



Legislation Details (With Text)

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Title: 9:30 AM - Actions Pertaining to the Sufficiency of Initiative Petition Regarding Resolution Nos. 2013-143 and 2013-144 that Adopted a Four Year Water Rate Plan and Required Council Action.

a. RESOLUTION - Accepting the City Clerk's Certificate of Sufficiency for the Initiative Petition

b. Take one of the following actions:

- RESOLUTION - Referring the proposed initiative measure to staff for a report pursuant to Election Code Section 9212; or
- BILL - (For Introduction) - Repealing Resolution No. 2013-143 ratifying the Proposition 218 process and adopting the Four Year Water Rate Plan, and Resolution No. 2013-144 amending the Master Fee Schedule adjusting the water rates according to Proposition 218; or
- RESOLUTION - Submitting to voters a ballot measure relating to Resolution Nos. 2013-143 and 2013-144 that adopted the Four Year Water Rate Plan, for the November 4, 2014 general election.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Reso Placement of Water Initiative on Ballot, 2. Supplement 1

Date	Ver.	Action By	Action	Result
7/17/2014	2	City Council	adopted	Pass

REPORT TO THE CITY COUNCIL

July 17, 2014

FROM: YVONNE SPENCE, CMC
Office of the City Clerk

SUBJECT

9:30 AM - Actions Pertaining to the Sufficiency of Initiative Petition Regarding Resolution Nos. 2013-143 and 2013-144 that Adopted a Four Year Water Rate Plan and Required Council Action.

- RESOLUTION** - Accepting the City Clerk's Certificate of Sufficiency for the Initiative Petition
- Take one of the following actions:

- RESOLUTION** - Referring the proposed initiative measure to staff for a report pursuant

- to Election Code Section 9212; or
2. **BILL - (For Introduction)** - Repealing Resolution No. 2013-143 ratifying the Proposition 218 process and adopting the Four Year Water Rate Plan, and Resolution No. 2013-144 amending the Master Fee Schedule adjusting the water rates according to Proposition 218; or
 3. **RESOLUTION** - Submitting to voters a ballot measure relating to Resolution Nos. 2013-143 and 2013-144 that adopted the Four Year Water Rate Plan, for the November 4, 2014 general election.

RECOMMENDATIONS

1. Adopt Resolution Accepting the City Clerk's Certificate of Sufficiency for the Initiative Petition Relating to Resolution 2013-143 (Adopting a Four Year Water Rate Plan); and
2. Take one of the following actions:
 - a) **Report** - from any City department on effect of proposed initiative measure; or
 - b) **BILL - (For Introduction)** - Repealing Resolution Nos. 2013-143 titled "Ratifying the Proposition 218 Process, According to California Constitution article XIID and Adopting a Four Year Water Rate Plan" and 2013-144 that amended the Master Fee Schedule titled "To Adjust Water Fees in the Public Utilities Water Fee Section According to Proposition 218"; or
 - c) **RESOLUTION** - Calling a general municipal election on Tuesday, November 4, 2014, and submitting to City voters a ballot measure relating to Resolution Nos. 2013-143 and 2013-144 that adopted a four year water rate plan.

EXECUTIVE SUMMARY

The initiative petition regarding Resolution 2013-143 (Adopting a Four Year Water Rate Plan) has been determined to be sufficient. A resolution accepting the City Clerk's Certificate of Sufficiency of the Initiative Measure to Repeal the City of Fresno's Four Year Water Rate Plan is presented to Council as required by law.

After adopting the resolution accepting the Certificate of Sufficiency, the Council must take action on one of the alternatives listed in item number two above.

BACKGROUND

On August 15, 2013, the Council adopted Resolution 2013-143, a resolution adopting a four year water rate plan.

An Initiative Petition was received by the City Clerk on June 25, 2014, regarding resolution 2013-143. After performing a prima facie examination of the petitions as required by law, the City Clerk deemed the Initiative Petition to be filed as of June 27, 2014 and submitted the Initiative Petition to the Fresno County Clerk/Registrar of Voters for a full signature count in accordance with the Election Code.

The Fresno County Clerk/Registrar of Voters examined the signatures on the Initiative Petition and found that it contained 5,544 sufficient signatures (Attachment A). The City Clerk has issued a Certificate of Sufficiency of the Initiative Petition (Attachment B). After adoption of the proposed

resolution accepting the Certificate of Sufficiency, Elections Code Section 9215 provides that the City Council must take action on one of the following alternatives:

- a) **Report** - from any City department on effect of proposed initiative measure; or
- b) **BILL - (For Introduction)** - Repealing Resolution Nos. 2013-143 titled "Ratifying the Proposition 218 Process, According to California Constitution article XIID and Adopting a Four Year Water Rate Plan" and 2013-144 that amended the Master Fee Schedule titled "To Adjust Water Fees in the Public Utilities Water Fee Section According to Proposition 218"; or
- c) **RESOLUTION** - Calling a general municipal election on Tuesday, November 4, 2014, and submitting to City voters a ballot measure relating to Resolution Nos. 2013-143 and 2013-144 that adopted a four year water rate plan and amending the Master Fee Schedule adjusting the wataer rates according to Proposition 218.

ENVIRONMENTAL FINDINGS

N/A

LOCAL PREFERENCE

N/A

FISCAL IMPACT

Election Dates and Cost

November 4, 2014 \$55,000 to \$75,000

Attachments:

Attachment A - Resolution regarding Certificate of Sufficiency (with exhibits A and B)

Attachment B - Resolution referring the proposed initiative measure to staff for a report

Attachment C - Bill for introduction repealing Resolution No. 2013-143 ratifying the Proposition 218 process and adopting the Four Year Water Rate Plan, and Resolution No. 2013-144 amending the Master Fee Schedule adjusting the water rates according to Proposition 218

Attachment D - Resolutions - Submitting to voters a ballot measure relating to Resolution Nos. 2013-143 and 2013-144 that adopted the Four Year Water Rate and amending the Master Fee Schedule adjusting the water rates according to Proposition 218, for the November 4, 2014 general election