

RESOLUTION NO. 6119**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO
ESTABLISHING A REVISED SCHEDULE OF WATER AND SEWER RATES
AND CHARGES**

RESOLVED, by the City Council of the City of Rialto (the "City"), as follows:

WHEREAS, Section 12.04.060 of the Rialto Municipal Code provides that the City Council may establish and set forth water rates, fees and deposits and water main charges by resolution from time to time; and

WHEREAS, Section 12.08.200(D) of the Rialto Municipal Code provides that the City Council may establish and set forth sewer rates and charges by resolution from time to time; and

WHEREAS, the City retained the services of SAIC Energy, Environment & Infrastructure, LLC to review, analyze, evaluate and recommend proposed rates, fees and charges, which are set forth in the document entitled "Water and Wastewater Rate Study" dated March 2012; and

WHEREAS, in accordance with Proposition 218, a state ballot initiative known as the "Right to Vote on Taxes Act," which was approved by California voters on November 5, 1996 adding Article XIII D to the California Constitution, notice regarding the public hearing on the revised schedule for water and sewer rates and charges was distributed by U.S. Mail, at least forty-five (45) days prior to the public hearing, to all property owners of record; and

WHEREAS, in accordance with Section 5956.6 of the California Government Code, notice regarding the public hearing on the revised schedule for water and sewer rates and charges was published in The San Bernardino Sun newspaper at least ten (10) days prior to the public hearing; and

1 **WHEREAS**, a properly noticed public hearing concerning the proposed rates and charges set forth in
2 this Resolution was held on June 12, 2012, as required by law; and
3

4 **WHEREAS**, written protests regarding the revised schedule for water and sewer rates and charges were
5 accepted from the public and considered before the close of the public hearing; and
6

7 **WHEREAS**, a tally of the written protests against the revised schedule of water and sewer rates and
8 charges shows that less than a majority of the property owners have submitted written protests against
9 the revised schedule of water and sewer rates and charges;
10

11 **NOW, THEREFORE**, it is hereby **ORDERED** and **DETERMINED**, as follows:

12 Section 1. The foregoing recitals are true and correct and the City Council hereby so finds and
13 determines.

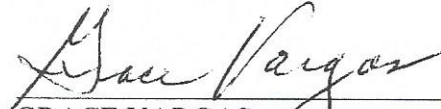
14 Section 2. Effective January 1, 2013, water and sewer rates and charges are increased and
15 established in the amounts as set forth in the "Water Rates" and "Sewer Rates" attached hereto and
16 incorporated by reference as Exhibit A and Exhibit B, respectively.

17 Section 3. Effective January 1, 2013, the City will offer *Low Income* and *Senior Citizen* Discount
18 programs that will provide for a 20% discount on the flat rate sewer rate and base water rate as noted in
19 Exhibit A and Exhibit B respectively. The *Low Income* discount program is applicable to all households
20 in the respective service area who can effectively demonstrate that the total household income of the
21 property represented is equal to or lower than the "Low Income" levels as set annually by the Housing
22 and Urban Development department for the County of San Bernardino. Annual confirmation of
23 household income is required to remain in the program. Non-compliance with the annual application
24 process is cause for suspension or disqualification from the program. The *Senior Citizen* Discount
25 program requires that the account holder of the utility account be at age 65 or older at the time of the
26 application for the program. There is no annual qualification required for the Senior Citizen Discount
27 program. The Council reserves the right to amend, augment, limit or suspend the discount programs at
28 any time.

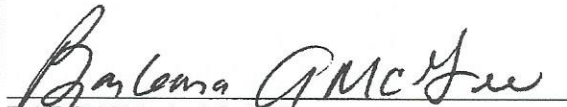
1 Section 4. Effective January 1, 2013, the delinquency penalty percentage shall increase from
2 1.5% to 10%.

3 Section 5. This Resolution shall take effect from and after the date of its passage and adoption.

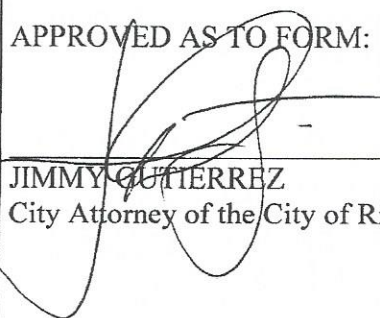
4
5 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk this 26th day of
6 June, 2012.

7
8 
9 GRACE VARGAS
Mayor of the City of Rialto

10
11 ATTEST:

12 
13 BARBARA A. MCGEE
14 City Clerk of the City of Rialto

15
16
17 APPROVED AS TO FORM:

18 
19
20 JIMMY GUTIERREZ
City Attorney of the City of Rialto

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. 6119 was duly passed and adopted at a regular meeting of the City Council of the City of
6 Rialto held on the 26th day of June, 2012.

7 Upon motion of Council Member Scott, seconded by Council Member Robertson, the foregoing
8 Resolution No. 6119 was duly passed and adopted.

9 Vote on the motion:

10 AYES: Mayor Vargas, Council Members: Robertson, Scott, Palmer

11 NOES: Council Member Baca Jr.

12 ABSENT: None

13 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
14 Rialto this 28th day of June, 2012.

15
16
17 
18 BARBARA A. MCGEE, CITY CLERK
19
20
21
22
23
24
25
26
27
28

EXHIBIT A

WATER RATES

Line	Water Rate Component	Current	1/1/2013	1/1/2014	1/1/2015	1/1/2016	1/1/2017	Unit
1	Monthly Minimum Charge							
2	<u>Single Family Residences, Multiple Family Connections, Commercial, Landscape, and Industrial Service Customers</u>							
3	1/2" & 5/8" meter	\$12.00	\$16.26	\$21.59	\$28.24	\$29.57	\$29.57	per month
4	3/4" meter	12.00	16.26	21.59	28.24	29.57	29.57	per month
5	1" meter	17.36	23.52	31.24	40.86	42.78	42.78	per month
6	1 1/2" meter	20.92	28.35	37.64	49.24	51.55	51.55	per month
7	2" meter	60.16	81.52	108.25	141.60	148.25	148.25	per month
8	3" meter	127.95	173.37	230.24	301.15	315.31	315.31	per month
9	4" meter	217.13	294.21	390.71	511.05	535.07	535.07	per month
10	6" meter	449.02	608.42	807.98	1,056.84	1,106.52	1,106.52	per month
11	8" meter	645.23	874.29	1,161.05	1,518.66	1,590.03	1,590.03	per month
12	Fire Hydrant Water	127.95	173.37	230.24	301.15	315.31	315.31	per month
13								
14	Volume Charge for Monthly Consumption							
15	<u>All Customers Except those Noted Below</u>							
16	1 - 5 Units	\$0.428	\$0.58	\$0.77	\$1.01	\$1.05	\$1.05	per HCF
17	6 - 30 Units	\$0.674	0.91	1.21	1.59	1.66	1.66	per HCF
18	31 - 60 Units	\$1.069	1.45	1.92	2.52	2.63	2.63	per HCF
19	61 - Over units	\$1.315	1.78	2.37	3.10	3.24	3.24	per HCF
20	<u>Multiple Apartments</u>							
21	Over 49 Units and Mobile Homes	\$0.949	\$1.29	\$1.71	\$2.23	\$2.34	\$2.34	per HCF
22	<u>Landscape</u>							
23	1 to 30 Units	\$1.069	\$1.45	\$1.92	\$2.52	\$2.63	\$2.63	per HCF
24	31 and over units	\$1.315	1.78	2.37	3.10	3.24	3.24	per HCF
25								
26	Fireline							
27	Rate	\$11.010	\$14.92	\$19.81	\$25.91	\$27.13	\$27.13	per inch of line
28	Hydrant							
29	Rate	\$1.320	\$1.79	\$2.38	\$3.11	\$3.25	\$3.25	per HCF
30	Per Day	\$4.265	\$5.78	\$7.67	\$10.04	\$10.51	\$10.51	per day

*Fees shall be adjusted annually every January 1st by the increase in the Consumer Price Index ("CPI") for "All Urban Wage Earners and Clerical Workers" (West urban) category as published by Bureau of Labor Statistics in October of each year. Provided, however, any inflation adjustment shall not exceed the cost of providing the service. Such automatic increases shall not exceed five years.

(Line 14-24) The "Volume Charge for Monthly Consumption" of the water rate recovers costs of purchasing water and the cost of pumping water from our local basins, increased electricity, chemical and natural gas costs and the cost of complying with new Federal and/or State regulations and mandates. The adjustment rate is calculated annually and becomes effective the first day of October. The adjustment charge does not necessarily change annually. It is based on the costs described above for the previous 12 months. Such automatic adjustments shall not exceed five years."

NOTE: notices of any adjustments shall be given pursuant to subdivision (a) of Section 53755, not less than 30 days before the effective date of the adjustment.

Delinquency Rate – Effective January 1, 2013, the existing delinquency rate will be adjusted to 10% of the delinquent amount of the bill charged monthly.

Senior Citizen Discount Program – Effective January 1, 2013, residential customers age 65 and over qualify for a 20% discount on the "Monthly Minimum Charge." Qualifying residents must present the proof of age, residence and a copy of the bill to apply for the program. The discount will apply to all charges applied after the date of application. Applications are available upon request. The discount is not applicable to commercial or industrial customers. The City Council reserves the right to change, augment, modify or eliminate this program at any time.

Low Income Discount Program – Effective January 1, 2013, households who have incomes at or below the Low Income Limits (80% of Median Income) as published annually by the U.S. Department of Housing and Urban Development (HUD) for San Bernardino County qualify for a 20% discount on the "Monthly Minimum Charge." Customers must present proof of identification, proof of income (Rialto Utility Authority, or its designee, reserves the right to request any necessary information to determine the income for the purpose of program acceptance), proof of residence, and a copy of a current bill to apply for the program. Applications are available upon request. The discount is not applicable to commercial or industrial customers. The City Council reserves the right to change, augment, modify or eliminate this program at any time.

EXHIBIT B

SEWER RATES

Customer Type	Current	1/1/2013	1/1/2014	1/1/2015	1/1/2016	1/1/2017	Unit
Group I (1)							
1 Residential	\$25.97	\$32.46	\$40.58	\$50.72	\$60.19	\$60.19	per month
2 Residential X 3	77.91	97.39	121.73	152.17	180.56	180.56	per month
3 Residential PS	27.26	34.08	42.59	53.24	63.18	63.18	per month
4 Residential Multi.	25.97	32.46	40.58	50.72	60.19	60.19	per month per unit
Group II (1)							
5 Commercial	\$2.83	\$3.54	\$4.42	\$5.53	\$6.56	\$6.56	per HCF
6 (includes - Softwater Service, Car Wash, Office Buildings, Cleaners, 7 Department/Retail Stores, Warehouse, Car lots, Equipment Rental, Storage Units, 8 Hospitals, Manufacturing, Indoor Theater, Day Care, Pre School, 9 Disabled Care, Nail/Hair Salon, Church)							
Group III (1)							
10 Commercial	\$3.33	\$4.16	\$5.20	\$6.50	\$7.72	\$7.72	per HCF
11 (includes - Hotels /Motels (no restaurant), repair and Service Station, 12 Shopping Center, Recreation Park, Nursery/Florist, 13 Manufacturing - Non-Domestic, Lumber Yard, Nightclub, Bar, Hall)							
Group IV (1)							
14 Commercial	\$4.25	\$5.31	\$6.64	\$8.30	\$9.85	\$9.85	per HCF
15 (includes - Hotels /Motels (w/restaurants), Bakeries, Dairy, 16 Supermarkets, Dairy, Meat Market, Mom & Pop, Mortuary, Restaurants, 17 Fast Food, Catering)							
Group V (1)							
18 Schools -							
19 Elementary	\$0.36	\$0.45	\$0.56	\$0.70	\$0.83	\$0.83	Per month per student
20 Junior High	0.85	1.06	1.33	1.66	1.97	1.97	Per month per student
21 High	0.85	1.06	1.33	1.66	1.97	1.97	Per month per student
22 Continuation	0.36	0.45	0.56	0.70	0.83	0.83	Per month per student
23 Adult Education	0.36	0.45	0.56	0.70	0.83	0.83	Per month per student
Group VI (1)							
24 Large Volume	\$2.83	\$3.54	\$4.42	\$5.53	\$6.56	\$6.56	per HCF
25 Hospital	2.83	3.54	4.42	5.53	6.56	6.56	per HCF
26 Commercial Building	2.83	3.54	4.42	5.53	6.56	6.56	per HCF

*Fees shall be adjusted annually every July 1st by the increase in the Consumer Price Index ("CPI") for "All Urban Wage Earners and Clerical Workers" (West urban) category as published by Bureau of Labor Statistics in April of each year. Provided, however, any inflation adjustment shall not exceed the cost of providing the service. Such automatic increases shall not exceed five years. NOTE: notices of any adjustments shall be given pursuant to subdivision (a) of Section 53755, not less than 30 days before the effective date of the adjustment.

The sewer rate recovers costs of treatment of the wastewater, increased electricity, chemical and natural gas costs and the cost of complying with new Federal and/or State regulations and mandates. The adjustment rate is calculated annually and becomes effective the first day of July of each year. The adjustment charge does not necessarily change annually. It is based on the costs described above for the previous 12 months. Such automatic adjustments shall not exceed five years."

Delinquency Rate – Effective January 1, 2013, the existing delinquency rate will be adjusted to 10% of the delinquent amount of the bill charged monthly.

Senior Citizen Discount Program – Effective January 1, 2013, customers age 65 and over qualify for a 20% discount on the "Total Sewer Flat Rate." Qualifying residents must present their proof of age, residence and a copy of their most current bill to apply for the program. The discount will apply to all charges applied after the date of application. Applications are available upon request. For multi-family units the discount can only apply to the units where the qualifying Senior Citizen resides. The discount is applicable for residential customers only. The City Council reserves the right to change, augment, modify or eliminate this program at any time.

Low Income Discount Program – Effective January 1, 2013, households who have incomes at or below the Low Income Limits (80% of Median Income) as published annually by the U.S. Department of Housing and Urban Development (HUD) for San Bernardino County qualify for a 20% discount on the "Total Sewer Flat Rate." Customers must present proof of identification, proof of income (Rialto Utility Authority, or its designee, reserves the right to request any necessary information to determine the income for the purpose of program acceptance), proof of residence, and a copy of a current bill to apply for the program. Applications are available upon request. For multi-family units the discount can only apply to the units where the low income applicants reside. The discount is applicable for residential customers only. The City Council reserves the right to change, augment, modify or eliminate this program at any time.