

RESOLUTION NO. 2013- _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA ESTABLISHING A FEE IN ACCORDANCE WITH SAN BUENAVENTURA MUNICIPAL CODE SECTION 22.180.040 TO BE PAID UNDER CERTAIN CIRCUMSTANCES IN LIEU OF DEDICATING WATER RIGHTS TO THE CITY

WHEREAS, San Buenaventura Municipal Code ("SBMC") Section 22.180.040 generally requires persons seeking approvals for annexation, development, or expansion of water service to dedicate water rights to the City. When that person does not have water rights, SBMC Section 22.150.040 allows the City Council to establish a fee that can be paid to the City in lieu of water rights; and

WHEREAS, pursuant to Government Code Section 66016, the City made data available regarding the cost, or estimated cost, of providing services for various fees ten (10) days before the public hearing held on August 5, 2013; and

WHEREAS, on August 5, 2013, the City Council heard public testimony and considered evidence in a public hearing held and noticed in accordance with Government Code Section 66016; and

WHEREAS, based upon the evidence submitted during the public hearing, including, without limitation, reports from City staff and information from recent published water sales, the Council finds that the proposed fee is based upon the amount equating to the value of one acre foot of water; and

WHEREAS, at the recommendation of the Water Utility Department known as Ventura Water and the City Manager, the City Council believes that it is in the public interest to establish the recommended fee in accordance with SBMC Section 22.180.040.

BE IT RESOLVED by the Council of the City of San Buenaventura as follows:

SECTION 1: Pursuant to SBMC Section 22.180.040, the City Council establishes fees can be paid to the City in-lieu of dedicating water rights as provided on Exhibit "A," to this Resolution which is incorporated by this reference.

SECTION 2: This Resolution shall take effect on the 60th day following its passage and approval.

PASSED AND APPROVED this 16th day of September, 2013.

Cynthia M. Rodriguez, MMC
City Clerk

APPROVED AS TO FORM

By: _____
Ariel Pierre Calonne
City Attorney

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