

ATTACHMENT B

RESOLUTION NO. 2023- 75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, ESTABLISHING SEWER RATES AND CHARGES EFFECTIVE JANUARY 1, 2024, AND FOUR YEARS OF PHASED IN INCREASES THERETO

WHEREAS, on December 1, 2022, the City of Newport Beach (“City”) retained Black & Veatch Management Consulting, LLC (“Black & Veatch”) to conduct a Sewer Rate Study (“Study”) to analyze the current cost of providing sewer services to property owners and sewer customers, develop a 10-year financial plan, and recommend an appropriate rate structure and sewer charges;

WHEREAS, on May 11, 2023, and July 25, 2023, the City’s Utilities Department (“Utilities”) and Black & Veatch presented the findings and recommendations of the Study to the City’s Finance Committee, and after thorough discussion and review, the Finance Committee unanimously voted to forward the Study to the City Council of the City of Newport Beach (“City Council”) for final review and approval;

WHEREAS, on August 22, 2023, Utilities and Black & Veatch presented a draft of the Study’s findings and recommendations during a City Council study session;

WHEREAS, on September 26, 2023, Utilities presented the final draft Study for City Council approval and requested City Council set a public hearing, authorize the mailing of over 27,000 notices to property owners and sewer customers informing them of the proposed increase in sewer rates and charges, and commence the 45-day notice period in accordance with Proposition 218; and

WHEREAS, following a properly noticed public hearing held on November 14, 2023, in conformity with Proposition 218, the City Council determined that no majority protest against the proposed sewer rates and charges existed;

NOW, THEREFORE, the City Council of the City of Newport Beach resolves as follows:

Section 1: The City Council does hereby adopt the sewer rates and charges set forth in Exhibit "A," which is attached hereto and incorporated herein by reference effective January 1, 2024 with phased in increases thereto through January 1, 2028 as identified in Exhibit "A." The City Council directs staff to include the newly established sewer rates and charges and phased in increases thereto, as adopted by this resolution, in the City's Schedule of Rents, Fines, and Fees, or other successor document thereto as amended from time to time.

Section 2: The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

Section 3: If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 4: The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

Section 5: This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

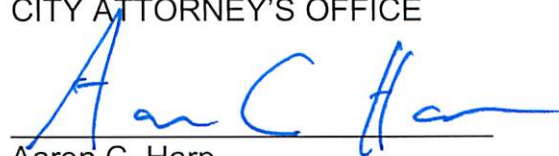
ADOPTED this 14th day of November, 2023.

NOAH BLOM
Mayor

ATTEST:

Leilani I. Brown
City Clerk

**APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE**



Aaron C. Harp
City Attorney

Attachment: Exhibit A - Sewer Rates and Charges

EXHIBIT A
Sewer Rates and Charges

Table 1: Sewer Services		Effective	Effective	Effective	Effective	Effective
Meter Size (Inch)		JAN 1, 2024	JAN 1, 2025	JAN 1, 2026	JAN 1, 2027	JAN 1, 2028
5/8 th , 3/4 th & 1		\$10.55	\$12.85	\$15.65	\$18.95	\$22.25
1 ½		\$15.83	\$19.28	\$23.47	\$28.43	\$33.38
2		\$21.11	\$25.71	\$31.30	\$37.90	\$44.51
3		\$26.38	\$32.14	\$39.12	\$47.38	\$55.63
4		\$31.66	\$38.56	\$46.95	\$56.85	\$66.76
6		\$36.94	\$44.99	\$54.77	\$66.33	\$77.89
8		\$42.22	\$51.42	\$62.60	\$75.81	\$89.01
Effective Dates						
		JAN 1, 2024	JAN 1, 2025	JAN 1, 2026	JAN 1, 2027	JAN 1, 2028
Cost per Sewer Use HCF		\$0.53	\$0.55	\$0.57	\$0.59	\$0.61

Table 2: Sewer Only Customers		Effective	Effective	Effective	Effective	Effective
Meter Size (Inch)		JAN 1, 2024	JAN 1, 2025	JAN 1, 2026	JAN 1, 2027	JAN 1, 2028
5/8 th , 3/4 th		\$15.86	\$18.36	\$21.35	\$24.85	\$28.36
1		\$18.51	\$21.11	\$24.20	\$27.80	\$31.41
1 ½		\$53.99	\$58.88	\$64.52	\$70.91	\$77.30
2		\$59.27	\$65.31	\$72.34	\$80.39	\$88.43
3		\$137.68	\$147.63	\$158.83	\$171.29	\$183.74
4		\$238.35	\$253.06	\$269.27	\$286.97	\$304.67
6		\$413.21	\$435.48	\$459.51	\$485.26	\$511.00
8		\$418.49	\$441.91	\$467.33	\$494.74	\$522.12
10		\$423.77	\$448.33	\$475.15	\$504.21	\$533.25