

# Agenda Report

TO: CITY COUNCIL DATE: February 26, 2007  
FROM: CITY MANAGER  
SUBJECT: SEWER AGREEMENT REGARDING THE CONVEYANCE OF  
WASTEWATER FROM THE PROPERTY AT 602 NORTH  
MICHILLINDA AVENUE, CITY OF SIERRA MADRE

## **RECOMMENDATION**

It is recommended that the City Council adopt a resolution authorizing the City Manager to execute an agreement between the City of Pasadena and Mr. Marcus Aubrey Otto and Mr. Ricardo Sosapavan governing the conveyance of wastewater from an existing single family residence at 602 North Michillinda Avenue in the City of Sierra Madre.

## **BACKGROUND**

The existing single family residence of Mr. Marcus Aubrey Otto and Mr. Ricardo Sosapavan is located in the City of Sierra Madre on the east side of Michillinda Avenue south and east of the City of Pasadena boundary which runs north of the subject lot and then runs south along the centerline of Michillinda Avenue.

The City of Sierra Madre presently does not have a local sewer available in the immediate vicinity of the subject property. The owners of the single family residence have requested permission to connect to the City of Pasadena sewer which runs along the west side of Michillinda Avenue in front of this site.

A number of properties in the City of La Cañada Flintridge, which has no sewerage system, have been allowed to connect to the City of Pasadena's sewerage system. In addition, the City of Pasadena is currently providing sewer service for 604 North Michillinda Avenue in the City of Sierra Madre for the same reasons and under the same arrangement as recommended for 602 North Michillinda Avenue. All costs for this service will be borne by the applicant. The connection of this, and similar properties, benefits the City of Pasadena by reducing the amount of septic tank water percolating into Pasadena's underground water basin, thereby reducing potential contamination of the local water supply.

The property owner has received permission to connect to the County Sanitation District No. 16. In addition, the owner has provided proof that District fees have been paid, and a District permit to connect has been issued to them.

The agreement provides for payment to the city of a one-time, non-refundable "Capacity Fee," in the amount of \$4,100, which is comprised of \$3,100 for the privilege of being allowed to connect to the Pasadena sewerage system, and \$1,000 for preparing and processing the agreement. The \$3,100 portion of the fee represents the contribution by a new user toward the cost of facilities paid for by previous users and which require repair and occasional upgrading or replacement.

Future annual "User Fees" shall be equal to the maximum annual fee for properties served by Pasadena's sewerage system, but not subject to the "Water Rate Ordinance" as per the rates established pursuant to Section 4.52.020 of the Pasadena Municipal code. These fees shall be collected by preparing annual bills each July following the Council's annual adjustment, based on changes in the Consumer Price Index, of the rates therefore. The above Capacity and User Fees will cover the cost of the subject agreement, without requiring any subsidies by the City of Pasadena's rate payers.

FISCAL IMPACT:

The \$4,100 non-refundable Capacity Fee and future annual "User Fees" collected pursuant to this agreement will be deposited in the Sewer Maintenance and Construction Fund (Account No. 7023-205).

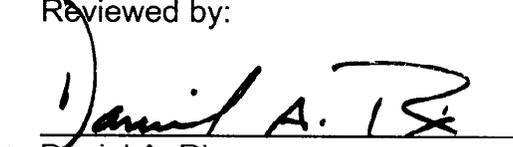
Respectfully submitted,

  
CYNTHIA J. KURTZ  
City Manager

Prepared by:

  
Stephen Walker  
Principal Engineer

Reviewed by:

  
Daniel A. Rix  
City Engineer

Approved by:

  
Martin Pastucha, Director  
Department of Public Works

RESOLUTION NO. \_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT GOVERNING THE CONVEYANCE OF WASTEWATER FROM A SINGLE-FAMILY HOME AT 602 N. MICHILLINDA AVENUE IN THE CITY OF SIERRA MADRE, PROVIDING COVENANTS WHICH RUN WITH THE LAND AND BIND SUBSEQUENT OWNERS, AND CONSENTING TO THE RECORDATION THEREOF

WHEREAS, the owners of an existing single-family home site at 602 North Michillinda Avenue in the City of Sierra Madre wish to connect to an existing sewer owned and operated by the City of Pasadena; and

WHEREAS, the City of Pasadena is willing to accept wastewater from said home provided it is adequately compensated for facilities provided and services rendered; and

WHEREAS, said home site is located in the City of Sierra Madre within County Sanitation District No. 15 of Los Angeles County, neither of which owns or operates a sewerage system for conveying wastewater in the immediate vicinity; and

WHEREAS, the sewer owned and operated by the City of Pasadena is tributary to a sewerage system owned either wholly or in part by County Sanitation District No. 16 of Los Angeles County.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the City of Pasadena, that the City Manager is hereby authorized to enter into, on behalf of the City, an agreement governing the conveyance of wastewater from a single-family home at 602 N. Michillinda Avenue in the City of Sierra Madre, providing covenants which run with the land and bind subsequent owners, and consenting to the recordation thereof between Marcus Aubrey Otto and Ricardo Sosapavan, and the City of Pasadena, and agreeing to the recordation thereof.

Adopted at the \_\_\_\_\_ meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2007 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
JANE L. RODRIGUEZ, CMC  
City Clerk

Approved as to form: 2/20/07



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NICHOLAS G. RODRIGUEZ  
Assistant City Attorney