

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA AMENDING THE SCHEDULE OF TAXES, FEES AND CHARGES REGARDING SEWER USE CHARGE LEVIED PURSUANT TO TITLE 4, SECTION 4.52 OF THE PASADENA MUNICIPAL CODE

WHEREAS, the City of Pasadena established a Sewer Use Charge (“fee”) consistent with the General Plan and Government Code Section 66477 through the adoption of Ordinance number 4829 in 1967; and,

WHEREAS, the purpose of this fee is to pay for operational and capital expenditures associated with maintaining and improving Pasadena’s sewer system and,

WHEREAS, in fiscal year 2007, a Master Sewer Plan was adopted by the City Council which evaluated the system for hydraulic capacity, provides recommendations for operational and maintenance practices, evaluates replacement of the aging and aged facilities and makes recommendations to ensure financial solvency; and

WHEREAS, the current fee generates approximately \$3.2 million a year in revenue and the Master Sewer Plan projects a need of approximately \$5.1 million per year to implement the recommended operational and capital expenditures; and

WHEREAS, the amended fees and costs to be charged will not exceed the reasonable estimated cost of providing the service for which the fee is imposed; and

WHEREAS, the Sewer Use Charge was subject to the procedural and substantive requirements of Proposition 218 which requires a written notice be mailed to each parcel owner and to the customer list upon which the fee will be imposed, and a public hearing be conducted not less than 45 days after mailing the notice. If written protests against the proposed fee are presented by a majority of parcels, the City may not impose the fee increase; and

WHEREAS, a notice was mailed on or by October 22, 2007 to the parcel owners and to the customer list, giving parcel owners over 45 days to submit any written protest; and

WHEREAS, a public hearing was held on December 10, 2007 and written protest against the fee increase were not presented by a majority of the parcels which allow the City to impose the fee increase.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Pasadena that the Sewer Use Charge shall be implemented as follows:

Section 1. This fee shall be increased by 20 percent in FY 2008, 10 percent in FY 2009 and 10 percent in FY 2010.

Section 2. This fee shall take effect 60 days after the adoption of this resolution.

Adopted at the regular meeting of the City Council on the _____ day of _____, 2007, by the following vote:

AYES:


NOES:

ABSENT:

ABSTAIN:

Jane Rodriguez
City Clerk

APPROVED AS TO FORM:

 10/16/07

Nicholas Rodriguez
Deputy City Attorney
ASST