



## Legislation Details (With Text)

**File #:** 22-0212 **Version:** 1  
**Type:** Consent - Staff Report **Status:** Agenda Ready  
**In control:** City Council Regular Meeting  
**On agenda:** 5/3/2022 **Final action:**  
**Title:** Consideration of a Resolution Nunc Pro Tunc Correcting a Clerical Error in Exhibit A to the Resolution Scheduling a Public Hearing to Consider Proposed Water Rate Increases (Public Works Director Lee) ADOPT RESOLUTION NO. 22-0061

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution Nunc Pro Tunc No. 22-0061, 2. Resolution No. 20-0043 (with Correct Exhibit A)

| Date     | Ver. | Action By                    | Action | Result |
|----------|------|------------------------------|--------|--------|
| 5/3/2022 | 1    | City Council Regular Meeting |        |        |

**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Erick Lee, Public Works Director

Katherine Doherty, City Engineer

**SUBJECT:**

Consideration of a Resolution Nunc Pro Tunc Correcting a Clerical Error in Exhibit A to the Resolution Scheduling a Public Hearing to Consider Proposed Water Rate Increases (Public Works Director Lee)

**ADOPT RESOLUTION NO. 22-0061**

**RECOMMENDATION:**

Staff recommends that City Council adopt Resolution No. 22-0061, to attach the correct chart to Resolution No. 22-0043.

**FISCAL IMPLICATIONS:**

There is no fiscal impact in attaching the correct Exhibit A to Resolution No, 22-0043.

**BACKGROUND:**

At its meeting on April 5, 2022, the City Council adopted Resolution No. 22-0043 to schedule a public hearing for June 7, 2022 on potential increases in water rates. Proposition 218 requires an extraordinary public notification process to inform the public of potential rate increases, such as water rates. Although not legally required to initiate the Proposition 218 process, Resolution No. 22-0043

contained a draft chart with proposed water rates.

**DISCUSSION:**

Shortly after the adoption of Resolution No. 22-0043, staff discovered that an incorrect version of the proposed rate table was inadvertently attached to the Resolution. The correct rate table was used to develop the information communicated in the staff report, its fiscal implications and the fund balance projections presented to the City Council during the meeting. Accordingly, the City Council intended to schedule the public hearing on proposed rates based upon the correct information provided during the Council meeting. Further, the correct proposed rate table was included in the Proposition 218 notice that was mailed to all property owners and rate payers and tenants and non-rate payers citywide on April 15, 2022, and is posted on the City's website.

While not legally required, to eliminate inconsistencies in the record, staff recommends that the Council adopt Resolution Nunc Pro Tunc No. 22-0061 to attach the correct Exhibit A to Resolution No. 22-0043. An updated Resolution No. 22-0043 with the correct Exhibit A is also attached.

**ATTACHMENTS:**

1. Resolution Nunc Pro Tunc No. 22-0061
2. Resolution No. 20-0043 (with Correct Exhibit A)