



**City of El Cerrito**

**Storm Drain Reconstruction Project**

**Fiscal Year 2014/15**

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**CITY COUNCIL**

Janet Abelson, Mayor

Rebecca Benassini, Mayor Pro Tem

Jan Bridges, Councilmember

Mark Friedman, Councilmember

Greg Lyman, Councilmember

**CITY STAFF**

Lisa K. Malek-Zadeh, Finance Director/City Treasurer

Lori Trevino, Senior Financial Analyst

**NBS**

Tim Seufert, Client Services Director

Jason Roth, Consultant

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# 1. EXECUTIVE SUMMARY

On March 2, 1993, the qualified voters of the City of El Cerrito (the "City") approved the issuance of revenue bonds, in an amount not to exceed \$6.3 million, to finance the first phase of the reconstruction of the City's storm drain system. The qualified voters also approved the repayment of those bonds through the imposition of an annual storm drain fee on property within the City.

Section 5470, et seq. of the *California Health and Safety Code* authorizes cities to enact an ordinance, approved by a two-thirds vote of the members of the legislative body, establishing fees and charges for services and facilities furnished by the City in connection with its storm drain system. The proceeds of these fees and charges may be used only for the acquisition, construction, reconstruction, maintenance, and operation of its storm drain facilities, including the repayment of principal and interest on bonds issued to finance the construction or reconstruction of such facilities.

The storm drain fees and charges shall be used exclusively for the uses and purposes of the storm drain system and for the payment of interest and redemption, including premiums payable from the calling of bonds, for those bonds authorized by the qualified voters on March 2, 1993, and for the payment of interest and redemption, including premiums payable from the calling of bonds, for any other bonds for storm drain construction or reconstruction which may be authorized in the future, provided that such bonds are approved in the manner required by California law.

The authorized amounts and rates for storm drain fees and charges are as follows:

Classification	Rate
Single Family residential	\$58.00 per unit
Multi Family residential 2 through 20 units	43.50 per unit
Multi Family residential over 20 units	870.00 plus 29.00 for each unit over 20
Commercial/Industrial	870.00 per acre
Institutional (Churches, Schools, Fraternal and Service Organizations)	406.00 per acre
Golf Courses, Cemeteries, Vacant Land	11.60 per acre

The following table summarizes the annual levy by Classification of parcel:

Classification	Number of Parcels (1)	Levy Total (2)
Single Family residential	7,507	\$440,386.00
Multi Family residential	617	119,886.00
Commercial/Industrial	259	102,970.58
Institutional (Churches, Schools, Fraternal and Service Organizations)	51	32,114.04
Golf Courses, Cemeteries, Vacant Land	218	2,404.72
<b>Total:</b>	<b>8,652</b>	<b>\$697,761.34</b>

(1) Includes parcels divided by City boundaries.

(2) Total amount may vary slightly due to rounding adjustments.

## 2. ASSESSMENTS

### 2.1. Method of Assessment

The number of Equivalent Residential Units (“ERUs”) was determined for each parcel based upon an estimate of the impervious surface associated with the use of the property.

- 1) Single Family (detached) Residential (“SFR”) parcels were assumed to have an average of 2,900 sq. ft. of impervious surface. Approximately 90% of the properties in the City are SFR. These parcels were assigned 1.0 ERU.
- 2) Multi Family dwelling unit complexes of up to 20 units were assigned 0.75 ERU (2,175 sq. ft) of impervious surface area per unit. Complexes of more than 20 units were assigned 15 ERU plus 0.5 ERU (1,450 sq. ft) for each unit over 20.
- 3) Commercial/Industrial uses were assigned 15.0 ERU (43,560/2,900 sq. ft.) of impervious surface area per acre.
- 4) Institutional uses such as Churches, Schools, Fraternal, and Service Organizations were assigned 7.0 ERU (21,000 sq. ft.) of impervious surface area per acre based upon the Contra Costa County Report on Stormwater Utility Assessment dated March 1994 (County Report).
- 5) Golf courses, cemeteries, and other open spaces were assigned 0.2 ERU (580 sq. ft.) per acre based upon the County Report.

The storm drain fee for a parcel is calculated by multiplying the number of ERU assigned to such parcel by the rate per ERU. The rate for the 2014/15 Fiscal Year is \$58.00/ERU.

The following table shows a breakdown of Classification of parcels by County Use Code and the associated rates for Fiscal Year 2014/15:

Classification	County Use Code (1)	ERU (2)	Rates
Single Family residential	11, 12, 13, 14, 15, 16, 19, 29, 89	1.0	\$58.00 per unit
Multi Family residential 2 through 20 units	21, 22, 23, 24, 25, 26, 27, 28	0.75*n	43.50 per unit
Multi Family residential over 20 units	21, 22, 23, 24, 25, 26, 27, 28	15.0 + 0.5*m	870.00 + 29.00 for each unit over 20
Commercial/Industrial	31, 32, 33, 34, 35, 36, 41, 42, 43, 44, 46, 47, 48, 49, 53, 85	15.0*A	870.00 per acre
Institutional (Churches, Schools, Fraternal and Service Organizations)	70, 71, 72, 75, 76	7.0*A	406.00 per acre
Golf Courses, Cemeteries, Vacant Land	10, 17, 18, 20, 30, 37, 38, 50, 63, 74, 78, 81	0.2*A	11.60 per acre

(1) Use Code 79 is assigned to Government Owned, and is not charged

(2) n = number of residential units up to 20

m = number of residential units over 20

A = acreage, per Contra Costa County Assessor or City Estimate

## **2.2. Collection of Fees and Charges**

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The storm drain fees and charges shall be collected on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, the City's general taxes.

The City Council shall have prepared each year, prior to the commencement of the fiscal year, a written report which shall be filed with the City. The report shall contain a description of each parcel of real property receiving storm drain services and the amount of the annual fee and charge for each parcel. This charge shall be computed in conformity with the fees and charges prescribed in the report.

## **2.3. Annual Hearing**

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Each year, prior to the commencement of the fiscal year, the City Council shall hold a public hearing at which the Council shall hear and consider all objections and protests, if any, to the written report. The City Council may continue the hearing from time to time. If the City Council finds that protest is made by the owners of a majority of the parcels of property described in the report, then the report shall not be adopted. In the event of such majority protest, the storm drain fees and charges shall be collected with the rates for any other publicly or privately owned public utility through agreement with such utility. If collected in this manner, the storm drain fees and charges shall not constitute a lien against any parcel or parcels of land.

## **2.4. Notice**

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Notice of the filing of the report and of the time and place of hearing thereon, shall be published once a week for two consecutive weeks prior to the hearing, in a newspaper of general circulation printed, published or distributed in the City.

### **3. LIST OF CHARGES**

The parcel list of charges is provided as a separate document.