

ORDINANCE NO. 10-O10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AZUSA, CALIFORNIA, AMENDING SECTION 2-469 OF THE AZUSA MUNICIPAL CODE RELATING TO SEWER SERVICE FEES AND FEE COLLECTIONS

WHEREAS, the City of Azusa ("City") has an aging sanitary sewer system which requires preventive maintenance, rehabilitation, and an adequate sewer capital improvement program fund; and

WHEREAS, sewer rate funds are the most practical and equitable means of providing for necessary sewer maintenance, rehabilitation, and capital improvements; and

WHEREAS, the consulting firm of Lee and Ro completed a Sewer Master Plan ("Study") that contains an analysis of the future needs of the City in order to maintain a safe and operation sanitary sewer system that meets the future needs of the residents businesses of the City; and

WHEREAS, said Study lays out a 10-year Sewer Capital Improvement Program at a cost of approximately \$8,100,000 in needed capital investment in the sewer system; and

WHEREAS, the City Council of the City of Azusa ("City Council") finds, with respect to the revenue generated from the increased fees that: (1) there is reasonable relationship between the use of the rate fund increased herein and the services for which they are imposed and this relationship is more fully documented in the Study; (2) the revenue generated from the increased rate fund does not exceed the amount necessary to provide the services; (3) the increased rate fund shall not be used for any other purpose than that for which the fees are imposed; (4) the increased rate fund do not exceed the proportional cost of the services attributable to each customer; and (5) the increased rate funds are not levied for general governmental purposes. Said apportionment of the rate fund is fair and equitable and insures a reasonable relationship based upon the amount of the rate fund and the amount of sanitary sewer use; and

WHEAREAS, the 10-year sewer rate fund increase will add 1% to the existing approved rates for fiscal years 2011-12 and 2012-13 along with an additional initial rate of \$.20 per hundred cubic feet ("hcf") for residential users and an increase in the hcf charge for commercial and residential users. The increase will be a gradual 5% increase per year over the next ten years; and

WHEREAS, Pursuant to California Government Codes 65090-65096, a copy of the Study was available for public review at the Office of the City Clerk, City Library, and Public Works Yard at least ten (10) days prior to the public hearing and Public Hearing Notices were mailed to all property owners subject to the sewer rate fund increase at least ten (10) days prior to the public hearing; and

WHEREAS, the revenues generated from the rate funds shall be placed in a separate fund to be used only for construction, rehabilitation, maintenance and operations of sanitation and sewage facilities (including street sweeping operations); and

WHEREAS, the City Council finds and determines that amendment of Section 2-469 of the Azusa Municipal Code is both statutorily and categorically exempt from the provisions of the California Environmental Quality Act (“CEQA”) (Public Resources Code Section 21000) and that no significant environmental impacts will occur. Amendment of the above sections of the Azusa Municipal Code is statutorily exempt under the “Rates, Tolls, Fares and Charges” exemption contained in Public Resources Code Section 21080. This ordinance sets fees to maintain existing sewers and sewage service in accordance with Health and Safety Code Section 5470. The above described amendment is also categorically exempt under the “Replacement or Reconstruction” exemption contained in State CEQA Guidelines Section 15302.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AZUSA DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 2-469(a.1) of the City of Azusa Municipal Code is amended to read:

Pursuant to the authorization contained in Section 5470 et seq. of the California Health and Safety Code, the following rates are hereby established, prescribed, and imposed for payment to the City for services and facilities furnished by the City in connection with its sanitary sewer system, including street sweeping operations.


MONTHLY SEWER FEES - 5% ANNUAL INCREASE										
	Residential		Commercial		Industrial		Laundromat/Car Wash		Not Connected To Sewer	Low Income Discount
	Base Fee	HCF Fee	Base Fee	HCF Fee	Base Fee	HCF Fee	Base Fee	HCF Fee		
Current Rate	\$7.79	\$0.00	\$10.02	\$0.094	\$12.22	\$0.094	\$16.68	\$0.094	\$1.50	\$0.75
FY 11-12	\$8.18	\$0.20	\$10.52	\$0.20	\$12.84	\$0.20	\$17.52	\$0.20	\$1.58	\$1.22
FY 12-13	\$8.51	\$0.21	\$10.95	\$0.21	\$13.35	\$0.21	\$18.22	\$0.21	\$1.65	\$1.28
FY 13-14	\$8.93	\$0.22	\$11.49	\$0.22	\$14.02	\$0.22	\$19.14	\$0.22	\$1.74	\$1.35
FY 14-15	\$9.38	\$0.23	\$12.07	\$0.23	\$14.72	\$0.23	\$20.09	\$0.23	\$1.82	\$1.41
FY 15-16	\$9.85	\$0.24	\$12.67	\$0.24	\$15.45	\$0.24	\$21.10	\$0.24	\$1.91	\$1.48
FY 16-17	\$10.34	\$0.26	\$13.30	\$0.26	\$16.23	\$0.26	\$22.15	\$0.26	\$2.01	\$1.56
FY 17-18	\$10.86	\$0.27	\$13.97	\$0.27	\$17.04	\$0.27	\$23.26	\$0.27	\$2.11	\$1.63
FY 18-19	\$11.40	\$0.28	\$14.67	\$0.28	\$17.89	\$0.28	\$24.42	\$0.28	\$2.22	\$1.72
FY 19-20	\$11.97	\$0.30	\$15.40	\$0.30	\$18.79	\$0.30	\$25.64	\$0.30	\$2.33	\$1.80
FY 20-21	\$12.57	\$0.31	\$16.17	\$0.31	\$19.72	\$0.31	\$26.93	\$0.31	\$2.44	\$1.89
FY 21-22	\$13.20	\$0.33	\$16.98	\$0.33	\$20.71	\$0.33	\$28.27	\$0.33	\$2.57	\$1.99

HCF = hundred cubic feet
 FY = fiscal year (July 1 – June 30)

SECTION 2. The Mayor shall sign this Ordinance and the City Clerk shall attest and certify to the passage and adoption of it, and within fifteen (15) days, publish in a newspaper of general circulation in the City of Azusa.


SECTION 3. This ordinance shall take effect August 1, 2011.

PASSED, APPROVED AND ADOPTED this 5th day of July, 2011.



Joseph R. Rocha, Mayor


ATTEST:



Vera Mendoza, City Clerk

I Vera Mendoza, City Clerk of the City of Azusa, do hereby certify that the foregoing Ordinance No.11-O10 was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 20th day of June, 2011, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 5th day of July 2011, by the following vote of the Council:


APPROVED AS TO FORM:



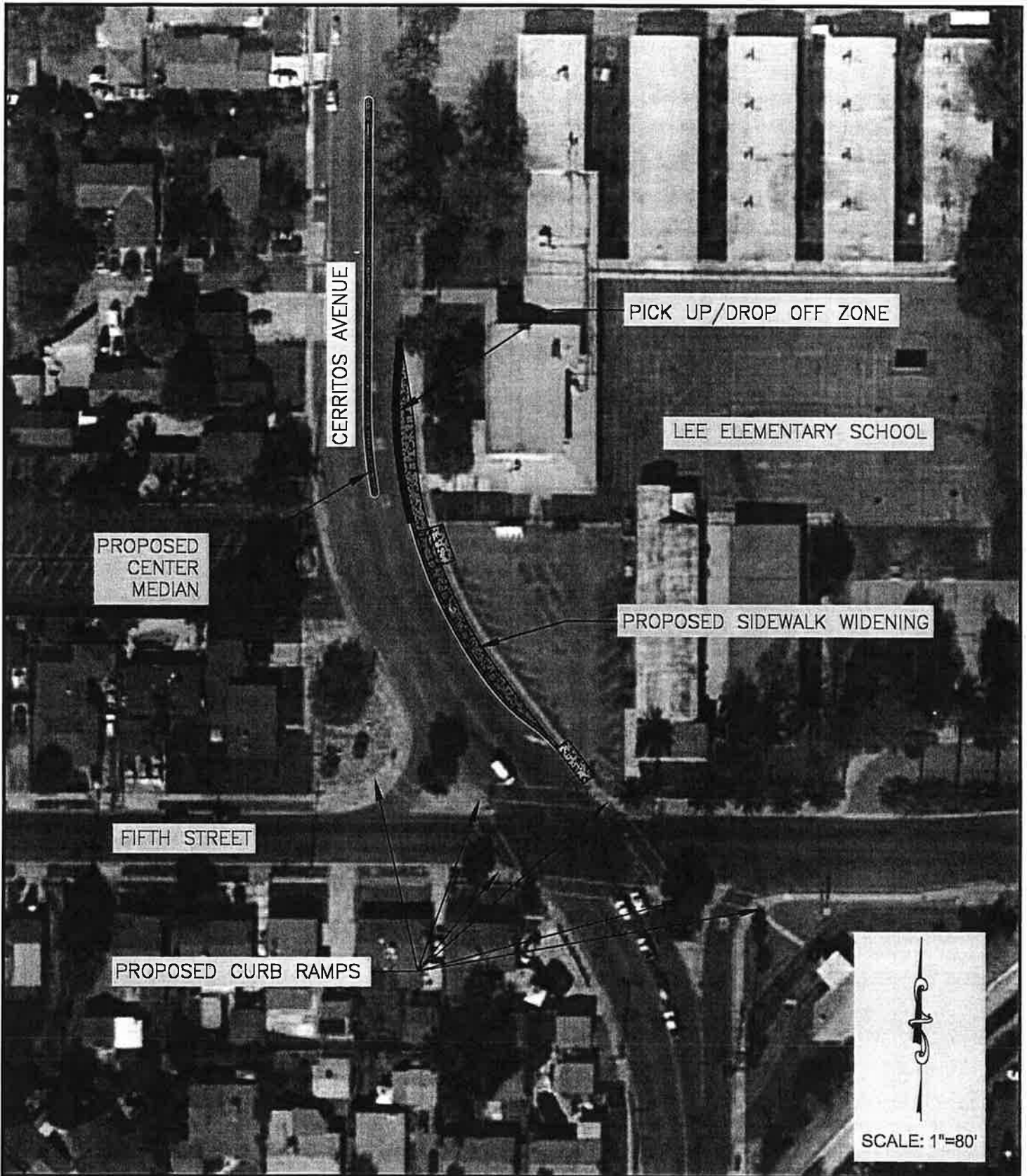
Sonia R. Cavalho
City Attorney, City of Azusa

I HEREBY CERTIFY that the foregoing ordinance was duly adopted at a regular meeting of the City Council on the 5th day of July, 2011, by the following vote, to wit:

AYES: COUNCIL MEMBERS: GONALES, CARRILLO, HANKS, ROCHA
NOES: COUNCIL MEMBERS: NONE
ABSTAIN: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: MACIAS



Vera Mendoza, City Clerk



DATE: 06-14-11	SRTS-5112 (011) CERRITOS AVENUE AND FIFTH STREET
PREPARED BY: H. GONZALEZ	
CHKD. BY: C. HASSEL	CITY OF AZUSA ENGINEERING DIVISION