

RESOLUTION NO. 2026-068

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, ADOPTING SEWER SERVICE CHARGES, MAKING CEQA FINDINGS, AND TAKING CERTAIN ACTIONS RELATING THERETO

WHEREAS, the City of Fontana (the “City”) owns and operates a sewer collection and transmission system and partners with the Inland Empire Utilities Agency (the “IEUA”) and the City of Rialto (“Rialto”) for use of each agency’s sewer treatment plant to provide sewer service to City customers; and

WHEREAS, the City has engaged an independent rate consultant to prepare the City of Fontana Wastewater Rate Study, dated April 2026 (the “Rate Study”), which is on file in the City Clerk’s Office and incorporated herein by this reference, to analyze the costs of providing sewer service to City customers; and

WHEREAS, the Rate Study determined the City must increase its sewer collection service charges (the “City Collection Charge”) in order to keep pace with the costs of providing sewer service; and

WHEREAS, the City Collection Charge is a uniform fixed charge per month for all customer classes receiving sewer service; and

WHEREAS, in addition to imposing City Collection Charge increases the City will continue to pass-through to sewer service customers as part of their sewer service billing the applicable IEUA (the “IEUA Charges”) or Rialto (the “Rialto Charges”), as applicable, charged to the City, as may be amended by the IEUA and Rialto from time to time (the IEUA Charges and Rialto Charges shall also be known as the “Pass-Through Charges” and the City Collection Charge and the Pass-Through Charges collectively shall be the “Sewer Service Charges”); and

WHEREAS, the Pass-Through Charges shall be subject to an annual maximum cap not to exceed 15% per year, in no event shall the Pass-Through Charges exceed the costs to provide sewer service to the parcels, and the City shall provide at least 30 days written notice in advance of increases to the Sewer Service Charges in compliance with State law; and

WHEREAS, the sewer rate structure is designed to proportionately allocate the cost of service to each parcel, will generate sufficient revenue to provide sewer service, and such revenues will be used only for providing sewer service to parcels served by the City; and

WHEREAS, the City Council determined to hold a public hearing to consider the adoption of the increased Sewer Service Charges, and notices of the public hearing were mailed to the record owner of any parcel upon which the Sewer Service Charges

are proposed for imposition, and any tenant who is directly liable for the payment of Sewer Service Charges (i.e., a customer of record who is not a property owner); and

WHEREAS, the notices were mailed not less than 45 days prior to the deadline for submitting valid legal objections and the date of the public hearing held on June 23, 2026 on the proposed Sewer Service Charges; and

WHEREAS, the City Council held a public hearing on June 23, 2026, to consider the proposed Sewer Service Charges, and at the public hearing the City Council considered the Rate Study, heard all oral testimony and considered all written materials and written protests concerning the adoption and imposition of, and the proposed adjustments and increases to the Sewer Service Charges; and

WHEREAS, at the close of the public hearing, the City did not receive written protests against the establishment and imposition of the proposed sewer service charges from a majority of the record owners of the parcels upon which the Sewer Service Charges are proposed for imposition or tenants directly liable for the payment of the Sewer Service Charges; and

WHEREAS, the City Council is authorized and has determined to approve the proposed Sewer Service Charges and act accordingly on the matter.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Fontana, California, as follows:

Section 1. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. The City Council has evaluated and hereby approves the maximum rates for the Sewer Service Charges, and adopts such rates in accordance with the authority of Health and Safety Code section 5471 *et seq.* and all other applicable law. The City may impose the Sewer Service Charges up to the maximum amounts, and on the effective dates, set forth in Exhibit "A" attached hereto.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held to be unconstitutional or otherwise invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council hereby declares that it would have adopted the remainder of this Resolution, including each section, subsection, sentence, clause, phrase, or portion irrespective of the invalidity of any other article, section, subsection, sentence, clause, phrase, or portion.

Section 4. In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City Council has determined that the increases in the Sewer Service Charges are exempt from CEQA pursuant to Section 15378 and Section 15273 of the CEQA Guidelines and Public Resources Code section 21080(b)(8)

because: (i) the increased charges are for the purpose of meeting operational and maintenance expenses of the aforementioned services; and (ii) the charges constitute the creation of a funding mechanism/other governmental fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. The documents and materials that constitute the record of proceedings on which these findings have been based are located in the Office of the City Clerk, located at 16860 Valencia Ave., Fontana, CA 92335. The custodian for these records is the City Clerk.

Section 5. This Resolution shall take effect immediately, and that all resolutions, ordinances, or administrative actions by the City Council, or parts thereof that are inconsistent or in conflict with any provision of this Resolution are hereby superseded only to the extent of such inconsistency or conflict.

Section 6. The City Manager, or designee thereof, is authorized to take all actions necessary or convenient to effectuate the purposes of this Resolution.

APPROVED AND ADOPTED this 23rd day of June, 2026.

READ AND APPROVED AS TO LEGAL FORM:

City Attorney

I, Germaine Key, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City Council at a regular meeting on the 23rd day of June 2026, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk of the City of Fontana

Mayor of the City of Fontana

Resolution No. 2026-068

ATTEST:

City Clerk

EXHIBIT "A"

SEWER SERVICE CHARGES

[ENTER ALL RATE TABLES AS PROVIDED IN THE PROP. 218 NOTICE]