

# CITY COUNCIL

## Meeting Date:

**TO:** Tom Weil, City Manager

**FROM:** Kathy Bailey, Acting Finance Manager

**SUBJECT:** Public Hearing to Adopt Resolution Establishing Water Standby Charges for the 2010-2011 Fiscal Year

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### **BACKGROUND:**

To place Water Standby charges on the tax rolls for Fiscal Year 2010-2011, the City Council must adopt the attached Resolution authorizing the County to implement said charges, which are not changed from the previous year.

### **PURPOSE:**

Water Standby Revenue is expended for the construction and reconstruction (reconstruction taking the form of numerous extra-ordinary repairs of mains over the past several years) of water production, transmission and storage facilities.

### **PROCEDURE:**

If the procedure Act has been followed in a given year, the governing body may by resolution, continue the charge in successive years at the same rate and in the same manner, but dispensing with the requirement for mailed notice. The local agency shall cause notice of the intent to adopt the resolution to be published pursuant to Government Code Section 6066, prior to the date set for adoption, and shall hear any and all objections at the time and place set forth in the notice. The governing body shall, at the time and place specified, conduct the hearing and consider all objections to the assessment, if any. The governing body may, thereafter, adopt revise, reduce or modify the assessment or charge, but may not increase the charge, or may overrule any and all objections. The determination of the governing body shall be final.

### **RECOMMENDATION:**

Adopt resolution

### **SOURCE OF FUNDING:**

Not Applicable

### **ENVIRONMENTAL ACTION:**

Not Applicable

## **RESOLUTION NO.**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY INITIATING PROCEEDINGS FOR THE ESTABLISHMENT OF THE WATER STANDBY CHARGES FOR THE FISCAL YEAR COMMENCING JULY 1, 2010**

**THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY RESOLVES** as follows:

#### **Section 1. Purpose and Scope**

The city has determined the need to construct new wells to extract water from aquifers not previously used by the City and to replace approximately 194 miles of water pipelines and appurtenances to continue to provide a reliable supply of potable water to the inhabitants and property owners of the City. The City has levied water standby charges under the Uniform Standby Procedures Act. This Resolution initiates proceedings to continue to levy water standby charges for the fiscal year commencing July 1, 2010 to finance programs of the City to replace and upgrade the community water system.

#### **Section 2. Report of Engineer**

A qualified engineer's report is on file with the City. The proposed standby charge is based upon the report. The report includes the following: a description of the charges and the method by which it will be imposed; a compilation of the amount of the charges proposed for each parcel subject to the charge; the methodology and rationale followed in determining the degree of benefit conferred by the service for which the charge is made; other factors, including the degree of availability or quantity of the use of the water by the affected lands.

#### **Section 3. Affected Lands**

A list of each parcel to be taxed and the amount of charge for each parcel is on file with the City.

#### **Section 4. Proposed Charges**

The proposed charge is as follows:

(a) Effective July 1, 2010, water standby charges shall be paid by certain property within the City not receiving water service as follows:

(1) "Acres 1": Within recorded tracts for which a Subdivision Deferred Improvement "SDI" Agreement exists, parcels not fronting upon a water main shall pay \$15.00 per parcel per annum.

(2) "Acres 2": Within recorded tracts for which an SDI agreement exists, parcels fronting upon a water main shall pay \$20.00 per parcel per annum.

(3) "Acres 3": Within recorded tracts for which an SDI Agreement does not exist, parcels shall pay \$25.00 per parcel per annum.

(b) Notwithstanding the foregoing, water standby charges shall not be paid by certain property within the City as follows:

(1) Parcels contained in a condominium, townhouse or other multi-family residential development shall not pay a standby charge provided common area parcels shall pay a charge at the rate specified in subsection (a).

(2) Ownership interest consisting solely of mineral rights shall not pay standby charges.

(3) Parcels within Tract 2714 shall not pay a standby charge.

(4) Parcels receiving water service as of the effective date shall not pay a standby charge.

#### Section 4. **Public Hearing**

(a) The Council shall conduct a public hearing at Council Chambers located at 21000 Hacienda Blvd, California City, California, on April 6, 2010. The Council will hear and consider all objections or protests, if any, to the proposed charges.

(b) The notice of hearing shall be in the form and manner required by law. The notice shall be published within the City.

**PASSED, APPROVED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010 by the**

following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk  
(seal)