

RESOLUTION NO. 6228

A RESOLUTION OF THE CITY COUNCIL ADOPTING REVISIONS  
TO THE SCHEDULE OF WATER RATES AND CHARGES

Intent of the Parties and Findings

(i) The City of Upland supplies water to consumers along with ensuring water quality in accordance with State and Federal Drinking Water Standards; and

(ii) Charge for use of the City water is based on usage, measured through meters installed by the City, and size of supply line, and calculated based on existing rates ("Water Rates and Charges") as set by resolution of the City Council pursuant to Section 13.12.050 of the City of Upland Municipal Code; and

(iii) Section 13.12.050 of the City of Upland Municipal Code authorizes Water Rates and Charges to be adjusted from time to time by resolution of the City Council; and

(iv) The City Council finds and determines that the cost of providing water to consumers exceeds the Water Rates and Charges paid by consumers based on the water rate study prepared on behalf of the City; and

(v) The City Council finds and determines that, the City's Water Rates and Charges should be revised in accordance with the findings in the water rate study; and

(vi) The City Council finds and determines that the proposed revision to the Water Rates and Charges would not exceed the estimated reasonable costs; and

(vii) Forty-five days prior to the public hearing, on or about April 24, 2014, notice of the public hearing was mailed to property owners and tenants in accordance with Article XIIID Section 6 of the California Constitution; and

(viii) On June 9<sup>th</sup>, 2014, the City Council held a public hearing wherein written and oral testimony was presented regarding to the proposed revision to the City's water rate schedule; and

(iv) On the basis of the evidence presented prior to and at the public hearing, the City Council determined that the schedule for the Water Rates shall be adjusted as set forth below; and

(v) Less than a majority of owners in the identified parcels and the City water users issued a written protest against the proposed revision to Water Rates and Charges.

NOW, THEREFORE, the Upland City Council hereby finds, determines and resolve as follows:

Section 1. All of the facts set forth in the recitals part of this Resolution, are true and correct.

Section 2. Users of the City water are charged based on the number of water usage, measured in unit equivalent to one hundred cubic feet, and meter size of water supply line.

Section 3. The total bi-monthly water usage charge shall be the sum of commodity usage fee and stand-by meter fixed-charge.

Section 4. Effective July 1, 2014, the City Water Rates, as specified in Section 13.12.050 of the Upland Municipal Code, shall be as provided in attachment "A" hereto.

Section 5. The rates and charges set forth in attachment "A" will remain in effect until amended by subsequent resolution(s) of the City Council.

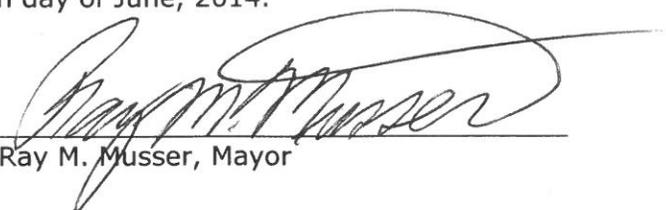
Section 6. The City Council finds that the California Environmental Quality Act of 1970, as amended, does not apply to the adoption of this Resolution, pursuant to Section 15273 of Article 18 of Chapter 3 of Title 14 of the California Code of Regulations. The City Council expressly finds based on the evidence before it that the increase is for the purposes of:

- a. Meeting the operating expenses, including employee wage rates;
- b. Purchasing supplies, equipment and materials;
- c. Obtaining funds for capital projects necessary to maintain service; and
- d. Meeting the financial reserves.

Section 7. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Resolution. The City Council hereby declares that it would have adopted this Resolution, and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 8. Certification. The City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 9th day of June, 2014.

  
Ray M. Musser, Mayor

I, Stephanie A. Mendenhall, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 9<sup>th</sup> day of June, 2014, by the following vote:

AYES: Mayor Musser, Councilmembers Stone, Brandt, Filippi  
NOES: Councilmember Bozar  
ABSENT: None  
ABSTAINED: None

ATTEST:

  
Stephanie A. Mendenhall, City Clerk

# ATTACHMENT A

## CITY OF UPLAND SCHEDULE OF WATER RATES AND CHARGES

### WATER COMMODITY RATES (BI-MONTHLY)

#### Single Family Residential Rate

| Usage Tier        | Rate (effective 7/1/14) | Rate (effective 1/1/2015) | Rate (effective 1/1/2016) | Rate (effective 1/1/2017) | Rate (effective 1/1/2018) |
|-------------------|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| 0 - 20 per hcf *  | \$ 1.21                 | \$ 1.36                   | \$ 1.43                   | \$ 1.52                   | 1.60                      |
| 21 - 50 per hcf * | \$ 1.44                 | \$ 1.61                   | \$ 1.70                   | \$ 1.80                   | 1.90                      |
| 51+ per hcf *     | \$ 1.97                 | \$ 2.21                   | \$ 2.32                   | \$ 2.46                   | 2.60                      |

#### Multi-Family Residential Rate

| Usage                  | Rate (effective 7/1/14) | Rate (effective 1/1/2015) | Rate (effective 1/1/2016) | Rate (effective 1/1/2017) | Rate (effective 1/1/2018) |
|------------------------|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Multi-Family per hcf * | \$ 1.49                 | \$ 1.67                   | \$ 1.76                   | \$ 1.87                   | \$ 1.97                   |

#### Rates for Other Classes

| Usage                     | Rate (effective 7/1/14) | Rate (effective 1/1/2015) | Rate (effective 1/1/2016) | Rate (effective 1/1/2017) | Rate (effective 1/1/2018) |
|---------------------------|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Landscape per hcf *       | \$ 1.72                 | \$ 1.92                   | \$ 2.03                   | \$ 2.14                   | \$ 2.26                   |
| Commercial per hcf *      | \$ 1.43                 | \$ 1.60                   | \$ 1.69                   | \$ 1.78                   | \$ 1.88                   |
| Schools per hcf *         | \$ 1.68                 | \$ 1.88                   | \$ 1.99                   | \$ 2.10                   | \$ 2.22                   |
| Public Agencies per hcf * | \$ 1.59                 | \$ 1.78                   | \$ 1.88                   | \$ 1.98                   | \$ 2.09                   |

(\*) hcf = hundred cubic feet of water = 1 billing unit = 748 gallons

### FIXED CHARGE (BI-MONTHLY)

| Meter Size | Rate (effective 7/1/14) | Rate (effective 1/1/2015) | Rate (effective 1/1/2016) | Rate (effective 1/1/2017) | Rate (effective 1/1/2018) |
|------------|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| 5/8"       | \$ 34.45                | \$ 37.55                  | \$ 38.70                  | \$ 39.85                  | \$ 41.05                  |
| 1"         | \$ 63.50                | \$ 69.20                  | \$ 71.30                  | \$ 73.45                  | \$ 75.65                  |
| 1.5"       | \$ 111.90               | \$ 121.95                 | \$ 125.65                 | \$ 129.40                 | \$ 133.30                 |
| 2"         | \$ 169.95               | \$ 185.25                 | \$ 190.80                 | \$ 196.55                 | \$ 202.45                 |
| 3"         | \$ 324.80               | \$ 354.05                 | \$ 364.65                 | \$ 375.60                 | \$ 386.90                 |
| 4"         | \$ 499.05               | \$ 543.95                 | \$ 560.25                 | \$ 577.05                 | \$ 594.40                 |
| 6"         | \$ 982.95               | \$ 1,071.40               | \$ 1,103.55               | \$ 1,136.65               | \$ 1,170.75               |
| 8"         | \$ 1,563.65             | \$ 1,704.40               | \$ 1,755.50               | \$ 1,808.20               | \$ 1,862.40               |