



OFFICE OF THE CITY ATTORNEY
Long Beach, California

ORD-30

CHARLES PARKIN
City Attorney

MICHAEL J. MAIS
Assistant City Attorney

May 10, 2022

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to declare Ordinance of the City Council of the City of Long Beach Approving Resolution No. WD-1441A, "A Resolution Of The City Of Long Beach Board Of Water Commissioners Establishing The Rates And Charges To Be Charged For Water And Sewer Service And Declaring The Urgency Thereof, And Providing That This Ordinance Shall Take Effect At 12:01 A.M. On June 1, 2022". (Citywide)

DISCUSSION

On May 4, 2022, the Board of Water Commissioners of the City of Long Beach adopted Resolution No. WD-1441A reducing certain water rates, as more particularly described in the Resolution. Section 1403 of the Long Beach City Charter requires all rates and charges established by the Board of Water Commissioners to be approved by the City Council by ordinance.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By

RICHARD F. ANTHONY
Deputy City Attorney

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ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH APPROVING RESOLUTION NO. WD-1441A, A RESOLUTION OF THE CITY OF LONG BEACH BOARD OF WATER COMMISSIONERS ESTABLISHING THE RATES AND CHARGES TO BE CHARGED FOR WATER AND SEWER SERVICE AND DECLARING THE URGENCY THEREOF, AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AT 12:01 A.M. ON JUNE 1, 2022

The City Council of the City of Long Beach ordains as follows:

Section 1. That Resolution No. WD-1441A of the Board of Water Commissioners of the City of Long Beach, entitled "A RESOLUTION OF THE CITY OF LONG BEACH BOARD OF WATER COMMISSIONERS AMENDING RESOLUTION NO. WD-1444 FIXING RATES AND CHARGES FOR WATER AND SEWER SERVICE TO ALL CUSTOMERS, SUBJECT TO THE APPROVAL OF THE CITY COUNCIL BY ORDINANCE," adopted by said Board on May 4, 2022, and the rates fixed in the Resolution to be charged for water and sewer service are hereby approved.

Section 2. This is an emergency measure and is urgently required for the reason that in order to carry on the affairs, functions and business of the Long Beach Water Department, it is necessary to authorize the rates and charges for water and sewer service and that this ordinance be passed as an emergency measure, to take effect at 12:01 a.m. on June 1, 2022.

Section 3. If any section, subsection, subdivision, sentence, sum, percentage, clause or phrase of this ordinance is for any reason held to be unconstitutional,

1 invalid or void, such decision shall not affect the validity of the remaining portions of this
2 ordinance. The City Council hereby declares that it would have passed this ordinance, and
3 every section, subsection, subdivision, sentence, sum, percentage, clause and phrase
4 thereof, irrespective of the fact that any one or more sections, subsections, subdivisions,
5 sentences, sums, percentages, clauses or phrases thereof is declared unconstitutional,
6 invalid or void.

7 Section 4. This ordinance is an emergency ordinance duly adopted by the
8 City Council by a vote of five of its members and shall take effect immediately. The City
9 Clerk shall certify to a separate roll call and vote on the question of the emergency of this
10 ordinance and to its passage by the vote of five members of the City Council of the City of
11 Long Beach, and cause the same to be posted in three conspicuous places in the City of
12 Long Beach, and it shall thereupon take effect and shall be operative on and after 12:01
13 a.m. on June 1, 2022.

14 I hereby certify that on a separate roll call and vote which was taken by the
15 City Council of the City of Long Beach upon the questions of the emergency of this
16 ordinance at its meeting of _____, 2022, the ordinance was declared
17 to be an emergency by the following vote:

18 Ayes: Councilmembers: _____

19 _____

20 _____

21 _____

22 Noes: Councilmembers: _____

23 _____

24 Absent: Councilmembers: _____

25 _____

26 Recusal(s): Councilmembers: _____

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I further certify that thereafter, at the same meeting, upon a roll call and vote on adoption of the ordinance, it was adopted by the City Council of the City of Long Beach by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

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OFFICE OF THE CITY ATTORNEY
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I further certify that the foregoing ordinance was thereafter adopted on final reading of the City Council of the City of Long Beach at its meeting of _____, 2022, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor