

RESOLUTION NO. 2015-67

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON,
CALIFORNIA, DECLARING THE RESULTS OF A NOTICED PROTEST
PROCEEDING AND APPROVING CERTAIN ACTIONS FOR RATES, FEES AND
CHARGES FOR WASTEWATER (SEWER) SERVICE(S) IN ACCORDANCE WITH
THE CITY'S ORDINANCE NO. 609 AND THE CITY OF PATTERSON MUNICIPAL
CODE TITLE 13 UTILITIES, CHAPTER 13.02 SANITARY CODE**

The City Council of the City of Patterson (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council of the City of Patterson undertook a sewer rate study to determine whether the current rate structures adequately provided for the maintenance, operation and replacement/rehabilitation of its wastewater (sewer) system; and

WHEREAS, City Council of the City of Patterson has determined that the current rate structure will not support the current and future costs of the system; and

WHEREAS, City Council of the City of Patterson operates the sewer utility where the sewer utility provides sewer services for residents, commercial businesses and industries within the City's service area, including Diablo Grande and unincorporated County areas that lie within the City of Patterson's sphere of influence; and

WHEREAS, the proposed rates reflect the cost of providing service to all customers through apportionment of costs based on customer, capacity, and demand characteristics; and

WHEREAS, it has been determined that the recommended rates do not exceed the reasonable cost of providing sewer services in accordance with Government Code 50076; and

WHEREAS, at least forty-five (45) days in advance of the public hearing at which this Resolution was considered, notice of the public hearing and notice of oral and written protest procedures against the proposed rates increases, were mailed to all property owners and rate payers in compliance with California Constitution Article XIII D, "Property-Related Fees and Charges"; and

WHEREAS, a notice of public hearing was also published in the local newspaper, posted in public places on 11 x 17 size posters, and advertised on the City's website to comply with applicable laws; and

WHEREAS, at the conclusion of the public hearing, the City Clerk tabulated the number of written protests received and reported that there was not a majority protest of the proposed sewer service rate increase by owners or authorized representatives of identified parcels receiving such services; and

WHEREAS, City Council of the City of Patterson does approve the following sewer rates effective December 2, 2015:

RATES FOR SEWER SERVICE:

	Current 2014/15	Proposed				
		Dec 2, 2015	July 1, 2016	July 1, 2017	July 1, 2018	July 1, 2019
Proposed Rate Increases		6.0%	6.0%	6.0%	6.0%	6.0%
Residential						
Flat Rate	\$37.31	\$39.55	\$41.92	\$44.44	\$47.11	\$49.94
Diablo Grande (1)	\$55.97	\$59.33	\$62.88	\$66.66	\$70.67	\$74.91
Commercial						
Flat Rate includes 10 ccf (2)	\$37.31	\$39.55	\$41.92	\$44.44	\$47.11	\$49.94
Over 10 ccf - rate per ccf	\$2.12	\$2.25	\$2.39	\$2.53	\$2.68	\$2.84
Industrial						
Flow - per gallon	\$0.00467905	\$0.00495979	\$0.00525738	\$0.00557282	\$0.00590719	\$0.00626162
BOD - per lb	\$0.58781536	\$0.62308428	\$0.66046934	\$0.70009750	\$0.74210335	\$0.78662955
SS - per lb	\$0.58781536	\$0.62308428	\$0.66046934	\$0.70009750	\$0.74210335	\$0.78662955

1 - Diablo Grande rate is 1.5 times the City's residential flat rate.

2 - 1 ccf = one hundred cubic feet = 748 gallons of water

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE CITY OF PATTERSON, AS FOLLOWS:

Section 1 The above recitals are true and correct.

Section 2 The canvass of the written protests cast at the noticed protest proceeding held on December 1, 2015, is hereby approved and confirmed.

Section 3 The proposition, presented to qualified property owners and rate payers for receipt by the City Clerk on December 1, 2015 each has received a notice. Of the qualified property owners and rate payers filing written protests at said noticed protest proceeding, the proposition has carried. The City Council is hereby authorized to take the necessary steps to effect the increased rates, fees and charges for sewer services(s) as authorized by the proposition.

Section 4 The City Clerk is hereby directed to enter this Resolution on the minutes of the City Council which shall constitute the official declaration of the result of such noticed protest proceeding.

Section 5 This Resolution shall become effective immediately upon its adoption.

Section 6 The City Clerk shall certify the adoption of this Resolution.


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Section 7 The City of Patterson implements the approved rates as adopted by this resolution.

The foregoing resolution of the City Council of the City of Patterson was passed by the City Council at a regular meeting held on the 1st day of December 2015, by Mayor Pro Tem Farinha, who moved its adoption, which motion was duly seconded by Councilmember McCord, and the resolution adopted by the following roll call vote:


AYES: Councilmembers Farinha, Novelli, McCord and Mayor Molina
NOES: Councilmember Lustgarten
EXCUSED: None

APPROVED:



Luis I. Molina, Mayor
City of Patterson

ATTEST:



Maricela L. Vela, City Clerk
City of Patterson

I hereby certify that the foregoing is a full, correct and true copy of a resolution passed by the City Council of the City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a regular meeting held on the 1st day of December 2015, and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATED:

City Clerk of the City of Patterson