

ORDINANCE NO. 1945

AN ORDINANCE OF THE CITY OF REDLANDS AMENDING ARTICLE 592 OF THE REDLANDS ORDINANCE CODE TO CLARIFY AND UPDATE TEXT TO ALLOW FOR AMOUNTS TO BE CHARGED TO DEVELOPERS AND TO BE SET BY RESOLUTION AND CREDITED TO THE WATER SOURCE ACQUISITION FUND, TO BE BY RESOLUTION AND ESTABLISHING CONDITIONS FOR ACCEPTANCE OF WATER STOCK.

THE CITY COUNCIL OF THE CITY OF REDLANDS does ordain as follows:

SECTION ONE:

Article 592 of the Redlands Ordinance Code is hereby amended to read as follows:

Sec. 59200 PURPOSE

In order to provide an adequate water supply for new dwellings, subdivisions, other land developments within the City, approved developments outside the City, and to conserve the water supply, land owners, subdividers, and developers, before receiving final approval or securing water service, shall first pay to the City certain fees or convey to the City certain approved water rights or water stock. The fees received by the City are to be utilized for the purpose of obtaining approved water stock and water rights.

Sec. 59201 WATER SOURCE ACQUISITION FUND

The "Water Source Acquisition Fund" shall be established by the City for the purpose of providing funds for purchase of approved water stock and water rights. All revenue to the City of Redlands collected in accordance with this Article shall be deposited into the "Water Source Acquisition Fund". All interest on the cash balance of the fund shall accrue to the Water Source Acquisition Fund.

Sec. 59202 DEVELOPER REQUIREMENTS

1. Before any land subdivision, land development, or improvements that will require water service from the City is given final approval, the owner of the land shall make payment to the City of Redlands for deposit into the "Water Source Acquisition Fund" or convey to the City, free and clear with all assessments paid to the date of conveyance, sufficient City-approved water stock or other lawful water rights acceptable to the City in accordance with this Ordinance.
2. Land Development or Improvements within the City of Redlands:
 - a. Single Family Subdivisions: Pay an amount per gross acre to be developed or convey acceptable water stock. If any lot or lots exceed 20,000 square feet in area, such area in excess of 20,000 square feet shall be deducted from the total acreage of the subdivision.
 - b. Minor Single Family Subdivision: Pay an amount per lot created or convey acceptable water stock or water rights.
 - c. Single Family Home on Single Lot: Pay an amount or convey acceptable water stock or water rights. (1684)
 - d. Multiple Unit Residential Subdivisions and Multiple Unit Development: Pay an amount per dwelling unit or convey acceptable water stock or water rights.

- e. Non-Residential Developments or Improvements: Pay an amount per miner inch day per month (MID/Mo.) or an amount per cubic feet per month (ft.3/Mo.) of City of Redlands' estimated average monthly water consumption for development or convey acceptable water stock or water rights. (1684)

3. Land Developments or Improvements Outside of the City of Redlands:

The fees and requirements for land development or improvements outside of the City of Redlands shall be the same as for developments or improvements within the City, excepting for the "Single Family Home on a Single Lot" shall be to pay an amount or convey acceptable water stock or water rights.

Sec. 59203 CASH CREDITS

In the event land owners or developers desire to convey to the City of Redlands acceptable water stock or water rights in lieu of paying cash, cash credit amounts for stock in the following water companies or water rights, shall be given on the following bases:

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| 1. Mill Creek Water Rights | cash credit amount per miners inch day per month (MID/Mo.) |
| 2. Crafton Water Company | cash credit amt. per share of stock |
| 3. Redlands Heights Water Co. | cash credit amt. per share of stock |
| 4. South Mountain Water Co. | cash credit amt. per share of stock |
| 5. East Redlands Water Co. | cash credit amt. per share of stock |
| 6. Lugonia Water Company | cash credit amt. per share of stock |
| 7. Redlands Water Company | cash credit amt. per share of stock |
| 8. West Redlands Water Co. | cash credit amt. per share of stock |
| 9. East Lugonia Water Co. | cash credit amt. per share of stock |
| 10. Lugonia Park Water Co. | cash credit amt. per share of stock |
| 11. Bear Valley Mutual Water Co. | cash credit amt. per share of stock |

Sec. 59204. CONDITIONS FOR ACCEPTANCE OF WATER STOCK

1. The Water Board consisting of the City Manager, Director of Public Works and Utility Engineer, is hereby directed to determine the acceptability of any water stock by the City of Redlands. The conditions under which any stock is to be considered acceptable are as follows:

- a. The water delivered to the City by virtue of such stock ownership, shall be proved, by chemical or bacteriological analysis, to comply with all requirements of the State Department of Public Health.
- b. The Water Company shall have the physical capability to deliver the water to a point in the City's system that is economically feasible for such delivery as determined by the Water Board.
- c. The physical facilities of the Water Company shall be maintained in a sanitary condition as required by the State Department of Public Health.
- d. If at any time a Water Company does not, in the determination of the Water Board, comply with the above requirements, a. to c., stock from that Company shall be unacceptable to the City until such time as the requirements are met.

Sec. 59205 CASH CREDIT AMOUNT LIMITS

The cash credit amounts provided to land owners or developers shall not exceed the cash requirements under this Ordinance, excepting in order to provide cash credit for the nearest full share of water stock. "Water Credits" shall not be provided to land owners or developers with surplus shares of water stock or portions thereof.

Sec. 59206 WATER CREDIT TERMINATION

"Water Credits" on file in the office of Public Works Department of the City of Redlands were terminated March 6, 1984, in accordance with Ordinance 1684.

Sec. 59207 REPORT BY WATER BOARD

The Water Board, consisting of the City Manager, Public Works Director, and the Utilities Engineer, from time to time as required to accurately value cash credits for water stock to the City, shall set the cash credit amounts for each water company defined in Section 59203. The Water Board shall report annually, prior to January 31 of each year, to the City Council on the list of Water Companies and related cash credit amounts per share of stock.

Sec. 59208 AMOUNTS SET BY RESOLUTION

Amounts of cash requirements for land development defined in Section 59202 shall be set by resolution of the City Council. The cash credit amounts shall be set by the Water Board.

SECTION TWO: EFFECTIVE DATE

This Ordinance shall be in force and take effect as provided by law.

SECTION THREE: CERTIFICATION

The City Clerk shall certify to the adoption if this Ordinance and cause it to be published once in the Redlands Daily Facts, a newspaper of general circulation and published in this City.

ADOPTED, SIGNED, AND APPROVED THIS 6th DAY OF May, 1986.

ATTEST:

Carole Risman
Mayor of the City of Redlands

Lorrie Poyzer
City Clerk

I, Lorrie Poyzer, City Clerk, City of Redlands, hereby certify that the foregoing Resolution was duly adopted by the City Council at a regular meeting thereof on the 6th day of May, 1986, by the following vote:

AYES: Councilmembers Larsen, DeMirjyn, Wormser; Mayor Beswick
NOES: None
ABSENT: Councilmember Johnson

Lorrie Poyzer
City Clerk