

RESOLUTION NO. 10-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, ORDERING THE LEVYING OF AN OPERATION CHARGE AND A REPLACEMENT CHARGE IN THE LANCASTER SEWER SYSTEM FOR FISCAL YEAR 2010-2011

WHEREAS, the City Council on May 8, 2007, adopted Ordinance No. 876, An Ordinance of the City of Lancaster Municipal Code Adopting Chapter 13.09 Establishing a Sewer Service Charge for the purpose of providing funds for the provision of sewer maintenance services; and

WHEREAS, the City Council on April 24, 2007, approved Resolution No. 07-89 Fixing the Time and Place for Public Hearing on Establishing a Sewer Service Charge for the Maintenance of the Lancaster Sewer System and Authorizing the Collection of the Sewer Service Charges on the Property Tax Rolls of the County of Los Angeles; and

WHEREAS, the City Council on June 26, 2007, after hearing all protests to the sewer service charges, approved Resolution No. 07-124 confirming and adopting maximum charges for the Lancaster Sewer System for Fiscal Year's 2007-2008, 2008-2009, and 2009-2010 for the maintenance of the Lancaster Sewer System and authorized the collection of the Sewer Service Charges on the Property Tax Rolls of the County of Los Angeles; and

WHEREAS, the Director has caused an Engineer's Report to be prepared and filed for Fiscal Year 2010-2011 with the City Clerk as required by law; and

WHEREAS, the City Clerk did proceed to cause notice in the manner required by law of the time and place for a Public Hearing of the proposed charges and method of collection of the charges; and

WHEREAS, the City Council, on January 13, 2009, approved Ordinance No. 913 to comply with the intent of Article XIII D of the California Constitution which provides that governmental entities benefiting from any service shall pay their proportional share of the cost of such service; and

WHEREAS, the City Council has heard all testimony and evidence and is desirous of proceeding with the levy of the Sewer Service Charges.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, STATE OF CALIFORNIA, THAT:

Section 1. The City Council of the City of Lancaster hereby finds that the public interest and convenience requires the continued maintenance of the Lancaster Sewer System improvements within the Lancaster City boundaries.

Section 2. The charges as set forth in said Report, or as modified, are hereby approved, confirmed, and adopted by the City Council. Staff will submit an Engineer's Report each year determining the actual amount of the charges to be levied and shall submit such Report to the Council for approval. After which, the charges will be levied and collected in the same manner as described in Section 4. below.

Section 3. The adoption of this Resolution constitutes the levy of an Operations Sewer Service Charge of \$68.23 per sewerage unit and a Replacement Sewer Service Charge of \$9.77 for benefiting properties for the fiscal year commencing July 1, 2010, and ending June 30, 2011.

Section 4. The amount of Sewer Service Charges to be assessed for the expenses of the maintenance, operation, and service as described in said Report and Ordinance No. 876 shall be collected at the same time and in the same manner as County taxes are collected, or alternatively provided for in Ordinance No. 913, and shall be disbursed and expended for maintenance, operation and service of the District, all as described in the Engineer's Report and in Ordinance No. 876.

Section 5. The City Clerk is hereby ordered and directed to file a certified copy of this Resolution, upon its adoption, with the County Auditor.

PASSED, APPROVED, and ADOPTED this _____ day of _____, _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF RESOLUTION
CITY COUNCIL

I, _____, _____ City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original Resolution No. 10-41, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)