

## **RESOLUTION NO. 2008-133**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK EXPRESSING THE CITY COUNCIL'S OPPOSITION TO AN INITIATIVE TO REDUCE CITY OF ROHNERT PARK'S CURRENT SEWER SERVICE CHARGES TO THOSE CHARGES IN EFFECT ON JANUARY 1, 2006 TO BE PRESENTED TO THE ELECTORATE ON NOVEMBER 4, 2008**

WHEREAS, on July 22, 2008, the City Council of the City of Rohnert Park adopted a resolution directing that an "Initiative to Reduce City of Rohnert Park's Current Sewer Service Rates to Rates in Effect on January 1, 2006" ("Initiative") be presented to the City of Rohnert Park voters at the general election on November 4, 2008 in accordance with California Election Code requirements;

WHEREAS, on July 22, 2008, the City Council received the Initiative impact report pursuant to California Elections Code section 9212;

WHEREAS, this resolution came before the City Council at a public meeting on August 12, 2008 at which members of the public, including proponents and opponents of the Initiative, were free to comment on the Initiative and this resolution;

WHEREAS, the City of Rohnert Park sewer charges are the second-lowest of the user agencies of the Subregional Sewer System, with Rohnert Park's rates being lower than Santa Rosa and Cotati rates and higher than Sebastopol rates;

WHEREAS, Sebastopol, while having the lowest sewer service rates, has also experienced two major sewer system failures resulting in significant discharges of raw sewage to the Laguna de Santa Rosa and will likely need to increase their sewer service rates to fund sewer system improvements needed to address their sewer system failures;

WHEREAS, the Initiative would roll back City of Rohnert Park sewer charges below levels required to fund sewer system operations and maintenance to meet City obligations as required by the terms of the Subregional Sewerage System Agreement, City Certificates of Participation covenants, applicable Clean Water Act requirements, and General Waste Discharge Requirements for Sanitary Sewer Collection Systems (GWDR 2006-03) promulgated by the State Water Resources Control Board in 2006;

WHEREAS, if the Initiative is approved the City sewer enterprise fund would realize a revenue loss beginning in Fiscal Year 2008-09 and culminating in a revenue loss of \$3.4 million in Fiscal year 2009-10;

WHEREAS, if the Initiative is approved the City sewer enterprise fund would run out of money in Fiscal Year 2010-11 or earlier which would result in the City being unable to meet its sewer system financial obligations;

WHEREAS, if the Initiative is approved the revenue loss to the sewer enterprise fund would result in a rapid decline in the City's ability to operate the sewer system effectively, which

would likely cause backups that would lead to overflow of raw sewage in the streets and other system failures; and

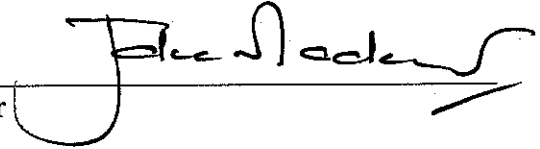
WHEREAS, if the Initiative is approved, the projected revenue shortfall in the City sewer enterprise would threaten the City's ability to protect the environment and public health, and provide a reliable, safe, secure and economical sewerage treatment for all citizens of Rohnert Park.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ROHNERT PARK DOES HEREBY RESOLVE AS FOLLOWS:

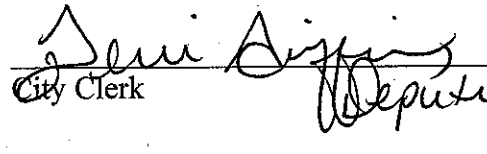
The City Council opposes the Initiative which, if approved by Rohnert Park voters, would roll back City sewer service charges resulting in a revenue shortfall that would not only impact the environment and public health but could cause the City to violate the terms of the City's Subregional Sewerage System Agreement, applicable Clean Water Act and GWDR 2006-03 requirements and City Certificates of Participation covenants.

**DULY AND REGULARLY ADOPTED** by the City Council of the City of Rohnert Park this 12<sup>th</sup> day of August, 2008.

CITY OF ROHNERT PARK


  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk



APPROVED AS TO FORM:

  
\_\_\_\_\_  
Asst. City Attorney

BREEZE: ABSENT SMITH: AYE STAFFORD: AYE VIDAK-MARTINEZ: AYE MACKENZIE: AYE  
AYES: (4) NOES: (0) ABSENT: (1) ABSTAIN: (0)