



AGENDA REPORT SUMMARY

Meeting Date: May 9, 2023

Subject Adopt Resolution No. 2023-XX for the Approval of Guidelines for the submission and tabulation of protests in connection with Rate Hearings conducted pursuant to Article XIID, Section 6 of the California Constitution

Prepared by: NBS (Jordan Taylor and Allan Highstreet)

Reviewed by: Aida Fairman, Environmental Services and Utilities Director

Approved by: Gabriel Engeland, City Manager

Attachment:

A. Resolution No. 2023-XX

Initiated by:

Staff

Previous Council Consideration:

February 28, 2023

Fiscal Impact:

This resolution for the guidelines for submitting and tabulating protests has no fiscal impact.

Environmental Review:

Not applicable

Policy Questions for Council Consideration:

None

Summary:

- This resolution describes the guidelines for submitting and tabulating protests concerning Public Hearings pursuant to the Proposition 218 process.
- These guidelines would be applied to the sewer rate Proposition 218 Public Hearing scheduled for June 13, 2023.
- Ballots are confidential until after they are tabulated.

City Manager

GE

Reviewed By:

City Attorney

JH

Finance Director

JD



Subject: Resolution of the Guidelines for submitting and tabulating protests related to the Proposition 218 Public Hearing

Purpose & Background

The City shall give notice of proposed Fees via U.S. mail to all record owners and customers of record served by the City. Any record owner or customer of record subject to the proposed fee that is the subject of the hearing may submit a written protest to the City Clerk before the conclusion of the public hearing scheduled for June 13, 2023. If a majority protest exists (50%+1 protest ballots of the parcels), the rate increase cannot proceed.

Discussion/Analysis

This resolution outlines the process of how protest ballots need to be completed; when they must be submitted; how to handle multiple submittals from the same property; who decides if the ballot is valid; and how many protests ballot constitute a majority protest. Adopting this resolution makes it very clear how the Proposition 218 process will be implemented and avoids any potential dispute on invalid protests.

Recommendation

Adopt Resolution No. 2023-XX for the Approval of Guidelines for the submission and tabulation of protests in connection with Rate Hearings conducted pursuant to Article XIID, Section 6 of the California Constitution