

RESOLUTION NO. 6108

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND
ESTABLISHING RECYCLED WATER SERVICE RATES AND FEES

THE CITY COUNCIL OF THE CITY OF UPLAND DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Sections 13575 through 13583 of the California Water Code, collectively known as the Water Recycling Act of 1991, set guidelines and objectives for use of recycled water within the State including, among the other things, directives for development of recycled water service rates.

WHEREAS, on January 26, 2009, the City Council adopted Ordinance No. 1839, setting regulations for recycled water use, including Section 13.22.140 stating rates and fees for recycled water service, including administrative costs, shall be set from time to time by resolution of the City Council.

WHEREAS, the City as well as its recycled water supplier, the Inland Empire Utilities Agency (IEUA), both have constructed recycled water facilities and laterals for conveyance of recycled water to various locations in the City.

WHEREAS, the City operates and maintains its local recycled water laterals to deliver recycled water from the IEUA regional recycled water system to various users in the City.

WHEREAS, the recycled water the City purchases from IEUA meets stringent standards set forth by the Title 22 of Division 4 of the California Code of Regulations which govern the recycled water quality and suitable uses.

WHEREAS, there is a reasonable relationship between the recycled water service rates or fees and the cost of supplying recycled water, including conveyance, facilities maintenance and replacement, administration and service, and purchase of recycled water.

WHEREAS, on February 1, 2012, IEUA adopted a multi-year rate schedule disclosing its recycled water wholesale rate increases, affecting the City's future recycled water service.

WHEREAS, the California Government Code Section 53756, allows automatic adjustments of service rates for pass-through of whole sale charge increases for a period not to exceed five years.

WHEREAS, the City Council finds and determines that the recycled water service rates and fees established hereby are rates and fees authorized by law, and that said rates and fees do not exceed the estimated reasonable amounts for which they are being imposed.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, Pursuant to the requirements of law, the City Council has noticed and conducted a public hearing wherein written and oral testimony was presented regarding to the proposed recycled water service rates. The City Council has determined, on the basis of the evidence presented during the public hearing that they are to be established to provide necessary funds to pay for the operating expenses including, but not limited to, facilities maintenance and replacement, administration and service, and purchase of recycled water. On the basis of those findings and determinations, the City Council has authorized the establishment of recycled water service rates and fees as set forth hereafter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UPLAND, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Unless otherwise established as allowed by Section 13580.7 of the California Water Code, rates and fees for recycled water service shall be as below:

Table 1 - Recycled Water Service Rates and Fees

Billing Item	Rate/Fee
Volumetric rate	\$1.45 per HCF (*), effective upon adoption
Stand-by meter fee	No change as proposed, charge is equivalent to potable water stand-by meter fee (**)
Cross-connection inspection fee	No charge
Customer service fees for services not listed above	No change as proposed, charges are equivalent to potable water charges

(*) HCF=100 cubic feet=748 gallons (**) Existing users retrofitted are exempt

SECTION 2. Beginning on July 1, 2012, and annually thereafter, for a period not to exceed five years, the recycled water volumetric rates shall not exceed the schedule below:

Table 2 - Recycled Water Volumetric Rate Schedule

Fiscal Year	Effective Date	Maximum Charge per HCF
FY 2012-13	7/1/2012	\$1.45
FY 2013-14	7/1/2013	\$1.45
FY 2014-15	7/1/2014	\$1.45
FY 2015-16	7/1/2015	\$1.52
FY 2016-17	7/1/2016	\$1.60

SECTION 3. The rates and fees set forth above will remain in effect until amended by subsequent resolution(s) of the City Council.

SECTION 4. The City Council finds that the California Environmental Quality Act of 1970, as amended, does not apply to the adoption of this Resolution. The City Council expressly finds based on the evidence before it that the proposed recycled water rates are to:

- a. Meet the operating expenses, including employee wage rates;
- b. Purchase recycled water, supplies, equipment and materials;
- c. Meet the financial reserves; and
- d. Obtain funds for projects necessary to maintain service.

SECTION 5. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED and ADOPTED this 14th day of May 2012.


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 14th day of May, 2012, by the following vote:

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

ATTEST:



Stephanie A. Mendenhall, City Clerk