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ORDINANCE 2018-02

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN
BAUTISTA APPROVING AN AMENDMENT OF THE SAN JUAN BAUTISTA
MUNICIPAL CODE TO SECTION 3-5-160 CPI ADJUSTMENT**

WHEREAS, in August of 2015, a Water and Sewer Rate Study, to adjust water and sewer rates for a period of five years (2015-2020), was prepared for the City of San Juan Bautista, and

WHEREAS, in September of 2015, Sections 3-5-150 and 3-5-155 were amended by the City Council to reflect the adjusted sewer and water rates for the five year period, as set forth in the Water and Sewer Rate Study and adopted by the City Council, and

WHEREAS, the City Council has received a staff report and has determined that Section 3-5-160 should have also been revised in 2015 to discontinue the Consumer Price Index adjustment for the five year period (2015-2010), as the Water and Sewer Rate Study makes clear that the adjustment had been built into the sewer and water rates adopted for the five year period, and

WHEREAS, the City Council finds that it is necessary for the protection, safety and welfare of the residents of the City to revise Section 3-5-160 so that rates are properly assessed during the five year period, and

WHEREAS, Section 3-5-160 would be properly revised by adding language which will cause the adjustment to discontinue during the five year period and begin, again, on July 1, 2020.

**THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA DOES HEREBY
ORDAINS AS FOLLOWS;**

1. Environmental Determination. The project is exempt from environmental review per CEQA Guidelines under Section 15307, 15308 and 15321 (a) (2).
2. Chapter 3-5-160 Amended. Chapter 3-5-160 of the Municipal Code, entitled "CPI Adjustment" is hereby replaced with the new Chapter 3-5-160 as set forth on the attached page, marked Exhibit "A" and incorporated herein by this reference thereto. It is noted that the new language is set forth in red.
3. Effective Date. This Ordinance shall be in full force and effect 30 days after its final passage and adoption.
4. Severability. If any portion of this Ordinance is found to be unconstitutional or invalid the City Council hereby declares that it would have enacted the remainder of this Ordinance regardless of the absence of any such invalid part.

47 5. Posting of Ordinance. Within fifteen (15) days after the passage of this ordinance, the
48 City Clerk shall cause it to be posted on the internet and in the public places designated
49 by resolution of the City Council.
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51 The foregoing ordinance was introduced at a regular meeting of the City Council of the City of
52 San Juan Bautista duly held on February 20, 2018, and was passed and adopted at a regular
53 meeting duly held on March 20, 2018 by the following vote.
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55 AYES:

56 NOES:

57 ABSENT:

58 ABSTAIN:


59 ATTEST:

Mayor Jim West

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City Clerk Mackenzie Quaid

Exhibit "A"

75 **3-5-160 CPI adjustment.** 

76 *Beginning on July 1, 2020*, the base rates and the per-gallon discharge and usage rates established by SJBMC [3-5-](#)
77 [150](#) and [3-5-155](#) shall be adjusted annually by an amount equal to the percentage increase in the Consumer Price
78 Index for All Urban Consumers (CPI-U) for the San Francisco-Oakland-San Jose metropolitan area, as published by
79 the U.S. Department of Labor, Bureau of Statistics. This adjustment shall be applied to the first billing cycle occurring
80 after *July* 1st of each year.

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