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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF RIVERSIDE, CALIFORNIA, (1) APPROVING AND ESTABLISHING THE FY 2023/24 – 2027/28 WATER RATES BY AMENDING WATER RATE SCHEDULES WA-1A, WA-1B, WA-2, WA-4, WA-6, WA-7, WA-10, WA-11, AND WA-12; TO BE EFFECTIVE OCTOBER 1, 2023 AND UPON COUNCIL APPROVAL; (2) MAKING RELATED FINDINGS OF FACT

WHEREAS, the City of Riverside (“City”) by and through its Public Utilities Department (“RPU”) is obligated to (1) serve its water and electric customers safe, reliable and equitably priced water and electricity, (2) operate its Electric and Water Utilities in an efficient and economical manner, and (3) operate, maintain and preserve its Electric and Water Utilities in good repair and working order; and

WHEREAS, RPU is responsible for operating the Electric and Water Utilities in such a manner that revenues from the sale of electric and water shall at least equal the costs of operation, including all maintenance and operating, administrative and general, debt service, capital improvements, tax-related payments and other costs incurred in complying with prudent utility business practices; and

WHEREAS, Department staff submitted to the City's Board of Public Utilities (“Board”) the proposed FY 2023/24 – 2027/28 Water Rates; and

WHEREAS, the Board conducted a duly noticed public hearing on August 28, 2023, regarding the proposed FY 2023/24 – 2027/28 Water Rates; and

WHEREAS, after considering all staff and public comment thereon, on August 28, 2023, the Board adopted and established the FY 2023/24 – 2027/28 Water rates by adopting the revised and/or amended Water Utility Rate Schedules WA-1A, WA-1B, WA-2, WA-4, WA-6, WA-7, WA-10, WA-11 and WA-12; with the Water Rates to be effective October 1, 2023; and

WHEREAS, the City’s Board is charged by Section 1202(e) of the City Charter to establish the rates for the Water and Electric Utilities, subject to the approval of the City Council; and

WHEREAS, Proposition 218 (Cal. Const., Art. XIII D, sec. 6) requires that the City provide notice to ratepayers of any new or increased water charges as property-related fees, and a mechanism for rejecting such fees through a “majority protest.” A public hearing in compliance

1 with Proposition 218, is scheduled to be conducted before the City Council on September 19,
2 2023; and

3 WHEREAS, on July 27, 2023, the City mailed written notices to all record owners directly
4 liable to pay for such water services of the City's intent to hold a public hearing on September 19,
5 2023, at 6:15 p.m. before the City Council of the City of Riverside at Riverside City Hall in the
6 Art Pick Council Chambers located at 3900 Main Street, Riverside, to consider adopting and
7 establishing the proposed FY 2023/24 – 2027/28 Water Rates; and

8 WHEREAS, such mailed written notice generally provided the basis and reasons for the
9 proposed FY 2023/24 – 2027/28 Water Rates; and

10 WHEREAS, the mailed written notice further provided that at the time of the City Council
11 public hearing, the City Council will hear and consider all written comments, protests and
12 objections concerning these matters and will consider and may adopt the specified rates; and

13 WHEREAS, in accordance with Proposition 218, the City Council must then conduct a
14 public hearing at the date, time, and location specified in the notice, and the date cannot be less
15 than 45 days after the notices have been mailed. At the hearing, the City must consider all protests
16 against the new/increased charge. The City may adopt the new charges, unless it receives written
17 protests from a majority (50% plus 1) of the ratepayers. Upon conclusion of the hearing, any
18 written protests received must be tallied to determine whether a "majority protest" has occurred.
19 If a majority protest does not occur, the City can then proceed with imposition of the new/increased
20 fee or charge; and

21 WHEREAS, a public hearing, notice of which was duly published in The Press-Enterprise
22 on August 30, 2023 and September 6, 2023, was commenced by the City Council on the proposed
23 FY 2023/24 – 2027/28 Water Rates on September 19, 2023, at 6:15 p.m. to receive and consider
24 the staff report, cost analysis and oral and written comments, protests and/or objections from the
25 public to the FY 2023/24 – 2027/28 Water Rates, and after receipt and consideration thereof the
26 City Council concluded the public hearing; and

27 WHEREAS, at the time of the public hearing, _____ written protests and/or objections
28 to the proposed FY 2023/24 – 2027/28 Water Rates were received; and

1 WHEREAS, at the time of the public hearing, RPU had _____ water customers, with
2 the number comprising a majority of such customers being _____, and thus did not receive a
3 majority protest to the proposed FY 2023/24 – 2027/28 Water Rates; and

4 NOW, THEREFORE, IT IS RESOLVED: by the City Council of the City of Riverside,
5 California, on the basis of the cost analyses and staff reports and the other evidence submitted by
6 RPU at the June 27, 2023 and September 19, 2023 City Council meetings, as follows:

7 Section 1: That the findings of fact of the Board of Public Utilities made in its Resolution
8 No. _____, which Resolution is attached hereto as Attachment 1 and incorporated herein in its
9 entirety by this reference, are hereby adopted as findings of the City Council.

10 Section 2: That the Public Utilities Department is directed to prepare and file the Notice
11 of Exemption and such other documents as are required by the California Environmental Quality
12 Act (Public Resources Code sections 21000 et seq.) in connection with the water rate increases,
13 and

14 Section 3: That a majority of the record owners directly liable to pay such rates,
15 including property owners and ratepayers, did not provide written comments, objections or protests
16 to the proposed rate adjustments to commercial and residential solid waste collection services; and

17 Section 4: The revised and/or amended Water Utility Rate Schedules WA-1A, WA-1B,
18 WA-2, WA-4, WA-6, WA-7, WA-10, WA-11 and WA-12, all as set forth in Exhibit A to
19 Attachment 1, are hereby approved under and pursuant to Section 1202(e) of the Charter of the
20 City of Riverside, California; and

21 Section 5: The Water Utility Rate Schedules WA-1A, WA-1B, WA-2, WA-4, WA-6, WA-
22 7, WA-10, WA-11 and WA-12 shall become effective October 1, 2023.

23 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk
24 this ____ day of September, 2023.

25
26 _____
Mayor of the City of Riverside

27
28 _____
City Clerk of the City of Riverside

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I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly introduced at a meeting of the City Council on the ____ day of September, 2023 by the following vote, to wit:

Ayes:

Noes:

Abstain:

Absent:

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this _____ day of September, 2023.

City Clerk of the City of Riverside

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8/3/2023 RMS 22-0713.7

ATTACHMENT 1

RESOLUTION NO. _____ OF THE BOARD OF PUBLIC UTILITIES

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