

(707) 668-5655

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www.bluelake.ca.gov



CITY OF BLUE LAKE

CALIFORNIA

111 Greenwood Road

P.O. Box 458

Blue Lake City Council Agenda

October 18, 2022 ~ 6:30 p.m. ~Special Meeting

Mad River Grange, 111 Hatchery Road, Blue Lake, CA

Unless Otherwise Noted, All Items on the Agenda are Subject to Action.

1. **Pledge of Allegiance and Establish a Quorum of the Council**
2. **Approve Agenda**
3. **Public Comment** – *The Public is invited to present petitions, make announcements, or provide other information to the City Council that is relevant to the scope of authority of the City of Blue Lake that is not on the Agenda. The Council may provide up to 15 minutes for this public input session. To assure that each individual presentation is heard, the Council may uniformly impose time limitations of 3 minutes to each individual presentation. The public will be given the opportunity to address items that are on the agenda at the time the Council takes up each specific agenda item.*
4. **PUBLIC HEARING: Proposition 218 Majority Protest Process Relative to Proposed Increase to Wastewater (Sewer) Rates**
 - Recommendation: That the Council:
 - Receive a report from staff
 - Conduct a public hearing to receive all written and verbal testimony regarding the proposed wastewater (sewer) rates and consider the results of protest proceedings in accordance with Proposition 218.
 - Adopt one of the following resolutions certifying the protest results:
 - For a non-majority protest – Draft Resolution 1204-A certifying that the number of valid written protests were not received from property owners representing a majority of the parcels subject to the proposed rate increase.
 - **OR**
 - For a majority protest – Draft Resolution 1204-B certifying that the number of valid written protests were received from property owners representing a majority of the parcels subject to the proposed rate increase
5. **PUBLIC HEARING: Proposition 218 Majority Protest Process Relative to Proposed Increase to Water Rates**
 - Recommendation: That the Council:
 - Receive a report from staff

- Conduct a public hearing to receive all written and verbal testimony regarding the proposed wastewater (sewer) rates and consider the results of protest proceedings in accordance with Proposition 218.
 - Adopt one of the following resolutions certifying the protest results:
 - For a non-majority protest – Draft Resolution 1205-A certifying that the number of valid written protests were not received from property owners representing a majority of the parcels subject to the proposed rate increase.
- OR**
- For a majority protest – Draft Resolution 1205-B certifying that the number of valid written protests were received from property owners representing a majority of the parcels subject to the proposed rate increase.

6. Adjourn

A request for disability-related modification or accommodation, including auxiliary aid or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting, by contacting City Manager Amanda Mager, 668-5655, at least 24 hours prior to the commencement of the meeting.



CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525
Phone 707.668.5655 Fax 707.668.5916

AGENDA REPORT

Item #:
Date: October 18, 2022
Item Subject: Water and Wastewater Rate Increase-Public Hearing
Submitted By: Mandy Mager, City Manager

General Information:

The City of Blue Lake has conducted a rate analysis for the City’s water and wastewater systems. With technical support from the Rural Community Action Agency, the City’s capital improvement, operation, maintenance, and administration needs have been analyzed and tied back to a proposed rate structure.

The City’s water and wastewater systems have been losing ground to inflation and large-scale infrastructure improvement needs, along with system breaks that are reflective of aging infrastructure. The rate increases proposed and recommended by staff and our technical advisors will allow the City to make much needed improvements, replace failing equipment and retain critical staffing levels.

On July 26, 2022, City staff, the City Attorney and a representative from the City’s technical advisory consultant, presented the rate study, the proposed rate structure and the process mandated by Proposition 218 to initiate the public notice and hearing process. Council took action on July 26, 2022 to initiate the 218 process with a public hearing date scheduled for October 18, 2022.

Staff recommends that the City Council conduct the public hearing as mandated by Proposition 218 and direct staff to collect and tally protest votes. Upon completion of the tallying process, the City Attorney will report the results of the protest vote to determine if sufficient, or insufficient protest votes have been cast.

Council will then consider adoption of Resolution 1204 (A or B) and Resolution 1205 (A or B) dependent upon the vote tally results.

Background Material Provided: Draft Resolution 1204 (A and B) and Draft Resolution 1205 (A and B)

Fiscal Impact: Impacts have been identified in the rate analysis

Recommended Action: Adopt Resolution 1204 (A/B) and Resolution 1205 (A/B) dependant upon the protest vote final tally.

Review Information:

City Manager Review: Legal Review: Planner Review: Engineer:

**Proposition 218 Notification
Notice of Public Hearing
Water Rate Adjustment**

Hearing: October 18, 2022 6:30 PM

Hearing Location: Mad River Grange-110 Hatchery Road, Blue Lake

This letter is to advise you that the City of Blue Lake is proposing a water rate adjustment for all users connected to the Blue Lake System. The proposal will be considered by the City Council at a Public Hearing on October 18th at 6:30 PM. You are receiving this notice in compliance with the California Proposition 218 requirement that all impacted property owners be mailed notice of proposed rate changes at least 45 days prior to a public hearing.

If you have any questions in regard to this notice, please call the City Office Monday through Friday, between the hours of 9:00 am – 12:00 noon, or 1:00 pm – 4:00 pm at 707-668-5655

BASIS OF PROPOSED RATE ADJUSTMENT

The City of Blue Lake is required to collect revenues sufficient to fund current and future costs of operating, maintaining, and administering the existing water facilities as well as to fund the capital improvements and infrastructure replacement program. These revenues allow Blue Lake to protect public health and safely and reliably convey and treat water. Blue Lake may not collect more revenue than is necessary to recover the costs of providing services. The proposed rates were developed through a comprehensive Water Rate Study designed to meet all legal requirements and fairly and equitably recover the required revenue. The Water Rate Study, which provides an explanation of the projected inflationary impact on operating costs, was prepared by Rural Community Assistance Corporation (RCAC) and will be available for review by the public on the City of Blue Lake's Website at www.bluelake.ca.gov after August 14, 2022.

WHY THE CITY OF BLUE LAKE'S WATER RATE MUST BE ADJUSTED

Customer rates are the primary source of revenue to operate the water system. These rates generate the revenue to operate the system and invest in necessary upgrades. The system has made inflationary adjustments to the water systems rates over the past several years but has not engaged in a comprehensive analysis in close to a decade. The city has been setting aside reserves using a designated fee, but the city is projected to fall short of covering operations in the next several years. Additionally, the proportional use rule associated with Proposition 218 is difficult to justify under the current rate structure.

WHAT STEPS DID THE CITY OF BLUE LAKE TAKE TO REDUCE COST BEFORE CONSIDERING INCREASING CUSTOMER RATES?

The City of Blue Lake makes every effort to keep costs affordable, including maximizing the life of the assets of the City. Blue Lake's largest expenses are purchased water and the turbidity reduction fees from the Humboldt Bay Municipal Water District. The City has created a cost allocation methodology to split costs of shared expenses, such as insurance, shared vehicles, salaries, and office expenses. The water system's revenue must cover their fair share of these shared expenses.

RATE ADJUSTMENT HEARING PROCEDURE

All property owners, water customers of Blue Lake and other interested persons are invited to attend the hearing and present written and/or oral comments. As an owner of record of a parcel subject to the imposition of the proposed rate adjustments, you may submit a written protest against the proposed rate changes. Only one written protest will be counted per identified parcel.

Written protests must include:

- Your signature and date
- Your name typed or printed under the signature
- The assessor's parcel number or street address of the property; and
- An affirmation that you are the owner or water customer of record of the property
- Only one protest will be allowed per parcel

Written protests will not be accepted by e-mail or fax. Verbal protests will not be counted. Protests must be received (not postmarked) prior to the close of the public hearing. Written protests may be submitted to:

Delivered in Person

*Blue Lake City Hall
111 Greenwood Rd
Blue Lake, CA 95525*

Submitted by Mail

*PO Box 458
Blue Lake, CA 95525-0458*

The City Council of the City of Blue Lake, after the close of the public hearing, and provided that written protests from a majority of properties subject to the increased rates has not been received, will vote to adopt the rates. The rates will not exceed the increases set forth herein. The adoption may not take place at the October 18, 2022, meeting if time is needed to verify and count the letters of protest. It may occur at a subsequent Council meeting.

PROPOSED MONTHLY RATE SCHEDULE

The water base rate will be increased as set forth on the following table beginning on November 1, 2022 and will increase by 5% for four subsequent years. The final adjustment under this schedule will be

implemented no later than July 1, 2026. Any subsequent rate adjustments that increase rates will be subject to a Proposition 218 hearing.

PROPOSED MONTHLY RATE SCHEDULES

Current Base Rates:

Meter Size	Inside the City	Inside the City TRF	Current Combined Charge	Outside the City	Outside the City TRF	Current Combined Charge
5/8"	\$27.48	\$1.00	\$28.48	\$41.22	\$1.50	\$42.72
3/4"	\$27.48	\$1.11	\$28.59	\$41.22	\$1.67	\$42.89
1"	\$45.48	\$1.33	\$46.81	\$68.82	\$2.00	\$70.82
1-1/2"	\$91.48	\$1.44	\$92.92	\$137.22	\$2.17	\$139.39
2"	\$146.41	\$1.67	\$148.08	\$219.63	\$2.51	\$222.14
3"	\$320.57	\$3.89	\$324.46	\$480.86	\$5.84	\$486.70
4"	\$576.86	\$5.56	\$582.42	\$865.30	\$8.33	\$873.63
6"	\$1,282.02	\$11.11	\$1,293.13	\$1,923.03	\$16.67	\$1,939.70

Current Usage Rates:

Tier in CF	Inside of City	Outside of City
0-200	\$1.87	\$2.81
201-400	\$1.97	\$2.98
401-1,200	\$2.10	\$3.15
1,201+	\$2.05	\$3.05

Proposed Base Rates:

Meter Size	2022	2023	2024	2025	2026
5/8"	42.28	44.40	46.62	48.95	51.39
3/4"	63.42	66.59	69.92	73.42	77.09
1"	105.70	110.99	116.54	122.37	128.48
1-1/2"	211.41	221.98	233.08	244.73	256.97
2"	338.26	355.17	372.93	391.57	411.15
3"	676.51	710.34	745.85	783.15	822.30
4"	1,057.05	1,109.90	1,165.40	1,223.67	1,284.85

Proposed Usage Charge

\$1.90 per 100 cubic feet.

The capital reserve fee will be removed from customers bill and incorporated directly into the proposed rates above.

The turbidity reduction fee from the Humboldt Bay Municipal Water District (HBMWD) will be passed directly to the customer in form of a fee. This will be determined by the HBMWD and indicated on the customer's bill.

In an effort to provide transparency, information will be available as noted at the City of Blue Lake Offices, as well as online at www.bluelake.ca.gov

**Proposition 218 Notification
Notice of Public Hearing
Wastewater Rate Adjustment**

Hearing: October 18, 2022 6:30 PM

Hearing Location: Mad River Grange-110 Hatchery Road, Blue Lake

This letter is to advise you that the City of Blue Lake is proposing a wastewater rate adjustment for all users connected to the Blue Lake System. The proposal will be considered by the City Council at a Public Hearing on October 18th at 6:30 PM. You are receiving this notice in compliance with the California Proposition 218 requirement that all impacted property owners be mailed notice of proposed rate changes at least 45 days prior to a public hearing.

If you have any questions in regard to this notice, please call the City Office Monday through Friday, between the hours of 9:00am-12noon and 1:00pm-4:00 pm at 707-668-5655

BASIS OF PROPOSED RATE ADJUSTMENT

The City of Blue Lake is required by to collect revenues sufficient to fund current and future costs of operating, maintaining, and administering the existing wastewater facilities as well as to fund the capital improvements and infrastructure replacement program. These revenues allow Blue Lake to protect public health and safely and reliably collect, treat, and discharge wastewater. Blue Lake may not collect more revenue than is necessary to recover the costs of providing services. The proposed rates were developed through a comprehensive Wastewater Rate Study designed to meet all legal requirements and fairly and equitably recover the required revenue. The Wastewater Rate Study was prepared by Rural Community Assistance Corporation (RCAC) and is available for review by the public on the City of Blue Lake's Website www.bluelake.ca.gov after August 14, 2022.

WHY THE CITY OF BLUE LAKE'S WASTEWATER RATE MUST BE ADJUSTED

Customer rates are the primary source of revenue to operate the wastewater system. These rates generate the revenue to operate the system and invest in necessary upgrades. The system has made inflationary adjustments to the water systems rates over the past several years but has not engaged in a comprehensive analysis in close to a decade. The city has been setting aside reserves using a designated fee, but the city has exhausted operating expenses, is currently in need of major facilities upgrades, and has borrowed in excess of \$150,000 from the capital fund to cover daily operations.

WHAT STEPS DID THE CITY OF BLUE LAKE TAKE TO REDUCE COST BEFORE CONSIDERING INCREASING CUSTOMER RATES?

The City of Blue Lake makes every effort to keep costs affordable, including maximizing the life of the assets of the City. The City has created a cost allocation methodology to split costs of shared expenses,

such as insurance, shared vehicles, salaries, and office expenses, between departments and funds. The wastewater system's revenue must cover their fair share of these shared expenses.

RATE ADJUSTMENT HEARING PROCEDURE

All property owners, water customers of Blue Lake and other interested persons are invited to attend the hearing and present written and/or oral comments. As an owner of record of a parcel subject to the imposition of the proposed rate adjustments, you may submit a written protest against the proposed rate changes. Only one written protest will be counted per identified parcel.

Written protests must include:

- Your signature and date
- Your name typed or printed under the signature
- The assessor's parcel number or street address of the property; and
- An affirmation that you are the owner or water customer of record of the property
- Only one protest will be allowed per parcel

Written protests will not be accepted by e-mail or fax. Verbal protests will not be counted. Protests must be received (not postmarked) prior to the close of the public hearing. Written protests may be submitted to:

Delivered in Person

*Blue Lake City Hall
111 Greenwood Rd
Blue Lake, CA 95525*

Submitted by Mail

*PO Box 458
Blue Lake, CA 95525-0458*

The City Council of the City of Blue Lake, after the close of the public hearing, and provided that written protests from a majority of properties subject to the increased rates has not been received, will vote to adopt the rates. The rates will not exceed the increases set forth herein. The adoption may not take place at the October 18, 2022, meeting if time is needed to verify and count the letters of protest. It may occur at a subsequent Council meeting.

PROPOSED MONTHLY RATE SCHEDULE

The water base rate will be increased as set forth on the following table beginning on November 1, 2022 and will increase by 5% for four subsequent years. The final adjustment under this schedule will be implemented no later than July 1, 2026. Any subsequent rate adjustments that increase rates will be subject to a Proposition 218 hearing.

PROPOSED MONTHLY RATE SCHEDULES:

Current Charges:

Customer Class	Base Charge	Per BOD Charge
Standard	\$47.24	\$.04736/cf
Industrial Flow	\$47.24	\$.04736/cf
Industrial Flow 8 SCR	\$58.24	\$.04736/cf
Industrial Flow 2 SCR	\$122.98	\$.04736/cf
Industrial Flow 24 SCR	\$296.10	\$.04736/cf
Industrial Flow 150 SCR	\$1,659.42	\$.04736/cf
Industrial Flow 5 SCR	\$90.52	\$.04736/cf
Industrial Flow 50 SCR	\$577.42	\$.04736/cf

Proposed Rates:

	2022	2023	2024	2025	2026
Standard Base Rate	\$54.00	\$55.62	\$57.29	\$59.01	\$60.78
Per BOD (industrial flow only)	\$4.38	\$4.60	\$4.83	\$5.07	\$5.32

The Capital Replacement Fee will be removed from the bill and incorporated into the above rates.

In an effort to provide transparency, information will be available as noted at the City of Blue Lake Offices, as well as online at www.bluelake.ca.gov.

RESOLUTION NO. 1204 (A)

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLUE LAKE, CALIFORNIA, SETTING FORTH THE RESULTS OF
PROTESTS IN CONNECTION WITH WASTEWATER (SEWER) RATE
HEARING CONDUCTED PURSUANT TO THE REQUIREMENTS OF
PROPOSITION 218**

WHEREAS, Article XIID, Section 6 of the California Constitution requires the City Council to consider written protests to certain proposed increases to rates (fees or charges) for utility services; and

WHEREAS, a Wastewater Rate Study was prepared for the City of Blue Lake by RCAC and recommends increases to wastewater rates to meet the on-going operational needs of the enterprise and needed funding for capital infrastructure requirements; and

WHEREAS, the City Council reviewed the Wastewater Rate Study at their regular meeting on July 26, 2022 and directed staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all parcel owners subject to the increase and set a Public Hearing for October 18, 2022, to consider proposed wastewater rate increases; and

WHEREAS, notices of the proposed wastewater rates and Public Hearing were mailed to all parcel owners subject to the proposed increases at least 45 days prior to the Public Hearing; and

WHEREAS, the City Council conducted a Public Hearing for proposed wastewater rates on October 18, 2022, to receive public comment and consider the results of protest proceedings in accordance with Proposition 218; and

WHEREAS, the City Clerk has tabulated all valid protests received by the conclusion of the October 18, 2022, Public Hearing and has determined that the number of valid protests received is sufficient to constitute a majority protest (50% plus 1).

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Blue Lake:

SECTION 1: Recitals. The above recitals are true and correct and are hereby incorporated by reference.

SECTION 2: Protest Votes. The number of unique parcels eligible to file a protest was 644. The number of valid protests required to prevent adoption of the proposed rate increases is 323. The number of valid protests received by the City at the end of the October 18, 2022 Public Hearing was _____.

SECTION 3: Results of Protests. The tabulation by the City Clerk of the number of valid

protests received on proposed wastewater rates is accepted and sets forth that the protest results conclude that there is a sufficient number of valid protests received to constitute a majority protest to the proposed wastewater rates, whereby disallowing the consideration to adopt proposed wastewater rates.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Blue Lake held on the 18th day of October, 2022.

On motion by _____ and seconded by _____, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF BLUE LAKE

Adelene Jones, Mayor

ATTEST:

Amanda Mager, City Manager/Clerk

APPROVED AS TO FORM:

Ryan Plotz, City Attorney

RESOLUTION NO. 1204 B

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE LAKE, CALIFORNIA, SETTING FORTH THE RESULTS OF PROTESTS IN CONNECTION WITH WASTEWATER (SEWER) RATE HEARING CONDUCTED PURSUANT TO THE REQUIREMENTS OF PROPOSITION 218

WHEREAS, Article XIID, Section 6 of the California Constitution requires the City Council to consider written protests to certain proposed increases to rates (fees or charges) for utility services; and

WHEREAS, a Wastewater Rate Study was prepared for the City of Blue Lake by RCAC and recommends increases to wastewater rates to meet the on-going operational needs of the enterprise and needed funding for capital infrastructure requirements; and

WHEREAS, the City Council reviewed the Wastewater Rate Study at their regular meeting on July 26, 2022 and directed staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all parcel owners subject to the increase and set a Public Hearing for October 18, 2022, to consider proposed wastewater rate increases; and

WHEREAS, notices of the proposed wastewater rates and Public Hearing were mailed to all parcel owners subject to the proposed increases at least 45 days prior to the Public Hearing; and

WHEREAS, the City Council conducted a Public Hearing for proposed wastewater rates on October 18, 2022, to receive public comment and consider the results of protest proceedings in accordance with Proposition 218; and

WHEREAS, the City Clerk has tabulated all valid protests received by the conclusion of the October 18, 2022 Public Hearing and has determined that the number of valid protests received is insufficient to constitute a majority protest (50% plus 1).

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Blue Lake:

SECTION 1: Recitals. The above recitals are true and correct and are hereby incorporated by reference.

SECTION 2: Protest Votes. The number of unique parcels eligible to file a protest was 644. The number of valid protests required to prevent adoption of the proposed rate increases is 323. The number of valid protests received by the City at the end of the October 18, 2022 Public Hearing was _____.

SECTION 3: Results of Protests. The tabulation by the City Clerk of the number of valid

protests received on proposed wastewater rates is accepted and sets forth that the protest results conclude that there is an insufficient number of valid protests received to constitute a majority protest to the proposed wastewater rates, whereby allowing the consideration to adopt proposed wastewater rates.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Blue Lake held on the 18th day of October, 2022.

On motion by _____ and seconded by _____, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF BLUE LAKE

Adelene Jones, Mayor

ATTEST:

Amanda Mager, City Manger/Clerk

APPROVED AS TO FORM:

Ryan T. Plotz, City Attorney

RESOLUTION NO. 1205 (A)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE LAKE, CALIFORNIA, SETTING FORTH THE RESULTS OF PROTESTS IN CONNECTION WITH WATER RATE HEARING CONDUCTED PURSUANT TO THE REQUIREMENTS OF PROPOSITION 218

WHEREAS, Article XIID, Section 6 of the California Constitution requires the City Council to consider written protests to certain proposed increases to rates (fees or charges) for utility services; and

WHEREAS, a Water Rate Study was prepared for the City of Blue Lake by RCAC and recommends increases to water rates to meet the on-going operational needs of the enterprise and needed funding for capital infrastructure requirements; and

WHEREAS, the City Council reviewed the Water Rate Study at their regular meeting on July 26, 2022 and directed staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all parcel owners subject to the increase and set a Public Hearing for October 18, 2022, to consider proposed water rate increases; and

WHEREAS, notices of the proposed water rates and Public Hearing were mailed to all parcel owners subject to the proposed increases at least 45 days prior to the Public Hearing; and

WHEREAS, the City Council conducted a Public Hearing for proposed water rates on October 18, 2022, to receive public comment and consider the results of protest proceedings in accordance with Proposition 218; and

WHEREAS, the City Clerk has tabulated all valid protests received by the conclusion of the October 18, 2022, Public Hearing and has determined that the number of valid protests received is sufficient to constitute a majority protest (50% plus 1).

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Blue Lake:

SECTION 1: Recitals. The above recitals are true and correct and are hereby incorporated by reference.

SECTION 2: Protest Votes. The number of unique parcels eligible to file a protest was 644. The number of valid protests required to prevent adoption of the proposed rate increases is 323. The number of valid protests received by the City at the end of the October 18, 2022 Public Hearing was _____.

SECTION 3: Results of Protests. The tabulation by the City Clerk of the number of valid protests received on proposed water rates is accepted and sets forth that the protest results

conclude that there is a sufficient number of valid protests received to constitute a majority protest to the proposed water rates, whereby disallowing the consideration to adopt proposed water rates.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Blue Lake held on the 18th day of October, 2022.

On motion by _____ and seconded by _____, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF BLUE LAKE

Adelene Jones, Mayor

ATTEST:

Amanda Mager, City Manager/Clerk

APPROVED AS TO FORM:

Ryan Plotz, City Attorney

RESOLUTION 1205 B

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE LAKE, CALIFORNIA, SETTING FORTH THE RESULTS OF PROTESTS IN CONNECTION WITH WATER RATE HEARING CONDUCTED PURSUANT TO THE REQUIREMENTS OF PROPOSITION 218

WHEREAS, Article XIID, Section 6 of the California Constitution requires the City Council to consider written protests to certain proposed increases to rates (fees or charges) for utility services; and

WHEREAS, a Water Rate Study was prepared for the City of Blue Lake by RCAC and recommends increases to water rates to meet the on-going operational needs of the enterprise and needed funding for capital infrastructure requirements; and

WHEREAS, the City Council reviewed the Water Rate Study at their regular meeting on July 26, 2022 and directed staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all parcel owners subject to the increase and set a Public Hearing for October 18, 2022, to consider proposed water rate increases; and

WHEREAS, notices of the proposed water rates and Public Hearing were mailed to all parcel owners subject to the proposed increases at least 45 days prior to the Public Hearing; and

WHEREAS, the City Council conducted a Public Hearing for proposed water rates on October 18, 2022, to receive public comment and consider the results of protest proceedings in accordance with Proposition 218; and

WHEREAS, the City Clerk has tabulated all valid protests received by the conclusion of the October 18, 2022, Public Hearing and has determined that the number of valid protests received is sufficient to constitute a majority protest (50% plus 1).

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Blue Lake:

SECTION 1: Recitals. The above recitals are true and correct and are hereby incorporated by reference.

SECTION 2: Protest Votes. The number of unique parcels eligible to file a protest was 644. The number of valid protests required to prevent adoption of the proposed rate increases is 323. The number of valid protests received by the City at the end of the October 18, 2022 Public Hearing was _____.

SECTION 3: Results of Protests. The tabulation by the City Clerk of the number of valid protests received on proposed water rates is accepted and sets forth that the protest results

conclude that there is an insufficient number of valid protests received to constitute a majority protest to the proposed water rates, whereby allowing the consideration to adopt proposed water rates.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Blue Lake held on the 18th day of October, 2022.

On motion by _____ and seconded by _____, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF BLUE LAKE

Adelene Jones, Mayor

ATTEST:

Amanda Mager, City Manager/Clerk

APPROVED AS TO FORM:

Ryan Plotz, City Attorney