

COUNCIL AGENDA – JUNE 3, 2014

SUBJECT: SECOND READING – ORDINANCE 1813, ESTABLISHING A WATER TRUNK FEE FOR COMMERCIAL CROP CULTIVATION

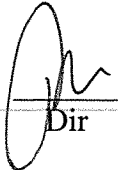


SOURCE: ADMINISTRATIVE SERVICES/CITY CLERK DIVISION

COMMENT: Ordinance No. 1813, An Ordinance of the City Council of the City of Porterville Establishing a Water Trunk Fee for Commercial Crop Cultivation, was given first reading on May 27, 2014, and has been printed.

RECOMMENDATION: That the Council give Second Reading to Ordinance No. 1813, waive further reading, and adopt said Ordinance.

ATTACHMENT: Ordinance No. 1813

Item No. 19

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ORDINANCE NO. 1813

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE  
ESTABLISHING A WATER TRUNK FEE FOR COMMERCIAL CROP CULTIVATION

WHEREAS: On June 13, 2013, the City Council of the City of Porterville approved the first minor Conditional Use Permit to allow commercial crop cultivation pursuant to the Crop Cultivation Ordinance (Section 301.06 of the Development Ordinance); and

WHEREAS: The aforementioned project requested use of City water as a secondary source in the event of an emergency; and

WHEREAS: The Council approved the minor Conditional Use Permit, including provision of water in emergency situations subject to a fee to be agreed upon by the project applicant and the City Engineer, and directed that a fee be adopted for similar future projects; and

WHEREAS: The fee was defined for that project as follows:

- a. The connection fee will be twenty five (25) percent of the Commercial rate per acre.
- b. At the election of the developer, the connection fee may be paid and held as a deposit for future developments.
- c. The water usage may be evaluated after one year to determine if the calculated fee is comparable to the stated reduced commercial rate.
- d. Upon payment of the connection fees and after the one year average daily usage analysis is complete, the developer/applicant may be due a refund should the reduced commercial connect fee prove to be excessive. Conversely, the developer/applicant may be required to pay an increased amount if the actual gallon per day water usage exceeds the estimated usage.

WHEREAS: A public hearing was held before the City Council on May 27, 2014 to consider the adoption of a water trunk fee for commercial crop cultivation.

NOW, THEREFORE, BE IT ORDAINED: That the City Council of the City of Porterville does hereby amend "Exhibit 'H'- Connection Fees" to add a Water Trunk Fee for Commercial Crop Cultivation in the amount of \$552.50 per acre, which is 25% of the Commercial rate per acre. At the election of the developer, the connection fee may be paid and held as a deposit for future developments. The water usage may be evaluated after one year to determine if the calculated fee is comparable to the stated reduced commercial rate. Upon payment of the connection fees and after the one year average daily usage analysis is complete, the developer/applicant may be due a refund should the reduced commercial connect fee prove to be excessive.

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This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage.

PASSED, APPROVED AND ADOPTED this 3<sup>rd</sup> day of June, 2014.

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Cameron J. Hamilton, Mayor

ATTEST:  
John D. Lollis, City Clerk

By: \_\_\_\_\_  
Patrice Hildreth, Chief Deputy City Clerk