

RESOLUTION NO. 07- 100

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
EL CENTRO RESCINDING RESOLUTION NO. 05-94
AND RESOLUTION NO. 97-9 AND RE-ESTABLISHING
SANITARY SEWER AND WATER CAPACITY FEES

WHEREAS, the City of El Centro, California, (hereinafter referred to as "City") has adopted Resolution No. 05-94 and Resolution No. 97-9 establishing Sanitary Sewer and Water Capacity Fees in the City, pursuant to Section 24-10(b) of the Code of the City; and

WHEREAS, it is in the best interest of the City to rescind Resolution No. 05-94 and Resolution No. 97-9 and re-establish the fees to be charged for Sanitary Sewer and Water Capacity pursuant to Section 24-10(b) of the Code of the City; and

WHEREAS, the City of El Centro caused a Water and Wastewater Rate Study to be prepared by Nolte, Inc. in 2005; and

WHEREAS, the said study has identified services provided by the City of El Centro for which capacity fees may be established so as to recover the costs reasonably borne by the City in providing such services; and

WHEREAS, said report is on file in the office of the City Clerk establishing that the costs for the services described herein are commensurate with the fees set forth in this resolution; and

WHEREAS, on July 18, 2007 the City Council conducted a duly noticed public hearing on the proposed Sanitary Sewer and Water Capacity Fees; and

WHEREAS, if any provision of this resolution is declared by a court of competent jurisdiction to be legally invalid, or otherwise legally deficient for any reason, then the provisions of Resolution No. 05-94 as applicable to said capacity fees shall not be deemed to have been repealed and shall remain in full force and effect as to said fee; and

WHEREAS, the City Council finds that the procedures prescribed by California Government Code Section 66016 have been satisfied.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL CENTRO, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the foregoing is true, correct and adopted.
2. That Resolution No. 05-94 and Resolution No. 97-9 is hereby rescinded.

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3. That the City Council hereby determines that the Sanitary Sewer and Water Capacity

Fees shall be based upon an Equivalent Dwelling Unit (EDU) for the following uses:

	<u>OCCUPANCY</u>	<u>MINIMUM EQUIVALENT DWELLING UNIT</u>	
1.	Single Family Home	Unit	= 1.00 EDU
2.	Duplex, Triplex, Apts	1 bedroom	= 0.6 EU
		2 bedrooms	= 0.7 EDU
		3 bedrooms	= 1.0 EDU
		Thereafter each bedroom equals 0.25 EDU	
3.	Motels, Hotels, Auto Courts	Unit w/kitchen	= 0.55 EDU
		Unit w/o kitchen	= 0.33 EDU
4.	Townhouse, Condominiums, Second Dwelling Units	1 bedroom	= 0.6 EDU
		2 bedrooms	= 0.7 EDU
		3 bedrooms	= 1.0 EDU
		Thereafter each bedroom equals 0.25 EDU	
5.	Trailer, Mobilehome Park	Space allocated for singlewide unit*	= 0.6 EDU
		Space allocated for doublewide unit*	= 0.7 EDU
		Space allocated for triplewide unit*	= 1.0 EDU
6.	Churches	Per each 113 seating capacity	= 1.00 EDU
7.	Theaters, Auditoriums	Per each 100 seating capacity	= 1.00 EDU
8.	Bar/Nightclub (No Food)	Per each 100 seating capacity	= 1.00 EDU
	Bar/Nightclub (w/food)	Per each 26 seating capacity	= 1.00 EDU
9.	Restaurant/Café Fast Food w/Drive Thru	First 35 seats or less Then per each 8 seating capacity	= 1.00 EDU
	Restaurant/Café Sit Down Restaurant	First 35 seats or less Then per each 15 seating capacity	= 1.00 EDU
10.	Automotive Service Station	Per each 2 pumps (6 or more pumps = 3 EDU Max.)	= 1.00 EDU
11.	Self Service Laundry	Each Washer	= 0.75 EDU
12.	Commercial laundry and/ or Dry Cleaner**	Per each 500 square feet of building	= 1.00 EDU
13.	Car Washes	Per two (2) stalls in self service	= 1.00 EDU
		Per Automatic wash with attendants	= 2.00 EDU
14.	Hospitals, Convalescent Homes	Per each 4 beds	= 1.00 EDU
15.	Laboratories	Per each 500 square feet of building	= 1.00 EDU
16.	RV Parks	Per Space (Buildings separate) Subject to no dumping by RV units of holding tanks into City sewer	= 0.6 EDU
17.	Schools, Public or Private, Elementary	Per 60 pupils	= 1.00 EDU
	Junior High	Per 50 pupils	= 1.00 EDU
	High School	Per 30 pupils	= 1.00 EDU

<u>OCCUPANCY</u>		<u>MINIMUM EQUIVALENT DWELLING UNIT</u>		
18.	Photo Development Shops	Per 500 square feet of building	=	1.00 EDU
19.	Stores, Offices	Per each 2,000 square feet of building.	=	1.00 EDU
20.	Industrial***	Per each 2,000 square feet. (For buildings other than warehouses)	=	1.00 EDU
21.	Printing Shops	Per 500 square feet of building	=	1.00 EDU
22.	Newspaper Printing	Per 1,000 square feet of building	=	1.00 EDU
23.	Administrative review is available for those uses that do not fit exactly within any of the occupancies referenced in items 1 thru 22 above. Administrative review requires an engineering technical study by a registered civil engineer. The City Engineer shall determine the EDU's, with final approval and implementation by the City Manager.			
24.	For items number 6 thru 10, 12 thru 15 and 17 thru 22 above, the calculations will be prorated to determine the EDU. A minimum of 1 EDU will be assessed for all new development which has no prior occupancy use.			

- * EDU calculation is based on size of lot or land regardless of the size of the unit parked there.
- ** Laundry and/or dry cleaner facilities which do not discharge into the City's sewage collection system and/or use recycling of water may be eligible for administrative review.
- *** For industrial warehouses with one restroom facility 1 EDU will be assessed.

4. That the Administrative review is available retroactively through January 1, 2007 for those uses that do not fit exactly within any of the occupancies referenced in items 1 through 22 above.
5. That the City Council hereby re-establishes the Sanitary Sewer and Water Capacity Fees per EDU which shall be effective upon adoption of this Resolution as follows:

Water Capacity Fees	
Fiscal Year	Water Capacity Fee Per EDU
2006/2007	\$ 4,620.00
2007/2008	\$ 5,082.00
2008/2009	\$ 5,590.00
2009/2010	\$ 6,149.00
Sanitary Sewer Capacity Fees	
Fiscal Year	Sanitary Sewer Capacity Fee Per EDU
2006/2007	\$ 5,390.00
2007/2008	\$ 5,929.00
2008/2009	\$ 6,522.00
2009/2010	\$ 7,174.00

6. The City Council reserves the right to review and increase these fees annually.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of El Centro, California, held on the 18th day of July, 2007.

CITY OF EL CENTRO

By *Rosanna Bayob Moore*
Rosanna Bayob Moore, Mayor

ATTEST:

By *Rita M. Noden*
Rita M. Noden, City Clerk

APPROVED AS TO FORM:

Office of the City Attorney

By *Michael Paul*

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL) ss
CITY OF EL CENTRO)

I, Rita M. Noden, City Clerk of the City of El Centro, California, do hereby certify that the foregoing Resolution No. 07-100 was duly and regularly adopted at the regular meeting of the City Council of the City of El Centro, California, held on the 18th day of July, 2007, by the following vote:

AYES: Sanders, Solomon, Moore, Edney, Viegas-Walker
NOES: None
ABSENT: None
ABSTAINED: None

By *Rita M. Noden*
Rita M. Noden, City Clerk