

ORDINANCE NO. 2006-02

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF AMERICAN CANYON
APPROVING REVISIONS TO MUNICIPAL CODE, TITLE 13, CHAPTER 13.06
ADOPTING INTERIM INCREASES TO THE CITY'S
WATER CONNECTION FEES**

WHEREAS, pursuant to Section 66000 of the Government Code, in 1999 the City Council adopted Ordinance 99-07 amending Chapter 13.06 of the Municipal Code and establishing a Water Connection Impact Fee Schedule to recover costs associated with projected impacts that development will have on the City's water infrastructure and services; and

WHEREAS, in accordance with the regulations established in the Government Code, adjustments to impact fees may be made from time to time to ensure that the fees reflect accurate capital costs; and

WHEREAS, it is common practice and equitable to increase a City's development impact fees to meet the actual or estimated capital costs when it becomes apparent that these differ from the estimates originally used to develop the impact fees; and

WHEREAS, in order to ensure that the City's development impact fees are keeping up with current capital costs, the City's fees now need to be increased to provide for the necessary water system improvements to serve new development, and

WHEREAS, the actual cost of some completed projects has been well in excess of the costs anticipated in Table 6-3, "City of American Canyon Water Connection Fee Calculation," of the Water Availability and Fee Study of March 1999, upon which the original fees were calculated, attached to the summary report for the agenda item on May 4, 2006, regarding this Ordinance; and

WHEREAS, the City of American Canyon did retain a number of professional engineering consultants to provide updated cost estimates for capital projects anticipated in the Water Connection Fee Program, resulting in an update to Table 6-3, which is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, on February 2, 2006, the City Council of the City of American Canyon did adopt Resolution 2006-24 Authorizing Notice of Initiation of Proceedings Regarding Proposed Increases in Development Impact Fees; and

WHEREAS, the notice that was authorized by Resolution 2006-24 was duly posted by the City Clerk; and

WHEREAS, in accordance with Section 66016 of the Government Code the City of American Canyon has held a duly noticed Public Hearing to consider the cost, or estimated cost, required to provide water capital requirements to serve new development with the revenue sources anticipated to provide capital funding, including the General Fund; and

WHEREAS, the City Council considered all testimony given at the Public Hearing on May 4, 2006, regarding proposed an Ordinance to amend Section 15.08 of the City of American Canyon Municipal Code;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of American Canyon does find that the proposed Water Connection Fees have a reasonable relationship to the capital costs required to serve the development projects which will pay the fees; and

BE IT FURTHER RESOLVED that the City Council of the City of American Canyon does hereby ordain the following:

Section 1: Table 13.06.050 in Section 13.06.050 of the American Canyon Municipal Code is amended to read as follows:

Table 13.06.050

**Water Distribution Connection Charge
versus Water Meter Size**

<u>Meter Size</u>	<u>Meter Flow</u>	<u>Water Distribution Connection Charge</u>
5/8 x 3/4	20 gpm	\$1,318
3/4	30 gpm	\$1,977
1	50 gpm	\$3,295
1 1/2	100 gpm	\$6,590
2	160 gpm	\$10,544
3	320 gpm	\$21,088
4	500 gpm	\$32,950
6	1000 gpm	\$65,900

Section 2: Section 13.06.070 B of the American Canyon Municipal Code is amended to read as follows:

The Water Demand Connection Fee shall be computed as the number of equivalent dwelling units of a project of application times the amount of \$5,127 per equivalent dwelling unit. For the purposes of fee calculation, an equivalent dwelling unit shall be defined as a typical single-family residence using 335 gallons of water per average day on an annual basis. The Water Connection Demand Fee for uses other than single family residential shall be calculated using the following table:

Table 13.06.070

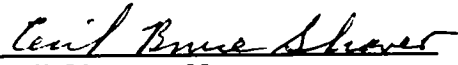
<u>LAND USE</u>	<u>UNITS</u>	<u>CONSUMPTION</u>
Single-Family Residential	units	335
Mobile Homes	units	210
Multi-Family Dwelling Units $\frac{3}{4}$	units	210
Group Care-Beds	beds	100
Commercial	ksf	155
Restaurants	seats	25
Lodging	rooms	60
Offices	ksf	75
Warehouses	ksf	50
Industrial	ksf	75
Schools	pupils	15
Recreation	acres	500

Section 4: Effective Date. In accordance with Government Code 66017, this ordinance shall take effect sixty (60) days after its final adoption.

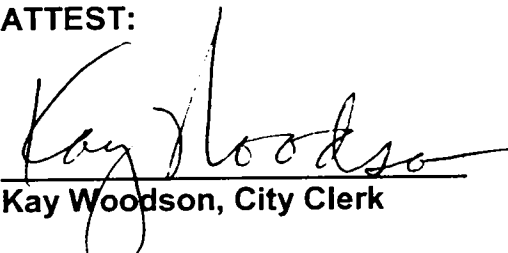
Section 5: Severability. This Ordinance shall be liberally construed to achieve its purposes and preserve its validity. If any provision or clause of this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are declared to be severable and are intended to have independent validity.

The foregoing ordinance was introduced and read at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 4th day of May, 2006, and was approved and adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 18th day of May, 2006, by the following vote:

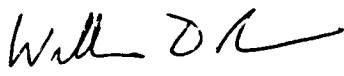
AYES: Shaver, Garcia, Anderson, Coffey
NOES: None
ABSTAIN: None
ABSENT: None


Cecil Bruce Shaver
Cecil Shaver, Mayor

ATTEST:


Kay Woodson
Kay Woodson, City Clerk

APPROVED AS TO FORM:


William D. Ross
William D. Ross, City Attorney