

## **RESOLUTION NO. 2015-075**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK AUTHORIZING AND APPROVING THE INTERPRETATION SECTION 4 OF ORDINANCE NO. 837 TO ALLOW THE CHARGES FOR RESIDENTIAL WASTEWATER SERVICE TO BE CALCULATED USING THE LOWER VALUE OF THE WINTER AVERAGES FOR FY 12/13, FY 13/14, AND FY 14/15 IN ORDER TO FIX EQUITABLE RATES DUE TO THE CONTINUING DROUGHT**

**WHEREAS;** The City of Rohnert Park (City) provides sewer services to residents, businesses, and other users, and charges rate payers for the service provided; and,

**WHEREAS,** The City adopts sewer service charges by ordinance, including amounts and calculation methods; and

**WHEREAS,** the City adopted Ordinance No. 837 on May 24<sup>th</sup>, 2011 which authorizes the establishment of sewer rate charges for residential users based upon the lower of actual monthly water usage or the most recent average winter monthly water use from billing cycles in December, January, and February; and,

**WHEREAS,** the City currently charges by the most recent average winter rate; and,

**WHEREAS,** the City Council may, under Section 13.42.035(D), make the determination that special circumstances exist that authorize the calculation method to be modified by resolution to fix equitable rates; and,

**WHEREAS,** Governor Brown declared a drought state of emergency on January 17, 2014, and continues to take actions that will save water; and,

**WHEREAS,** declared droughts typically result in higher use of domestic water for irrigation purposes than typical winters; and,

**WHEREAS,** in a prior drought, the Council found that Section 4 of Ordinance No. 837 could be interpreted to allow the winter average/sewer cap to be based upon the most recent winter or the winter immediately prior thereto, whichever was lower; and,

**WHEREAS,** the City Council adjusted the FY 13/14 winter average sewer cap via Resolution 2014-073 on June 24, 2014 allowing a similar interpretation given the abnormal drought conditions;

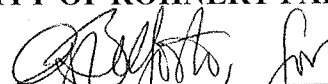
**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Rohnert Park that it does hereby authorize and approve the interpretation Section 4 of Ordinance No. 837

to allow the charges for residential wastewater service to be calculated using the lower value of the winter averages for FY 12/13, FY 13/14, and FY 14/15 in order to fix equitable rates due to the continuing drought.


**BE IT FURTHER RESOLVED** that the Finance Director is hereby authorized and directed to make the appropriate adjustments to sewer accounts to provide for billing in accordance with the special circumstances.

**DULY AND REGULARLY ADOPTED** this 14<sup>th</sup> day of April, 2015.

**CITY OF ROHNERT PARK**

  
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Amy O. Ahanotu, Mayor

**ATTEST:**

  
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JoAnne M. Buerger, City Clerk

CALLINAN Aye MACKENZIE: Aye STAFFORD: Aye BELFORTE Aye AHANOTU: Absent  
AYES: ( 4 ) NOES: ( 0 ) ABSENT: ( 1 ) ABSTAIN: ( 0 )