

RESOLUTION NUMBER R- 287543

ADOPTED ON JUN 24 1996

WHEREAS, San Diego Municipal Code section 67.72 provides that minimum water capacity charges may be established by resolution of the City Council upon the giving of ten (10) days notice of intention to establish, amend, or increase said charges; and

WHEREAS, San Diego Municipal Code section 64.0410 provides that minimum sewer capacity charges may be established by resolution of the City Council upon the giving of ten (10) days notice of intention to establish, amend, or increase said charges; and

WHEREAS, said notices of intention have been given by posting in the office of the City Clerk; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That pursuant to San Diego Municipal Code section 67.72, the following water capacity charges are established:

A. A minimum capacity charge of two thousand five hundred dollars (\$2,500) per equivalent family unit (also known as equivalent dwelling unit) or its equivalent shall be paid.

B. Notwithstanding the above, a minimum capacity charge of one thousand five hundred dollars (\$1,500) per equivalent family unit or its equivalent shall be paid for (1) affordable housing units, defined as units planned to be occupied by (and with rates affordable to) families earning no more than 65% of median area

income adjusted for family size as certified by the San Diego Housing Commission; (2) new residential construction in City approved Redevelopment Areas; or (3) commercial and industrial enterprises which, as determined by the City Manager, meet all of the criteria set forth in Council Policy 900-12, as follows:

- a. Contribute to the improvement and growth of the City's economic base;
- b. Demonstrate an established track record for high volume tax revenue generation;
- c. Provide employment opportunities for City residents;
- d. Demonstrate a long-term commitment to the community;
- e. Are consistent with the City's Economic Development Policy and Strategic Plan and the community's needs and objectives; and
- f. Generate or retain stabilized annual City tax revenues of at least \$500,000, or create 200 quality jobs, or provide substantial new or expanding scientific research facilities.

2. That pursuant to San Diego Municipal Code section 64.0410, the following sewer capacity charges are established:

A. A minimum capacity charge of two thousand five hundred dollars (\$2,500) per equivalent family unit (also known as equivalent dwelling unit) or its equivalent shall be paid.

B. Notwithstanding the above, a minimum capacity charge of one thousand five hundred dollars (\$1,500) per equivalent

family unit or its equivalent shall be paid for (1) affordable housing units, defined as units planned to be occupied by (and with rates affordable to) families earning no more than 65% of median area income adjusted for family size as certified by the San Diego Housing Commission; (2) new residential construction in City approved Redevelopment Areas; or, (3) commercial and industrial business enterprises which, as determined by the City Manager, meet all of the criteria set forth in Council Policy 900-12, as follows:

- a. Contribute to the improvement and growth of the City's economic base;
- b. Demonstrate an established track record for high volume tax revenue generation;
- c. Provide employment opportunities for City residents;
- d. Demonstrate a long-term commitment to the community;
- e. Are consistent with the City's Economic Development Policy and Strategic Plan and the community's needs and objectives; and
- f. Generate or retain stabilized annual City tax revenues of at least \$500,000, or create 200 quality jobs, or provide substantial new or expanding scientific research facilities.

3. That the City Manager is directed to develop financing plans that incorporate these reduced water and sewer capacity charges with recommended levels of service charges and bond

financing, and with no service charge increases caused by the capacity charge reductions.

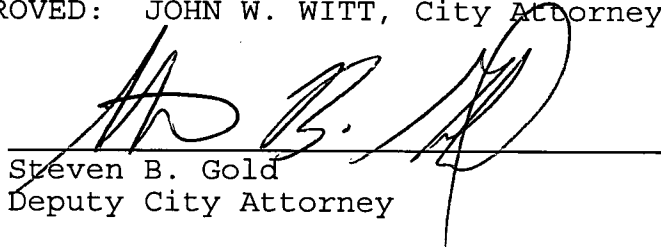
4. That charges imposed due to reimbursement agreements entered into by The City of San Diego shall be collected where applicable in every case.

BE IT FURTHER RESOLVED, that the City Manager is authorized to review water and sewer capacity charges paid on or after April 22, 1996 and make appropriate reimbursements in conformance with the charges authorized above.

BE IT FURTHER RESOLVED, that this resolution shall be effective and in force on the date of its passage.

APPROVED: JOHN W. WITT, City Attorney

By



Steven B. Gold
Deputy City Attorney

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