

1 CITY RESOLUTION NO. \_\_\_\_\_

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
4 RIALTO, STATE OF CALIFORNIA, AMENDING THE CITY'S  
5 WATER HOLDING AND DISTRIBUTION DEVELOPMENT FEE,  
6 SEWER TREATMENT FACILITIES DEVELOPMENT FEE AND  
7 SEWER COLLECTION FEE MAKING CERTAIN FINDINGS IN  
8 CONNECTION THEREWITH

9 WHEREAS, the City of Rialto's General Plan requires all developed areas within the  
10 City of Rialto ("City") to be adequately served with essential public services and infrastructure;  
11 and

12 WHEREAS, new developments in the City will place additional demands upon existing  
13 public facilities or require the construction of new facilities to accommodate the burdens that  
14 new development imposes upon the City; and

15 WHEREAS, new development should mitigate the burdens placed upon the City's  
16 existing facilities and pay its fair share of costs to construct new water and sewer facilities  
17 necessary to serve the build out population of the City; and

18 WHEREAS, the development impact fees established shall be in the amounts  
19 determined by the existing resolutions of the city council and such subsequent resolutions  
20 that the city council may adopt from time to time. The amounts of such development impact  
21 fees shall be increased annually on July 1st of each year based on the state of California  
22 Construction Cost Index (CCCI) increase for the previous calendar year as determined on  
23 March 1st of each year.

24 WHEREAS, the Rialto Municipal Code, section 3.33.040 requires development impact  
25 fee amounts also shall be reviewed and revised every five years, based on the current  
26 estimated costs of the proposed public facilities, as required by the Mitigation Fee Act,  
27 contained in California Government Code Section 66000 et seq; and

28 WHEREAS, the "Mitigation Fee Act," contained in California Government Code  
Sections 66000 through 66025, codifies the required process necessary for the adoption of  
public facility fees, including Water and Sewer Development Impact Fees; and

1           **WHEREAS**, the City has established the Water Holding, Sewer Collection and Sewer  
2 Treatment Development Impact Fees, which are collectively referred to as the Water and  
3 Sewer Development Impact Fees in this Resolution.

4           **WHEREAS**, the City retained FG Solutions to complete an updated nexus study entitled  
5 “Water and Wastewater Development Impact Fee Update” (“FG Solutions Fee Study”), which  
6 inventories the public facilities for Water and Sewer Facilities necessary to provide adequate  
7 public services and facilities at the City’s buildout; and

8           **WHEREAS**, the FG Solutions Fee Study complies with the requirements of Government  
9 Code Section 66001, and establishes the legal basis for imposing the Development Impact  
10 Fees by (a) identifying the purpose for the Fee; (b) identifying the use for which the Fee is to  
11 be used, including the refurbishment of existing facilities to maintain the existing level of  
12 service so as to address the demands of new development; (c) establishing the reasonable  
13 relationship between the Fee’s use and the type of development project upon which the Fees  
14 are imposed; (d) determining the reasonable relationship between the need for the public  
15 facilities and the type of development upon which the Fees are being imposed; and (e)  
16 determining the reasonable relationship between the amount of the Fee and the cost of the  
17 public facilities or portion of the public facilities that are attributable to the development for  
18 which the Fee is imposed; and

19           **WHEREAS**, the methodology used to update the Development Impact Fee is intended  
20 to be consistent with California Government Code Sections 66000-66025 and industry  
21 standards, including the American Water Works Association Manual M1 (AWWA M1 Manual).

22           **WHEREAS**, on September 26, 2018, the Economic Development Committee reviewed  
23 and recommended to the City Council that the current Water and Sewer Development Impact  
24 Fees be revised; and

25           **WHEREAS**, the City has complied with provisions of Government Code Section 66016  
26 necessary to conduct a noticed public hearing by (1) publishing notices of the public hearing;  
27 (2) mailing notices of the hearing, at least fourteen (14) days prior to the meeting to parties that  
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1 have filed request with the City to be noticed of Fee changes; and (3) making available a copy  
2 of the data utilized in determining the Development Impact Fee levied; and

3 **WHEREAS**, on December 11, 2018, the City Council held the public hearing and  
4 considered all public testimony presented at the hearing, both oral or in writing, regarding the  
5 proposed revision to the Water and Sewer Development Impact Fees imposed upon new  
6 development.

7 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES**  
8 **HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

9 **Section 1:** That the Water and Sewer Development Impact Fees described in the  
10 attached Exhibit "A":

- 11 A. Are for the sole and exclusive purpose of financing the construction of the  
12 water and sewer facilities and are necessary to provide water and sewer  
13 services to new development project(s).
- 14 B. Will only be used to finance construction of such water and sewer  
15 facilities.
- 16 C. Are based on a reasonable relationship between the use of the Water and  
17 Sewer Development Impact Fees and the type of development projection  
18 which it is imposed.
- 19 D. Are based on a reasonable relationship between the need for such  
20 facilities and the type of development project on which it is imposed.
- 21 E. Do not exceed the reasonable estimated cost to construct such facilities.

22 **Section 2:** The Water and Sewer Development Impact Fees described in the attached  
23 Exhibit "A" are hereby established, and shall become effective on January 1, 2019, after  
24 adoption of this Resolution.

25 **Section 3:** The Water and Sewer Development Impact Fees described in Exhibit "A"  
26 shall be adjusted on July 1<sup>st</sup> of each year, by the change in the California Construction Code  
27 Index (CCCI), effective upon publication of such index for the preceding calendar year.  
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**Section 4:** All Water and Sewer Development Impact Fees shall be collected prior to the issuance of a building permit for construction of any facility.

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**PASSED, APPROVED, AND ADOPTED** this 11<sup>th</sup> day of December, 2018.

\_\_\_\_\_  
DEBORAH ROBERTSON, Mayor

**ATTEST:**

\_\_\_\_\_  
BARBARA A. McGEE, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
FRED GALANTE, Esq., City

1 **STATE OF CALIFORNIA** )  
2 **COUNTY OF SAN BERNARDINO** ) ss  
3 **CITY OF RIALTO** )

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing  
5 Resolution No. \_\_\_\_\_ was duly passed and adopted at a regular meeting of the Rialto City  
6 Council of the City of Rialto held on the 11th day of December, 2018.

7 Upon motion of Council Member \_\_\_\_\_, seconded by Council  
8 Member \_\_\_\_\_, the foregoing Resolution No. \_\_\_\_\_ was duly passed and adopted.

9 Vote on the motion:

10 AYES:

11 NOES:

12 ABSENT:

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14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the  
15 City of Rialto this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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17 \_\_\_\_\_  
18 BARBARA A. McGEE, City Clerk  
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1 **Exhibit "A"**

2 Water Development Impact Fee

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6	Water Meter Size	Proposed DIF
7	5/8" x 3/4" Displacement	\$3,107.07
8	1" Displacement	\$5,188.79
9	1 1/2" Displacement	\$10,346.55
10	2" Displacement	\$16,560.69
11	3" Displacement	\$33,152.40
12	3" Displacement Compound	\$33,152.40
13	3" Class I & II Turbine	\$36,259.46
14	4" Displacement Compound	\$51,794.80
15	4" Class I Turbine	\$65,248.42
16	4" Class II Turbine	\$65,248.42
17	6" Displacement Compound	\$103,558.58
18	6" Class I Turbine	\$134,629.25
19	6" Class II Turbine	\$134,629.25
20	8" Displacement Compound	\$165,699.93
21	8" Class I Turbine	\$289,982.63
22	8" Class II Turbine	\$289,982.63

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1 Sewer Treatment Development Impact Fees

Customer Class	Unit of Measure	Total
Single-Family Residential	SF DU	\$1,968.69
Multi-Family Residential	MF DU	\$1,672.53
Barber Shop/Beauty Parlor	per station	\$260.16
Car Wash	1000 sf	\$17,831.22
Church	1000 sf	\$352.99
General Commercial	1000 sf	\$769.46
Department and Retail Store	1000 sf	\$769.46
Health Club/Spa	1000 sf	\$5,690.33
Hospitals, Dental Office, Clinic	1000 sf	\$2,420.24
Indoor Theatre	1000 sf	\$1,225.85
Laundromats	1000 sf	\$28,003.16
Lumber Yard	1000 sf	\$310.95
Professional Offices	1000 sf	\$1,374.55
Warehouse/Manufacturing (domestic)	1000 sf	\$191.83
Hotels/Motels (1)	room	\$1,094.67
Manufacturing (2)		
Repair and Service Stations, Gas Station	1000 sf	\$917.85
Bakeries (wholesale) Doughnut Shop	1000 sf	\$5,346.17
Banquet Room/Ball Room	1000 sf	\$15,274.68
Mortuary - Embalming Area	1000 sf	\$1,930.70
Restaurant/Full Service and Cafeteria	seat	\$477.57
Restaurant/Fast Food	seat	\$286.14
Restaurant, Take Out	1000 sf	\$5,728.02
Supermarkets	1000 sf	\$2,893.92
Schools - Elementary/Junior/Day Care	per student	\$70.35
Schools - High School/College	per student	\$141.83

22 Notes:

23 (1) For hotels with restaurants, the DIF for the hotel and the restaurant are calculated separately then added together.

24 (2) For industry and heavy manufacturing, the DIF for an equivalent warehouse is calculated, and added to the DIF calculated for non-domestic sewer flow according to the formula:

25 
$$DIF = \text{flow (gpd)} * \$5.02 + BOD \text{ (lb/day)} * \$1,007.38 + TSS \text{ (lb/day)} * \$1,128.90.$$

1 Sewer Collection Development Impact Fees

Customer Class	Unit of Measure	DIF
All Single-Family Residential	Dwelling Unit	\$834.00
Multi-Family and Mobile Homes	Dwelling Unit	\$708.90
All Non-Residential	Lineal Front Foot	\$8.34

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