

1 **WHEREAS**, the rates for commercial and industrial customers and significant industrial
2 customers are determined on the basis of the estimated sewer flow a property contributes to the
3 wastewater system (using monthly metered water use data) and the loads that a customer's
4 sewage discharges put on the system (based on biochemical oxygen demand and total suspended
5 solids); and

6 **WHEREAS**, the rates are calculated to proportionately allocate capital replacement,
7 operations, maintenance, treatment, and disposal costs to each customer class; and

8 **WHEREAS**, in accordance with the provisions of Article XIII D, section 6 of the
9 California Constitution, the City mailed out notices of the proposed rate increases and such
10 notices were provided to all property owners and tenants directly liable for sewer service fees
11 within the City not less than 45 days prior to the public hearing on the proposed establishment of
12 rates and fees as set forth herein; and

13 **WHEREAS**, the City Council conducted a public hearing on June 2, 2014, in order to
14 receive oral and written testimony regarding this Ordinance and the proposed rate increases. Said
15 date and time were not less than forty-five days after the mailing of the notice; and

16 **WHEREAS**, at the conclusion of the public hearing, written protests against the proposed
17 rate increases were not presented by a majority of the record owners of parcels upon which the
18 sewer service fees are imposed and tenants directly responsible for the payment of sewer service
19 fees; and

20 **WHEREAS**, it is deemed to be in the best interests of the City to adopt the rate increases
21 due to the fiscal impacts referenced above.

22
23 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON,**
24 **CALIFORNIA DOES ORDAIN AS FOLLOWS:**

25
26 **Section 1.** All of the foregoing Recitals are true and correct and the City Council so
27 finds and determines. The Recitals set forth above are incorporated herein, are made findings and
28 determinations of the City Council, and are made an operative part of this Ordinance.

Section 2. The City Council hereby finds and determines that written protests against the proposed rate increases were not presented by a majority of the record owners of parcels upon which sewer service fees are imposed and tenants directly responsible for the payment of sewer service fees. The City Council therefore finds and determines that a majority protest does not exist and it is authorized to impose the rate increases as set forth herein.

Section 3. The City hereby adopts the rates for sewer service fees in the amounts and on the effective dates set forth in the tables below.

RESIDENTIAL AND MULTI-FAMILY CUSTOMERS				
MONTHLY WASTEWATER RATES (\$/EDU)				
Customer Class	Rates and Effective Dates			
	7/1/14	7/1/15	7/1/16	7/1/17
Residential¹	\$32.35	\$33.00	\$33.66	\$34.33
Multi-Family²	\$28.15	\$28.71	\$29.28	\$29.87

1. Includes single-family residences, homes/mobile homes, and churches.

2. Includes apartment units and condominiums.

SCHOOLS				
MONTHLY WASTEWATER RATES (\$/100 Students)				
Customer Class	Rates and Effective Dates			
	7/1/14	7/1/15	7/1/16	7/1/17
Schools	\$73.04	\$74.51	\$76.00	\$77.52

COMMERCIAL/INDUSTRIAL CUSTOMERS				
MONTHLY WASTEWATER RATES (\$/HCF)¹				
Customer Class	Rates and Effective Dates			
	7/1/14	7/1/15	7/1/16	7/1/17
Commercial/Industrial				
Low Strength	\$0.77	\$0.79	\$0.80	\$0.82
Medium Strength	\$1.12	\$1.14	\$1.17	\$1.19

High Strength	\$2.28	\$2.33	\$2.38	\$2.42
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1. HCF means one hundred cubic feet.

**SIGNIFICANT COMMERCIAL/INDUSTRIAL CUSTOMERS
MONTHLY WASTEWATER RATES (\$/HCF)**

Customer Class	Rates and Effective Dates			
	7/1/14	7/1/15	7/1/16	7/1/17
Special Commercial				
Angelica	\$0.99	\$1.01	\$1.04	\$1.06
Special Medium Consumption				
Arrowhead Regional Med. Center	\$1.19	\$1.21	\$1.24	\$1.26
McCain Foods	\$1.13	\$1.15	\$1.17	\$1.20
Special High Consumption				
McCain Foods	\$2.49	\$2.54	\$2.59	\$2.65
Telco Foods	\$2.77	\$2.83	\$2.88	\$2.94

Section 4. The City Manager is authorized and directed to take all actions necessary to implement the authorized rates.

Section 5. The City Council finds and determines that the administration, operation, maintenance and improvements of the City sewer system, which are to be funded by the increased sewer service rates set forth herein, are necessary to maintain service within the City's existing service area. The City Council further finds that the administration, operation, maintenance and improvements of the City sewer system, to be funded by the increased sewer service rates and fees, will not expand the City's system. The City further finds that the adoption of the rates and fees is necessary and reasonable to fund the administration, operation, maintenance and improvements of the City wastewater system. Based on these findings, the City Council determines that the adoption of the rates and fees established by this Ordinance are exempt from the requirements of the California Environmental Quality Act pursuant to section 21080(b)(8) of the Public Resources Code and section 15273(a) of the State CEQA Guidelines. The City Clerk is hereby directed to file a Notice of Exemption with the County Clerk within three days following the date of this Ordinance.

Section 6. All ordinances, resolutions, or administrative actions by the City Council, or parts thereof, that are inconsistent with any provision of this Ordinance are hereby superseded only to the extent of such inconsistency.

1 **Section 7.** Within 15 days after adoption of this Ordinance, a summary of the
2 Ordinance shall be published with the names of those members of the City Council voting for and
3 against this Ordinance and a certified copy of the full text of this Ordinance, along with the names
4 of those City Council members voting for and against this Ordinance, shall be posted in the office
5 of the City Clerk.

6 **Section 8.** If any section, subsection, clause or phrase in this Ordinance is for any
7 reason held invalid, the validity of the remainder of this Ordinance shall not be affected thereby.
8 The City Council hereby declares that it would have passed this Ordinance and each section,
9 subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections,
10 subsections, sentences, clauses or phrases or the application thereof be held invalid.

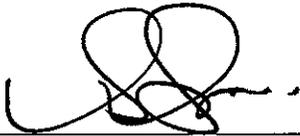
11 **Section 9.** This Ordinance shall take effect thirty (30) days after its final passage.

12 **PASSED, APPROVED, AND ADOPTED** this 1st day of July, 2014.

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SARAH S. ZAMORA, Mayor

ATTEST:



SABDI SANCHEZ,
Chief Deputy City Clerk

APPROVED AS TO FORM:



BEST BEST & KRIEGER LLP
CITY ATTORNEY

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF COLTON)

4 CERTIFICATION

5 I, **SABDI SANCHEZ**, Chief Deputy City Clerk of the City of Colton, California, do
6 hereby certify under penalty of perjury that the foregoing is a full, true and correct copy
7 of **ORDINANCE NO. O-07-14**, and was duly passed, approved, and adopted by the City
8 Council of the City of Colton at its Regular Meeting held on the **15th day of July, 2014**,
9 by the following vote to wit:

10
11 AYES: COUNCILMEMBER Toro, Gonzales, Navarro, Oliva,
Bennett, Suchil and Mayor Zamora
12
13 NOES: COUNCILMEMBER None
14
15 ABSTAIN: COUNCILMEMBER None
16
17 ABSENT: COUNCILMEMBER None

18 **IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official
19 seal of the City of Colton, California, this ____ day of _____, _____.

20
21 _____
22 SABDI SANCHEZ
23 Chief Deputy City Clerk
City of Colton, California

24 (SEAL)
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