

## RESOLUTION NO. 09-34

### A RESOLUTION OF THE RIDGECREST CITY COUNCIL ADOPTING A SEWER USER CHARGE FOR THE 2009-2010 FISCAL YEAR.

**WHEREAS**, the City Council of the City of Ridgecrest Resolves as follows:

#### Section 1 Purpose and Scope

This resolution adopts a sewer user charge for the use of the City wastewater treatment plant and collection system for the 2009-2010 fiscal years, limits the usage of the revenues so derived and provides for the collection of such charges.

**WHEREAS**, the City Council finds, determines and declares as follows:

#### Section 2 Findings

- a) The charges proposed are the same as for the previous year
- b) The revenues derived from the subject charge will be used for the construction expansion, maintenance and operation of the wastewater treatment plant and collection facilities and to obtain funds for capital projects necessary to maintain service within the existing service area, and as such, is exempt from environmental review under 14 California Administrative Code Section 15273.
- c) The subject charge produces revenue which does not exceed the reasonable cost of the service for which the charge is levied.
- d) A majority of the owners of the property affected by the subject charge have not protested the imposition of the charge.
- e) This resolution complies with the applicable provisions of Article XIID of the California Constitution and California Government Code 54984.
- f) The City has authority to adopt a sewer user charge for the use of City sanitation facilities pursuant to Health and Safety Code Section 5471, et.seq. and Government Code Section 51334.

**WHEREAS**, the City Council establishes a sewer user charge as follows:

#### Section 3

A sewer user charge is hereby levied against each parcel of land from which sewage is deposited into the sanitation system of the City. The subject charge is levied for the fiscal year commencing July 1, 2009 in the amount of one hundred twenty dollars (\$120.00) for each parcel of land improved by a single family dwelling; in the amount of ninety-six dollars (\$96.00) for each dwelling unit located on a parcel of land which is improved by a multiple-family dwelling; and in the amount of one hundred twenty dollars (\$120.00) for each equivalent residential unit located on a parcel of land which is improved with a non-residential structure. The charge for mobile home parks will be seventy-four dollars (\$74.00) per space in the park plus twenty-two cents (\$0.22) per hundred cubic feet of water consumption in the prior fiscal year.

Loadings: one equivalent residential unit's load is defined as follows:

<u>Parameter</u>	<u>Allocation</u>	<u>Loadings for an Equivalent Residential Unit (ERU)</u>
Flow	49.0%	250 gal/day
Biochemical Oxygen Demand (BOD)	25.5%	150 mg/l
Suspended Solids (SS)	25.5%	150 mg/l

Non – residential service charges shall be calculated as follows:

<u>Flow</u>	<u>BOD</u>	<u>SS</u>	<u>Availability Charge</u>
<u>Daily Flow X 0.49</u>	<u>BOD Concentration X 0.255</u>	<u>SS Concentration X 0.255</u>	<u>X\$120.00</u>
250	150	150	

WHEREAS, the City Council designates the use of revenues of follows:

**Section 4**

The revenues derived from the subject charge shall be used only for construction, expansion, maintenance and operation of the City’s wastewater treatment and collection facilities.

**NOW, THEREFORE, THE RIDGECREST CITY COUNCIL RESOLVES** that the City Clerk shall furnish the Kern County Board of Supervisors and the County Auditor with a description of the parcel against which the subject charge is billed and the amount of each charge. This report shall be furnished on or before August 10, 2009.

The Board of Supervisors and the County Tax Collector are hereby requested to levy and collect the charge as a part of the annual General County Tax Bill.

City Staff is hereby directed to bill and collect service charges for those properties whose status is tax exempt and not on the County tax rolls.

**APPROVED AND ADOPTED** this 20th day of May, 2009 by the following vote:

AYES: Mayor Morgan, Council Members Carter, Wiknich, and Taylor

NOES: None

ABSENT: Council Member Holloway

ABSTAIN: None

ATTEST

*Rita Gable*  
Rita Gable, City Clerk



*Steven P. Morgan*  
Steven P. Morgan, Mayor