

1 **RESOLUTION NO. 08-35**

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 SIERRA MADRE, CALIFORNIA, RESCINDING
5 RESOLUTION NO. 93-36, AND IMPLEMENTING A LOW-
6 INCOME UTILITY USERS TAX EXEMPTION .

7 WHEREAS, a General Municipal Election was held in the City of Sierra Madre
8 on April 8, 2008, at which time the voters approved Ordinance No. 1275, a Utility Users'
9 Tax Increase and Modernization Ordinance, and;

10 WHEREAS, Section 3. 3.36.200 of Ordinance No. 1275, states that an
11 exemption can be granted to any household that qualifies as "low income" as defined by
12 the U.S. Department of Housing and Urban Development's (HUD) annual survey of income
13 limits for the Public Housing and Section 8 Programs.

14 WHEREAS, Section 3. 3.36.200 of Ordinance No. 1275, in coordination with
15 this Resolution shall establish the guidelines under which such exemptions shall be
16 reviewed and processed.

17 NOW, THEREFORE, the City Council of the City of Sierra Madre, DOES
18 HEREBY RESOLVE as follows:

19 1. That Resolution No. 93-36 adopted in July 1993 is hereby rescinded
20 and replaced in its entirety by this Resolution.

21 2. That forms provided by the City shall be used to process exemption
22 applications. Such forms may be revised from time to time, but shall at a minimum request
23 the following:

24 A. Name of person representing the household applying for the
25 exemption, household address, utility or service provider name, utility
26 account number.

27 B. Number of persons in the household.

28 C. Total combined annual household income.

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D. Copies of documentation of total household income.

E. Copies of California ID or Driver’s License for each adult household member

3. That the City shall have 30 days to review and process any application received. The service providers shall have an additional 60 days to process said exemption.

4. That all exemptions will continue and be renewed automatically by the City, so long as the prerequisite facts supporting the initial qualification for exemption continues. Households granted an exemption must submit prerequisite facts before July 1st of each year, in order to re-qualify for the exemption. The City shall mail notice to households for which an exemption has been approved, before July 1st of each year requesting submission of documentation demonstrating the prerequisite facts. Failure to provide such evidence or requested documentation, shall be grounds for the immediate discontinuance of the household’s eligibility for exemption. Exemptions automatically terminate with any change in the service address or residence, unless a new exemption is applied for and approved.

5. That any refunds will be processed in accordance with Section 3.36.200 J of Ordinance 1275.

6. No exemptions shall be granted to an applicant who is receiving service from a service supplier through a master meter, or who is sharing or prorating service with other service users even though such users qualify under the provisions of the resolution.

7. It is a misdemeanor for any person to knowingly receive the benefits of the exemptions provided by Ordinance 1275 or this resolution, when the basis for such exemption does not exist or ceases to exist.

APPROVED and ADOPTED this _____ day of _____ 2008

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Kurt Zimmerman, MAYOR
City of Sierra Madre, California

ATTEST:

APPROVED AS TO FORM:

Nancy Shollenberger, City Clerk

Sandra J. Levin, City Attorney