



City of Rialto

Legislation Text

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For City Council Meeting and Rialto Utility Authority [January 8, 2019]

TO: Honorable Mayor and City Council

APPROVAL: Ahmad R. Ansari, Interim City Administrator

Sean Grayson, Interim City Administrator

FROM: Thomas J. Crowley, P.E., Utilities Manager

Request City Council Adopt **Resolution No. 7443** and Rialto Utility Authority Board Adopt **RUA Resolution No. 04-19**, Approving an Extraterritorial Wastewater Service Agreement with Social Science Services, Inc., for the Property Known as Cedar House and Located at 18612 Santa Ana Avenue, Bloomington, San Bernardino County, Assessor's Parcel Number 0257-031-16-0000.

BACKGROUND:

Under Title 12, Chapter 12.08 of the City of Rialto Municipal Code governing Public Utilities, the City Council established charges for connections to the City utility systems outside the City limits. Extraterritorial sewer fees have been established at 1.3 times the rates for City wastewater customers in accordance with Resolution No. 6209 adopted January 8, 2013. Section 5 of Resolution 6209 revised Section IX.A of Resolution No. 4746, and states:

"Connections Outside the City. Upon the recommendation of the City Engineer, and with the approval of the City Council, sewer connections may be made outside the City limits of Rialto, however, the charges for the provision of such service shall be established at a rate equal to one point three (1.3) times the current sewage rate or charges."

Therefore, in accordance with City Council policy established by Resolutions No. 4746 and 6209, City Council approval of an extraterritorial sewer service is required.

Social Science Services, Incorporated, the owner of the property located at 18612 Santa Ana Avenue, is on Santa Ana Avenue west of Cedar Avenue, in Bloomington, San Bernardino County (Assessor's Parcel Number 0257-031-16-0000). The property is an existing medical facility and currently on a septic system. The building is a 32,573 square foot building on approximately 4 acres within the County of San Bernardino, and the property owner has requested that the City approve a sewer connection. The property is currently located in an unincorporated area of San Bernardino County, and west of the City Limits of the City of Rialto.

ANALYSIS/DISCUSSION:

The City owns and operates a twenty-seven inch (27") sewer line extending within Santa Ana Avenue terminating west of the Cedar House property. If the Extraterritorial Agreement is approved, the

property owner will connect to the line directly in front of their property. Staff believes there is sufficient capacity to serve the property.

Rialto sewage treatment fees (for treatment of the wastewater at the treatment plant) vary. There are four groups with group I being residential and groups II, III and IV separated by strength of flow. Strength of flow relates to the biological and/or chemical demands of the sewage. It affects how difficult the flow is to treat at the plant.

The property owner is requesting the fees to be calculated using 32,573 sq. ft. of medical facility as this reflects the actual use. The total estimated amount of developer impact fees to be collected for this project is \$102,484.82 for wastewater treatment fees and \$3,534.49 for wastewater collection fees, for a total of \$106,019.31.

Staff has prepared an Extraterritorial Wastewater Service Agreement to facilitate approval of the service connection to the property located outside of City's corporate boundaries. The agreement describes the duties and responsibilities of the City of Rialto and the property owner. The proposed Extraterritorial Agreement is included as **Attachment 1**.

The proposed project was presented to the Water Subcommittee on August 29, 2018, who directed staff to present it to the Utilities Commission and City Council for approval. At the Utilities Commission meeting on December 18, 2018, the Commission recommended that Council approval the agreement.

If the Agreement is approved by Council, staff will submit the project to the Local Agency Formation Commission (LAFCO) as required by Government Code 56133.

ENVIRONMENTAL IMPACT:

The request is not a "Project" as defined by the California Environmental Quality Act (CEQA). Pursuant to Section 15378(a), a "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. The proposed agreement to connect the proposed development located south Seventh Street and West of Linden Avenue to the City's sanitary sewer system will not result in a direct or indirect physical change in the environment because the system has sufficient capacity and, as such, the action is not a "Project" as defined under CEQA.

GENERAL PLAN CONSISTENCY:

Public utility infrastructure, although often invisible, is an essential physical support system that enables us to live healthy, productive lives. These include reliable water supply systems, effective sewage collection and treatment facilities, storm water control, and energy and telecommunications systems.

The City of Rialto owns, operates, and maintains the local public sanitary sewer system, which includes a wastewater collection system and treatment plant that serve most properties within the City limits.

Goal 3-6: Require that all developed areas within Rialto are adequately served with essential public services and infrastructure.

Policy 3-6.1: Coordinate all development proposals with other affected public entities to ensure the provision of adequate public facilities and infrastructure services.

Goal 3-9: Upgrade and maintain an improved wastewater system with adequate plant efficiency and capacity to protect the health and safety of all Rialto residents, businesses, and institutions.

Policy 3-9.1: Require that all new development or expansion of existing facilities bear the cost of expanding the wastewater disposal system to handle the increased loads which they are expected to generate.

Policy 3-9.2: Evaluate the wastewater disposal system routinely to ensure its adequacy to meet changes in demand and changes in types of waste.

LEGAL REVIEW:

The City Attorney has reviewed and approved the staff report

FINANCIAL IMPACT:

Operating Budget Impact

The property owner will pay all costs associated with the service connection. The City will receive connection, permit and inspection fees along with the monthly wastewater service fees at the rate of 1.3 times the established rate for City wastewater customers. Revenues generated from the fees are budgeted during the normal budget process.

Capital Improvement Budget Impact

Consistent with Resolution No. 6209, all fees for extraterritorial sewer service have been established at a rate equal to 1.3 times the standard rates, including the monthly wastewater fee. The following **Table 1** estimates the one-time service establishment fees for the property, which will be collected once the agreement has been executed:

Description	Unit Measure	Unit	Rate	Extraterritorial Rate	Total
Wastewater Collection Fee	Lineal Front Foot	326	\$8.34	1.3	\$3,534.49
Wastewater Treatment Fee	Total Square Feet	32,573	\$2,420.24	1.3	\$102,484.82
Total					\$106,019.31

Table 1

RECOMMENDATION:

Staff recommends that the City Council Adopt **Resolution No. ____** and Rialto Utility Authority Board Adopt **Resolution No. ____**, Approving an Extraterritorial Wastewater Service Agreement with Social Science Services, Inc., for the Property Known as Cedar House and Located at 18612 Santa Ana Avenue, Bloomington, San Bernardino County, Assessor's Parcel Number 0257-031-16-0000.