

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF GLENDALE, CALIFORNIA  
AMENDING SECTION 13.44.425 OF THE GLENDALE MUNICIPAL CODE, 1995,  
PERTAINING TO THE CURRENT PUBLIC BENEFITS CHARGE OF 3.6% TO THE RATE  
MANDATED BY STATE LAW**

**WHEREAS**, Assembly Bill 1890 (SB-1890) and the California Public Utilities Code Section 385 require that municipal utilities establish a public benefit charge (PBC) equal to 2.85% of annual retail electric rate revenues to fund investments in one or more of the following areas: 1) cost-effective demand side management (DSM) services to promote energy efficiency and energy conservation; 2) new investment in renewable energy resources and technologies; 3) research, development and demonstration programs; and 4) services provided for low-income electricity customers, including but not limited to, targeted energy efficiency service and rate discounts; and

**WHEREAS**, Glendale Water and Power Department (GWP), in response to SB-1890 has implemented a PBC since January 1, 1998; and

**WHEREAS**, in February 2008, GWP raised its PBC from 2.85% to 3.6% of annual electric revenues in response to Senate Bill 1 (SB-1), which mandated new solar programs and set statewide expenditure requirements for such programs requiring municipal utilities to offer incentives to all customer classes starting January 1, 2008 and to meet certain California Energy Commission guidelines starting January 1, 2009; and

**WHEREAS**, the SB-1 portion of the PBC was to be implemented by municipal utilities for a period of ten years at which time the PBC rate containing the SB-1 portion would default back to the state mandated rate of 2.85%; and

**WHEREAS**, this ordinance amends the existing Section 13.44.425 of the Glendale Municipal Code, 1995 to delete the 3.6% PBC rate and to state that the PBC rate shall be set and applied as mandated by State of California law.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE:**

**SECTION 1. Section 13.44.425 of the Glendale Municipal Code, 1995, regarding public benefits charge, is hereby amended to read as follows:**

13.44.425 Public benefits charge.

A. Each electric rate bill prepared by Glendale Water and Power (GWP) shall include a public benefits charge. The public benefit charge imposed by this section shall be at the a rate of 3.6% in an amount set and mandated by the State of California. The PBC rate shall be applied to of the charges made for such electricity, and for any supplemental services or other associated activities directly related to and/or necessary for the provision of electricity to the service user.

B. As used in this section, the term "charges" shall apply to all services, components and items that are:

1. Necessary for or common to the receipt, use or enjoyment of electric service; or

2. Currently are or historically have been included in a single or bundled rate for electric service by a local distribution company to a class of retail customers. As used in this section, the term "charges" shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the electricity or services related to the provision of such electricity. The term "charges" shall include, but is not limited to, the following charges:

1. Energy charges;
2. Distribution or transmission charges;
3. Metering charges;
4. Stand-by, reserves, firming, ramping, voltage support, regulation, emergency, or other similar minimum charges for services;
5. Customer charges, late charges, service establishment or reestablishment charges, demand charges, fuel or other cost adjustments, power exchange charges, independent system operator (ISO) charges, stranded investment or competitive transition charges (CTC), nuclear decommissioning charges, trust transfer amounts (bond financing charges), franchise fees, franchise surcharges, annual and monthly charges, and other charges, fees or surcharges which are necessary for or common to the receipt, use or enjoyment of electric service.

C. Revenues from the public benefits charge will be retained in a separate account. The funds in this account must be used for the following purposes:

1. Cost-effective demand-side management services to promote energy efficiency and energy conservation;
2. New investments in renewable energy resources and technology consistent with existing statutes and regulations;
3. Research, development, and demonstration programs for the public interest to advance science or technology, which is not adequately provided, by competitive and regulated market;
4. Services provided to low-income electricity customers, including, but not limited to, targeted energy efficiency and rate discounts.

(Ord. 5179 § 1, 1997; Ord. 5197 § 9, 1998; Ord. 5233 § 10, 1999; Ord. 5297 § 8, 2001; Ord. 5506 § 7, 2006; Ord. 5598 § 5, 2008)

## **SECTION 2. Compliance with California Environmental Quality Act.**

The City Council finds and determines that this ordinance is not subject to the California Environmental Quality Act ("CEQA") and, therefore, an environmental review is not required under section 15060(c)(2) [the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment]; section 15060(c)(3) [the activity is not a project as defined in section 15378]; and section 15061(b)(3) [no possibility exists that the activity in question may have a significant effect on the environment] of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because the ordinance:

1. Has no potential for resulting in physical change to the environment, directly or indirectly; and
2. Prevents changes in the environment.

## **SECTION 3. Severability.**

This Ordinance is adopted under the authority of the Charter of the city of Glendale and State law. If any section, subsection, clause or phrase is declared invalid or otherwise void by a

court of competent jurisdiction, it shall not affect any remaining provision hereof. In this regard the city council finds and declares that it would have adopted this measure notwithstanding any partial invalidity hereof.

**SECTION 4. Effective Date.**

This Ordinance shall take effect and be in force thirty (30) days after the date of its passage.

Passed by the Council of the City of Glendale on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

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

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    )  
CITY OF GLENDALE            )       SS.

I, Suzie Abajian PhD, City Clerk of the city of Glendale, certify that the foregoing Ordinance No. \_\_\_\_\_ was passed by a majority vote of the Council of the city of Glendale, California, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, and that the same was passed by the followed vote.

Ayes:

Noes:

Absent:

Abstain:

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