

RESOLUTION NO. 11-133

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES APPROVING REVISED WASTEWATER FACILITY CHARGES

WHEREAS, the City of Paso Robles operates a wastewater collection, treatment, and disposal system that is available to serve existing residents and new development alike; and

WHEREAS, the City retained the firm of Kennedy/Jenks Consultants to undertake a comprehensive review of the City's wastewater facility charges, which was presented to the City Council on September 6, October 4, October 18, and November 1, 2011; and

WHEREAS, Kennedy/Jenks Consultants determined that revenues generated by the existing wastewater connection fees (i.e. wastewater facility charges) are inadequate to pay for new development's proportional costs of system improvements which are necessary to sustain operations in compliance with the Regional Water Quality Control Board's Time Schedule Order No. R3-2011-0213 and other requirements; and

WHEREAS, in accordance with state law, copies of the report prepared by Kennedy/Jenks Consultants, dated September 21, 2011, have been and are available for public review and copying; and

WHEREAS, a phased facility charge increase will provide the necessary revenues to provide a reliable, well-maintained infrastructure system to serve community needs; and

WHEREAS, on September 6, 2011, City Council instructed staff to send out advance notices regarding consideration for adoption of revised wastewater facility charges; and

WHEREAS, notices and information regarding the October 4 and November 1, 2011, public hearings on the adoption of the proposed wastewater facility charges, in compliance with the requirements of Government Code Section 66016, were published in a newspaper of general circulation and sent to interested parties;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council finds that all of the above recitals are true and correct and are incorporated herein by reference.

SECTION 2. The City Council of the City of El Paso de Robles hereby approves and adopts the schedule of wastewater facility charges, attached hereto as Exhibit A and incorporated herein by reference, to become effective January 1, 2012. All permittees must pay the entire amount of the fee in effect at the time of issuance of building permit, taking into account credit for any amounts paid prior to building permit issuance:

SECTION 3. The City Council of the City of El Paso de Robles hereby finds and determines that the proposed wastewater facility charges do not exceed the estimated reasonable cost of providing the service for which the fee is to be charged. This finding is based on the study conducted by Kennedy/Jenks Consultants, dated September 21, 2011, and incorporated herein by reference, the staff report and other testimony and information presented at the public hearing.

SECTION 4. The City Council finds, under Public Resources Code section 21080(b)(8) and Title 14 of the California Code of Regulations, Section 15273 (a) that this Resolution is exempt from the requirements of the California Environmental Quality Act ("CEQA") in that it is not a "project," but instead consists of the modification, restructuring and approval of rates which are for the purpose of meeting the City's expenses for

capital projects necessary to maintain service within existing service areas. The City Council therefore, directs that a Notice of Exemption be filed with the County Clerk of the County of San Luis Obispo in accordance with CEQA Guidelines.

SECTION 5. That said wastewater facility charges shall be reviewed no less than biennially (every two years) in conjunction with the update of the City's four-year financial plan to ensure that the wastewater facility charges then in existence do not exceed the estimated reasonable cost of providing the public facilities and services for which they are imposed.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 1st day of November 2011.

AYES: Gilman, Strong, Steinbeck, Picanco
NOES: Hamon
ABSTAIN:
ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

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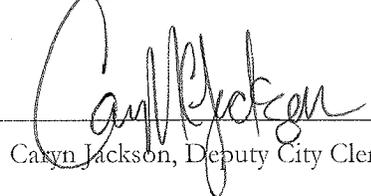
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Exhibit A

WASTEWATER FACILITY CHARGE SCHEDULE

Residential Charges – Per Unit	EDUs	Effective Jan 1, 2012	Effective Jan 1, 2013	Effective Jan 1, 2014	Effective Jan 1, 2015	Effective Jan 1, 2016
Single Family Dwellings, including Condominiums	1	\$6,500	\$7,600	\$8,700	\$9,800	\$10,900
Multi-Family Dwellings	0.9	\$5,900	\$6,900	\$7,800	\$8,800	\$9,800

Non-Residential Charges – Per water meter size	Water Meter size (inches)	EDUs	Effective Jan 1, 2012	Effective Jan 1, 2013	Effective Jan 1, 2014	Effective Jan 1, 2015	Effective Jan 1, 2016
Non-Residential Accounts – All Types	5/8 & 3/4	1.00	\$6,500	\$7,600	\$8,700	\$9,800	\$10,900
	1	1.67	\$10,900	\$12,700	\$14,600	\$16,400	\$18,200
	1 ½	3.33	\$21,800	\$25,400	\$29,000	\$32,700	\$36,300
	2	5.33	\$34,900	\$40,700	\$46,500	\$52,300	\$58,100
	3	10.00	\$65,400	\$76,300	\$87,200	\$98,100	\$109,000

For the purposes of assessing wastewater facility charges, Non-Residential Accounts are any accounts not specifically noted as Residential herein. Non-Residential Accounts include Industrial Users as defined per Section 14.08.040 of the Municipal Code.

Multi-Family Dwellings, as defined in the Paso Robles General Plan Land Use Element, refers to buildings that comprise two or more dwelling units under common ownership; apartment complexes to be charged as Multi-Family dwelling unit.

Condominiums are residential units titled under separate ownership with underlying parcel under common ownership.

Condominium units served by individual water meters, mobile homes, pre-fabricated homes, and planned community of detached homes shall be charged as Single Family Dwellings.

For the purposes of assessing wastewater facility charges, the following development types are considered Non-Residential and shall be charged based on water meter size:

- Long-term care facilities;
- Hotels;
- Recreational vehicle parks; and
- Other developments with transient occupancy.

Facility Charges for Large Non-Residential Accounts:

Facility charges for Non-Residential accounts requiring water meters larger than 3-inches will be based on plumbing fixture requirements of the most current edition of the California Plumbing Code and the wastewater generation factors in the most current edition of Metcalf & Eddy's *Wastewater Engineering*. The facility charge will be based on the resulting estimate of wastewater generation, expressed in terms of equivalent dwelling units (EDUs) times the charge per EDU in effect at that time. However, in no case shall the facility charge be less than that associated with a 3-inch water meter. Currently, 200 gallons of wastewater generation per day equate to one equivalent dwelling unit.

Facility Charges for Non-Residential Accounts Not Receiving City Water:

Facility charges for Non-Residential accounts that receive water service from a non-City source shall be based on either a) the water meter size associated with the non-City source, or b) plumbing fixture requirements of the most current edition of the California Plumbing Code and the wastewater generation factors in the most current edition of Metcalf & Eddy's *Wastewater Engineering*. The facility charge will be based on the resulting estimate of wastewater generation, expressed in terms of equivalent dwelling units (EDUs) times the charge per EDU in effect at that time. However, in no case shall the facility charge be less than that associated with one EDU.

Secondary Dwelling Units: Facility charges for secondary dwelling units added to Single Family-zoned properties shall be assessed the Multi-Family Dwelling facility charge then in effect.

Conversion of Property Use: Additional facility charges shall be assessed when intensification or conversion of a property use requires an additional non-irrigation water meter, or meters, or an increase in the size of an existing water meter. Credit shall be given for the existing water meter based on the facility charge then in effect, but in no case shall a facility charge refund be administered for a decrease in the size of an existing water meter.

Developments that Utilize Pressurized Toilet Flush Valves: Pressurized toilet flush (flushometer) valves require a larger water supply line than conventional gravity tank flush toilets or air-assisted flush tank toilets to maintain adequate water pressure and flow. This may lead a developer to install a larger water meter than if the development had conventional toilets. In such cases, wastewater facility charges will be based on the water meter size that would normally be required if that development had conventional toilets. In order to qualify for the lower wastewater facility charge, the developer must demonstrate through calculations based on the California Plumbing Code what the smaller water meter size would be.