_\_\_

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3 A RESOLUTION OF THE RIALTO UTILITY AUTHORITY OF THE  
4 CITY OF 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 Rialto Utility Authority authorized FG Solutions,  
15 LLC to evaluate that water and wastewater rates accurately reflected the cost of running  
16 these funds 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 Rialto Utility Authority  
27 holding a public hearing on the proposed rate increase; and  
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1       **WHEREAS**, the Rialto Utility Authority has authorized the vote to include property  
2 owners and tenants to have the ability to "protest" the proposed rate increase until the close  
3 of the public 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 Rialto Utility Authority of the City of  
11 Rialto as 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 Rialto Utility Authority hereby approves the "Proposition 218 Notice  
18 to 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, Chairperson

**ATTEST:**

\_\_\_\_\_  
BARBARA McGEE, Board Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ERIC S. VAIL, Authority Counsel

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

4 I, Barbara McGee, Board Secretary of the Rialto Utility Authority Board, do hereby  
5 certify that the foregoing Resolution No.\_\_\_\_ was duly passed and adopted at a regular  
6 meeting of the Rialto Utility Authority Board of the City of Rialto held on the 12<sup>th</sup> day of  
7 December 2023.

8 Upon motion of Board Member \_\_\_\_\_, seconded by Board Member  
9 \_\_\_\_\_, the foregoing Resolution No. \_\_\_\_ was duly passed and adopted.

10 Vote on the motion:

11 AYES:

12 NOES:

13 ABSENT:

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

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18 \_\_\_\_\_  
19 BARBARA McGEE, Board Secretary  
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