

RESOLUTION NO. 6293

RESOLUTION OF THE CITY COUNCIL ADOPTING A REVISED
SCHEDULE OF THE REGIONAL "PASS-THROUGH" SEWERAGE
TREATMENT RATE

Intent of the Parties and Findings

(i) The City is a party to the Regional Sewerage Service Contract, whereby the Inland Empire Utilities Agency (IEUA) provides sewage treatment and disposal services for the City, as well as other contracting agencies; and

(ii) On March 18, 2015, the IEUA Board of Directors adopted Resolution No. 2015-3-1, increasing its service rate for the operation and maintenance of the regional sewerage system and the treatment of sewerage, commonly known as the regional "pass-through" sewerage treatment rate, applicable to the contracting agencies, including the City; and

(iii) Government Code Section 53756 provides automatic adjustments for pass-through increases; and

(iv) Pursuant to Section 13.32.060 of the Upland Municipal Code, the City Council, by a two-thirds vote, has the power to revise and collect fees, tolls, rates, rentals or other charges for services and facilities furnished by it, either within or without its territorial limits, in connection with the sanitary sewerage system; and

(v) Pursuant to Article XIIID Section 6 of the California Constitution, forty-five (45) days prior to the public hearing, on or about June 23, 2015, notices of the public hearing were mailed to property owners and tenants; and

(vi) At the public hearing conducted on August 10, 2015, the City Council received written and oral testimony regarding the regional "pass-through" sewerage treatment rate; and

(vii) On the basis of the evidence presented during the public hearing, the City Council has determined that the schedule for the IEUA regional "pass-through" sewerage treatment rate shall be adjusted as set forth below.

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's sewer service are charged based on the number of equivalent dwelling unit (EDU), as defined in Section 13.32.080 (A) of the Upland Municipal Code.

Section 3. The total monthly sewer service fee or rate for use of the City's sewer service shall be the sum of the IEUA regional "pass-through" sewerage treatment rate and the City sewer maintenance service fee.

Section 4. Effective October 1, 2015, the IEUA regional "pass-through" sewerage treatment rate, per EDU per month, shall be set as follows:

IEUA Regional Pass-Through Sewerage Treatment Rate

Fiscal Year	Effective Date	Treatment Rate (*)
FY15-16	October 1, 2015	\$15.89
FY16-17	July 1, 2016	\$17.14
FY17-18	July 1, 2017	\$18.39
FY18-19	July 1, 2018	\$19.59
FY19-20	July 1, 2019	\$20.00
(*) Per month per Equivalent Dwelling Unit (EDU) or Single-Family Home		

Section 5. The charges or fees set forth above will remain in effect until amended by subsequent resolution(s) of the City Council.

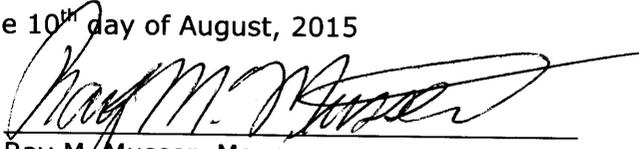
Section 6. The City Council finds that the California Environmental Quality Act of 1970, as amended, does not apply to the adoption of this Resolution, pursuant to Section 15273 of Article 18 of Chapter 3 of Title 14 of the California Code of Regulations. The City Council expressly finds based on the 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. 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 the 10th day of August, 2015


 Ray M. Musser, Mayor

I, Debbi Covington, Deputy City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was passed and adopted at a regular meeting of the City Council of the City of Upland held on the 10th day of August, 2015, by the following vote:

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

ATTEST: 
 Debbi Covington, Deputy City Clerk