CITY OF PACIFICA
Wastewater Capacity Fee Study

FINAL REPORT
February 4th, 2022

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February 4th, 2022

City of Pacifica
170 Santa Maria Avenue
Pacifica, CA 94044

Attn: Lisa Petersen, Director of Public Works

Re: Wastewater Capacity Fee Study

Bartle Wells Associates (BWA) is pleased to submit to the City of Pacifica (City) the attached Wastewater Capacity Fee Study. The results of the study are a product of extensive review of public information and input from City Staff.

This study presents BWA's analysis of the costs of the City's wastewater infrastructure, assets and projects benefiting new development. The enclosed report recommends updating capacity fees to recover the benefit associated with new wastewater development within the City given the latest changes in wastewater assets, expected growth, and capital plan. BWA finds that the proposed fees follow generally accepted fee design criteria and adhere to the substantive requirements of California government code.

We have enjoyed working with the City on this study. Please contact us with any future questions about this study and the recommended capacity fee.

Sincerely,

BARTLE WELLS ASSOCIATES

Doug Dove, CIPFA
Principal

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1 Introduction, Objectives, and Government Code

1.1 Introduction

Bartle Wells Associates (BWA) has been retained by the City of Pacifica (City) to evaluate the City's capacity fees as part of a comprehensive wastewater rate study. Key objectives of the study include (1) evaluating the City's current value of wastewater assets (2) developing a capacity fee that reflects the City's current assets and planned facilities expenditures, and (3) establishing a methodology for assessing fees for accessory dwelling units. BWA's recommended capacity fees align with industry standards and regional trends, while considering the City's need to address Accessory Dwelling Unit (ADU) developments.

The City of Pacifica contracted BWA to update the City's wastewater capacity fees with the goals of developing fees that:

- Recover the full cost of wastewater system infrastructure and assets that benefit new or expanded development to help ensure that growth pays its own way
- Equitably recover project costs associated with the increased capacity needs of the City
- Are consistent with industry-standard practices and methodologies
- Comply with government code

1.2 Government Code

Development impact fees are governed by California Government Code Section 66000 et. seq This section of the Code was initially established by Assembly Bill 1600 (AB 1600) and is commonly referred to as the Mitigation Fee Act. A development impact fee is not a tax or special assessment but is instead a voluntary fee levied to defray the cost of public facilities needed to serve a new development.

Section 66013 of the Code specifically governs water and wastewater capacity fees. This section of the Code defines a "capacity charge" to mean "a charge for public facilities in existence at the time a charge is imposed or charges for new public facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged." The Code distinguishes "capacity charges" from "connection fees" which are defined as fees for the physical facilities necessary to make a water or wastewater connection, such as costs related to installation of meters and pipelines from a new building to a water or wastewater main.

According to Section 66013, a water or wastewater capacity fee "shall not exceed the estimated reasonable cost of providing the service for which the fee or charge is imposed" unless approved by a two-thirds vote." As such, the capacity fees calculated in this report

represent the maximum fees that the City can levy. Section 66013 does not detail any specific methodology for calculating capacity fees.

Section 66016 of the Code identifies the procedural requirements for adopting or increasing water and wastewater capacity fees and Section 66022 summarizes the general process by which the fees can be legally challenged. The full text of Sections 66013, 66016 and 66022 are attached in **Appendix B**.

1.3 Municipal Code Regarding Accessory Dwelling Units

According to Ordinance No 854-C.S., an ordinance of the City Council of Pacifica, Sec 9-4.53 – Development standards for Accessory Dwelling Units (i) Utilities (2) "… the [accessory dwelling unit] connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit upon the water or sewer system, based upon either its square feet or the number of its drainage fixture unit values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials…" BWA developed fees for Accessory Dwelling Units based on the 2021 Uniform Plumbing Code.

2 Capacity Fee Methodology

2.1 Current Wastewater Capacity Fees

The City's current capacity fees are broken out into several categories: Connection Fees and Inflow and Infiltration Fees, Trunk Line Fees and Sewer Tap Fees – Per Tap. BWA evaluated the current cost for new customers to buy in to existing wastewater system capacity (which is currently shown as Connection Fees and Inflow/Infiltration Fees, Trunk Line Fees and Sewer Tap Fees.)

	2021/22 Capacity Fees, Adopted 1974, Escalated Annually		
	Single Family per unit	Multi-Family per unit	Commercial (for 12 fixture units)
Connection Fees	$1,452	$1,109	$1,463
Inflow/Infiltration Fees[1]	801	801	801
Trunk Line Fees[2]	1,098	1,098	1,098
Sewer Tap Fees - per tap	474	474	474
Total	**$3,825**	**$3,482**	**$3,836**

1 - or $1,706 per acre, whichever is higher
2 - or $2,193 per acre, whichever is higher

Based on BWA's 2021/22 survey of single family capacity fees in surrounding wastewater agencies, the City's current single family (SFR) wastewater capacity fee is below the regional average SFR wastewater capacity fee of $10,137. Pacifica's capacity fees are the lowest in the region. The full survey can be seen in **Appendix A**.

2.2 Proposed Wastewater Capacity Fees

This report develops updated wastewater capacity fees designed to equitably recover the costs of facilities and assets benefitting new development. The recommended fees are based on an average cost approach under which new or expanded connections would fund their proportionate share of costs (in current dollars) for capacity needed in existing and planned wastewater system facilities and assets. Under this approach, new connections pay for the average cost of facilities needed to serve that type of connection in the City's service area through buildout. Proposed fees assume 19 drainage fixture units per 1" or less connection, representing a typical family home.

	2022
Cost Per 1" Meter Equivalent Unit	$12,391
Cost Per Fixture Unit[1]	$652.16
Cost per Meter - 1" Base	
1" or less (Single Family Home)	$12,391
1 1/2"	$24,782
2"	$39,651
3"	$74,346
4"	$123,910
6"	$247,820
8"	$396,512

1 - Assumes 19 Drainage Fixture Units per 1" or less connection

For 2022, BWA calculates wastewater capacity fees to be $12,391 per meter equivalent unit, equal to one 1" or less water meter connection (the detailed calculation is shown in section 3.4 Wastewater Capacity Fee Calculation.) BWA recommends that the City charge capacity fees based on meter size to reflect differences in wastewater demand between customer classes that have varying meter sizes (typically demanding more water and producing more wastewater). This meter-based capacity fee structure aligns with industry trends in wastewater connection fees and closely resembles North Coast County Water District's meter-based water capacity fee charges. To comply with recent changes in state law, BWA also recommends that

capacity fees for accessory dwelling units are calculated on a $/draining fixture unit (DFU) basis. The calculation is based on 19 draining fixture units per 1" or less single-family metered connection according to the 2021 Uniform Plumbing Code and is calculated to be $652.16/DFU. Multi-family and commercial developments may also be charged on a $/DFU basis to account for wastewater demand from these customers that varies from a typical single-family home with the same meter size.

Fees were calculated using the Average (Buy-In + Expansion) Cost Methodology, described in detail in this report.

2.3 Average Cost (Buy-In + Expansion) Approach

BWA recommends use of an *average cost approach* to calculate updated wastewater capacity fees. Under this approach, new connections buy in for a proportionate share of capacity needs in existing assets (buy-in) and the City's schedule of planned capital improvements to wastewater system facilities and assets (expansion). The fees are calculated based on the total cost of facilities including the capital improvement plan, divided by the total number of customers that the City is projected to serve through build-out. Hence the fees recover the average cost of capacity in infrastructure and assets. The *average cost approach* is a widely used and accepted approach for calculating capacity fees.

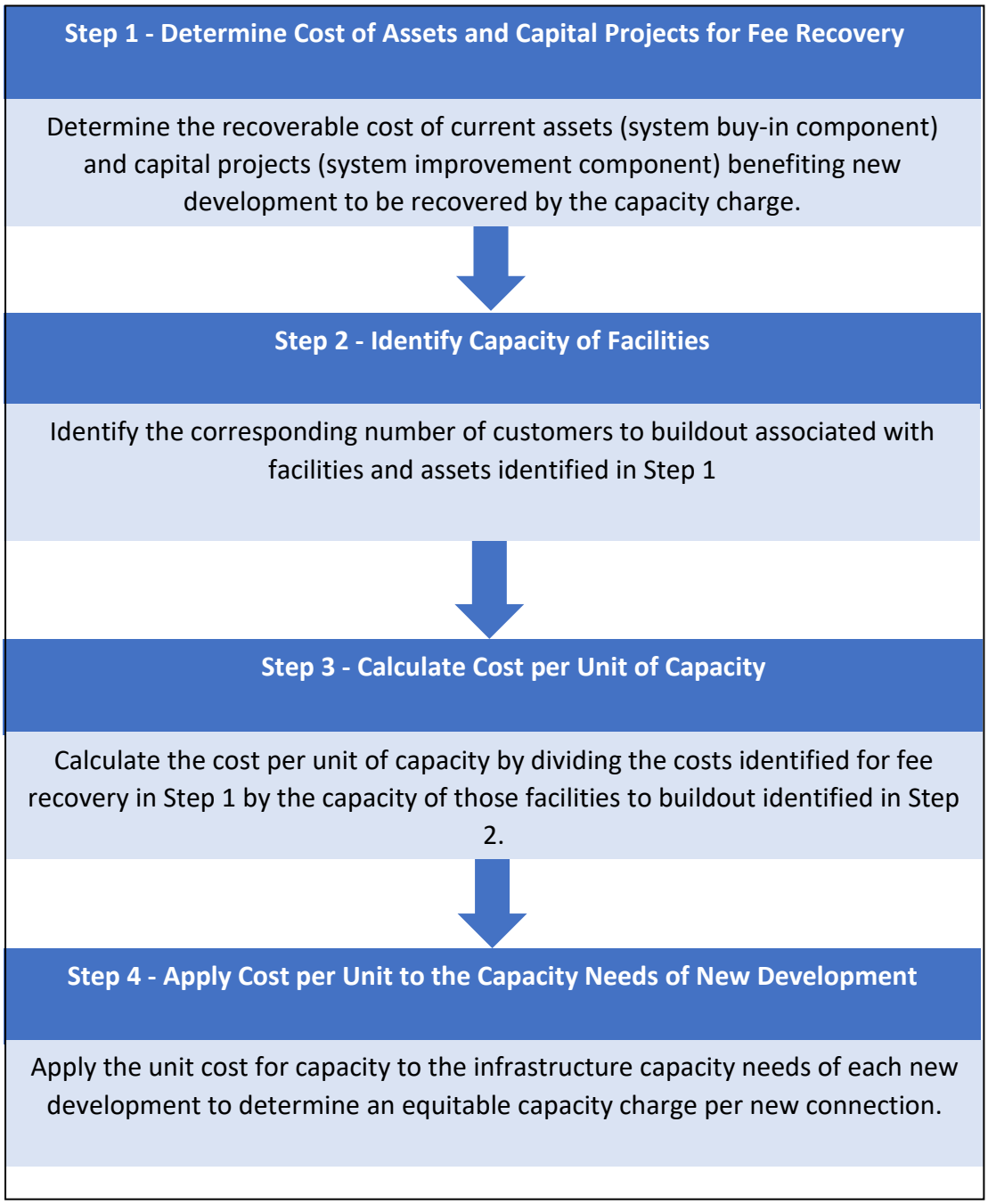
2.4 Facility Cost Valuation

There are several widely-used methods for valuing infrastructure and assets for cost recovery via capacity fees. BWA developed the capacity fees in this report using an asset valuation approach known as **Replacement Cost New Less Depreciation (RCNLD)** – This approach escalates the depreciated accounting book value of each asset escalated into current dollars based on the change in the Engineering News-Record (ENR) Construction Cost Index from each asset's acquisition date. The ENR index is a widely-used index for determining construction cost inflation.

2.5 General Fee Methodology

The general methodology used to calculate updated wastewater capacity fees is summarized on the following page.

Capacity Charge Methodology



3 Wastewater Capacity Fee Calculation

3.1 System Buy-In Component – Existing Assets

Under the methodology described in section 2, updated wastewater capacity fees are designed to recover the cost of existing wastewater system facilities and assets (in current dollars) as well as the cost of system upgrades and expansion needed to serve the City through buildout. The table below shows a summary of BWA's evaluation of current assets escalated using the RCNLD

Method as described above. BWA estimates that the City's wastewater system has a current value of $49,136,331 not including buildings, machinery, and equipment assets. This is the buy-in portion of the capacity fee calculation. A complete list of wastewater system assets and costs is included in the tables contained in **Appendix A**.

Asset Category	Net Present Value*
Land	$8,797,741
Buildings[1]	0
Collection System	13,341,274
Machinery and Equipment[1]	0
Calera Creek Plant	26,997,316
Total	**$49,136,331**

1 - Not included in capacity fee valuation
*Using Replacement Cost New Less Depreciation (RCNLD method)

3.2 System Expansion Component – Capital Improvement Plan

To account for capital improvement and expansion-related projects that will be part of the City's future asset value, the City's capital plan is included in the capacity fee calculation. A summary of the capital plan is shown below. The City's capital improvement plan is estimated to cost $125,002,000. A detailed list of capital improvement plan projects is shown in the tables contained in **Appendix A**.

Pacifica Capital Improvement Program

Description	Current Project Cost
Capital Plan	$125,002,000
Total	**$125,002,000**

3.3 Customer Base

The City's demographic data is shown in the table below. The City currently serves 12,393 wastewater connections, equal to 12,719 meter equivalent units of 1" or less water meters. Flow factors are determined by the American Water Works Association (AWWA).

Meter Equivalent Units - July 30, 2020

Meter Size (inches)	# of meters	Flow Factor for 1" Base	Meter Equivalent Units
5/8	11,242	1.0	11,242
3/4	317	1.0	317
1	608	1.0	608
1 1/2	69	2.0	138
2	72	3.2	230
3	7	6.0	42
4	3	10.0	30
6	4	20.0	80
8	1	32.0	32
Total	**12,323**		**12,719**

Conservatively assuming that the City is a slow-growth community, the City can expect 0.5% growth in new wastewater connections per year. As the City is mostly built out, BWA used a low growth assumption. In 20 years, the City will have approximately 1,334 additional meter equivalent units of 1" water meters or less as shown in the table below. Meter equivalent units that exist today will account for 90.51% of all wastewater customers, while the 1,334 future meters will account for 9.49% of all wastewater customers in 20 years, totaling 14,054 estimated meter equivalent units in 2041.

Meter Equivalent Units

Demographic Statistics	Existing Total (2021)	Projected Service Total (2041)*	Total Change (Cumulative)		Annualized Change (per year, 20 years)	
Meter Equivalent Units: Wastewater	12,719	14,054	1,334	10.49%	67	0.5%

*assumes 0.5% growth per year, slow-growth community

This projection will serve as the dividing factor for the proposed capacity fee calculation.

3.4 Wastewater Capacity Fee Calculation

BWA calculated the proposed wastewater capacity fee based on an average cost approach. The fee is designed to recover costs for:

- **System Buy-In Component - Existing Facilities & Assets:** To be reasonable and conservative, fee recovery accounts for the book value of the City's wastewater facilities escalated to current dollars using the ENR Construction Cost Index (RCNLD Method)

- **System Improvement Component - Capital Projects:** The fee recovers capital improvement project costs according to the City's Capital Improvement Plan. Total

costs for fee recovery are divided by the total number of customers in number of meter equivalent units through build-out, resulting in a fee of $12,391 per meter equivalent unit. Fees for larger meters are escalated based on AWWA meter factor ratios using a 1" base. These fees do not include the physical cost of a wastewater connection. The new proposed capacity fees would place the City in the middle range for single-family capacity fees in the region, as shown in **Appendix A**.

BWA also calculated a cost per fixture unit for accessory dwelling units based on 19 drainage fixture units per 1" or less meter capacity, according to typical number of drainage fixtures per single family home and drainage fixture unit values in the 2021 Uniform Plumbing Code shown in the following table. This fixture unit approach may be used to estimate actual needed capacity in multi-family and accessory dwelling units, which may have less actual demand on the wastewater systems than the capacity of the 1" or less meters that would likely serve them.

Fixture Type	Quantity	DFU (1)	Total DFU
Bathtub(with or without shower)	1	2	2
Clothes Washer	1	3	3
Dishwasher	1	2	2
Lavatory	2	1	2
Shower (single)	1	2	2
Kitchen Sink	1	2	2
Toilet (1.6 gal per flush)	2	3	6
DFU's in a Typical Single Family Residence			**19**

1. DFU=Drainage Fixture Units as defined in Chapter 7 of the CA Plumbing Code
Source: 2021 Uniform Plumbing Code Tabe 702.1

As an example, consider the fee for a customer with an ADU that includes a lavatory, shower (single), kitchen sink, and toilet (1.6 gal per flush). The total fixture units would be calculated as the following (1+2+2+3=8 drainage fixture units). The cost per drainage fixture unit of $652.16 would be multiplied by 8 to determine a total fee of $5,217.28.

Fixture Type	Quantity	DFU (1)	Total DFU
Bathtub(with or without shower)	0	2	0
Clothes Washer	0	3	0
Dishwasher	0	2	0
Lavatory	1	1	1
Shower (single)	1	2	2
Kitchen Sink	1	2	2
Toilet (1.6 gal per flush)	1	3	3
DFU's in Example ADU			**8**

1. DFU=Drainage Fixture Units as defined in Chapter 7 of the CA Plumbing Code

3.5 Proposed 2022 Fee

A summary of the 2022 proposed fees is presented in the table below.

	2022
Cost Per 1" Meter Equivalent Unit	$12,391
Cost Per Fixture Unit[1]	$652.16
Cost per Meter - 1" Base	
1" or less (Single Family Home)	$12,391
1 1/2"	$24,782
2"	$39,651
3"	$74,346
4"	$123,910
6"	$247,820
8"	$396,512

1 - Assumes 19 Drainage Fixture Units per 1" or less connection

Commercial Strength Adjustment: Fees listed above are for residential and standard strength commercial (175 mg/l BOD and 175 mg/l TSS). Commercial discharging lower or higher strength than standard should be adjusted by multiplying the standard strength fee by the calculated strength factor. The formula for calculating strength factor is:

Strength Factor = 44%+(28%*BOD(mg/l)/175 + 28%*TSS(mg/l)/175)

4 Conclusion and Recommendations

4.1 Conclusion

BWA finds that the proposed fees follow generally accepted fee design criteria and adhere to the substantive requirements of the Government Code. The above proposed capacity fees, including an increase in the wastewater fee per meter equivalent unit and cost per drainage fixture unit, represent the most up to date and equitable distribution of cost for new development for the wastewater enterprise. The revised fee structure from cost per unit to cost per meter size will align the City's capacity fee structure with regional standards and the City's current water capacity fees. BWA recommends that the City adopt the proposed 2022 fees enclosed in this report by following the procedure to increase capacity fees as follows:

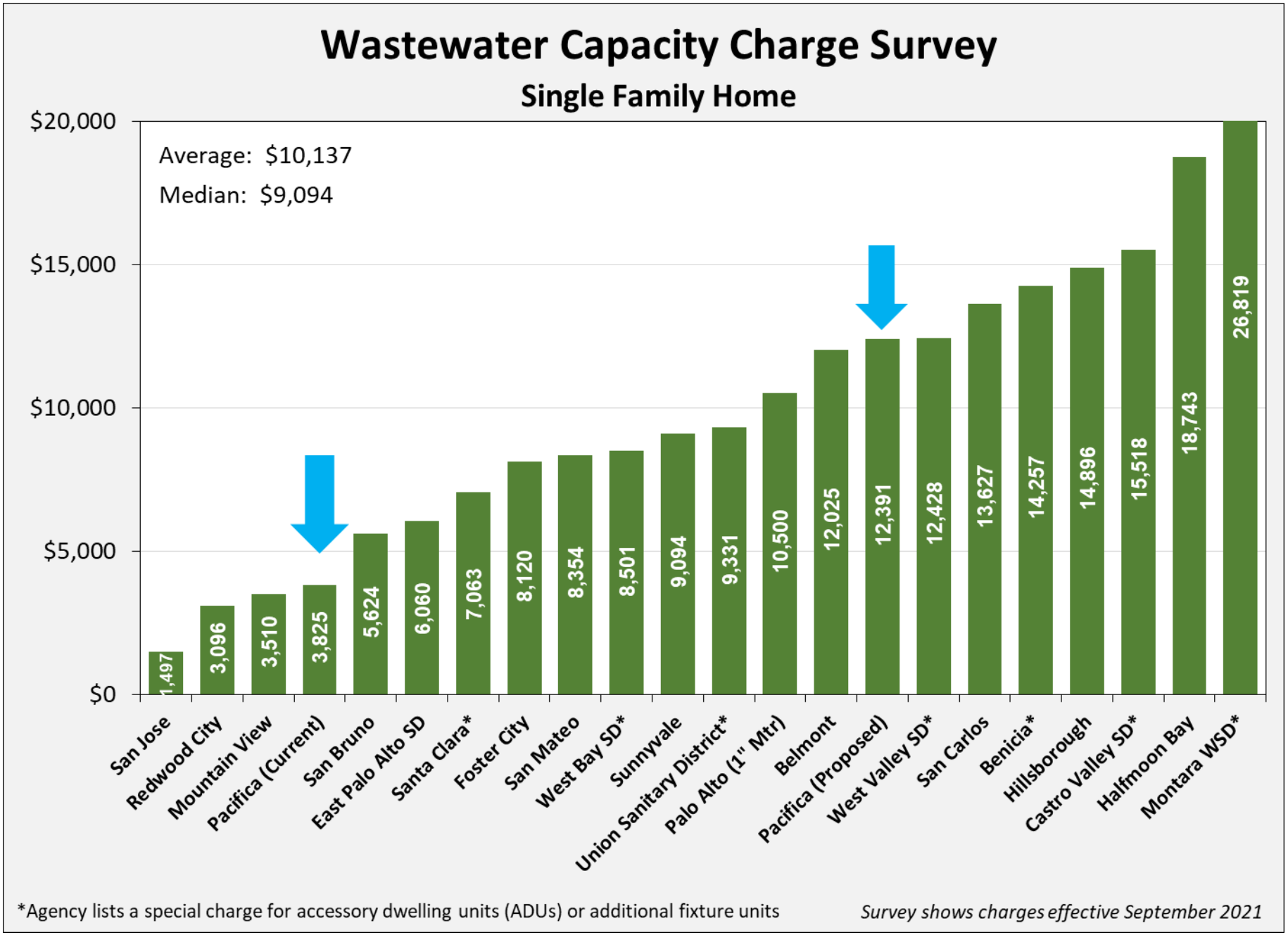
1. Create a nexus study to determine equitable capacity fees (Done by BWA)
2. Set date of a public hearing as required in Government Code
3. Send notice of hearing to developers if specifically requested in writing 14 days before the hearing.

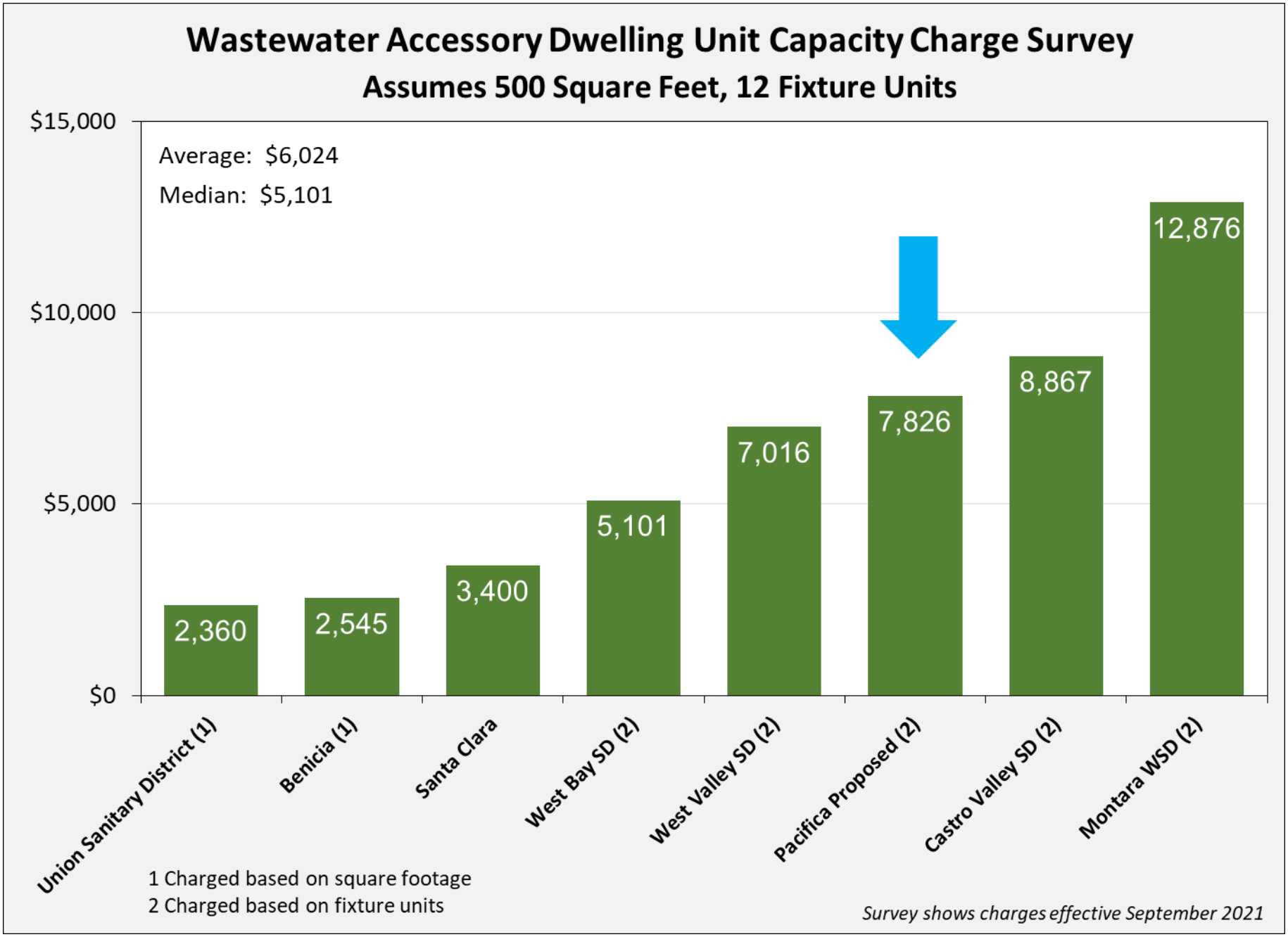
4. Hold public hearing and adopt new capacity fees via Resolution
5. Fees may become effective not less than 30 days after adoption

4.2 Future Fee Adjustments

In future years, BWA recommends that the City update its capacity fees annually by adjusting the fees by the change in the Engineering News-Record Construction Cost Index to account for future construction cost inflation. Additionally, the City should review and consider updating its capacity fees when substantial revisions are made to anticipated capital improvement costs or to substantial changes in projected demand. In general, BWA recommends that capacity fees be independently reviewed and/or updated approximately once every five years.

Appendix A – Supporting Tables for Wastewater Capacity Fees


Wastewater Capacity Charge Survey
Single Family Home
Average: $10,137
Median: $9,094
$20,000
$15,000
$10,000
$5,000
$0
1,497
3,096
3,510
3,825
5,624
6,060
7,063
8,120
8,354
8,501
9,094
9,331
10,500
12,025
12,391
12,428
13,627
14,257
14,896
15,518
18,743
26,819
San Jose
Redwood City
Mountain View
Pacifica (Current)
San Bruno
East Palo Alto SD
Santa Clara*
Foster City
San Mateo
West Bay SD*
Sunnyvale
Union Sanitary District*
Palo Alto (1" Mtr)
Belmont
Pacifica (Proposed)
West Valley SD*
San Carlos
Benicia*
Hillsborough
Castro Valley SD*
Halfmoon Bay
Montara WSD*
*Agency lists a special charge for accessory dwelling units (ADUs) or additional fixture units
Survey shows charges effective September 2021


Wastewater Accessory Dwelling Unit Capacity Charge Survey
Assumes 500 Square Feet, 12 Fixture Units
$15,000
$10,000
$5,000
$0
Average: $6,024
Median: $5,101
2,360
2,545
3,400
5,101
7,016
7,826
8,867
12,876
Union Sanitary District (1)
Benicia (1)
Santa Clara
West Bay SD (2)
West Valley SD (2)
Pacifica Proposed (2)
Castro Valley SD (2)
Montara WSD (2)
1 Charged based on square footage
2 Charged based on fixture units
Survey shows charges effective September 2021

CAPITAL IMPROVEMENT PROJECTS (COST IN THOUSAND DOLLARS)

PROJECT	21-22	22-23	23-24	24-25	25-26	26-27	27-28	28-29	29-30	30-31	31-32	TOTALS
COLLECTION SYSTEMS												
Linda Mar Pump Station Upgrade	$ 1,475	$ 590	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,065
Linda Mar Pump Station - Bar Screen Rebuild	$ -	$ 150	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 150
Linda Mar Pump Station - New Washer/Compactor	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 160	$ 160
Rockaway PS Upgrade (Formerly Rockaway PS Upgrade FY 20-21)	$ 100	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 100
Rockaway PS - Bar Screen Rebuild	$ -	$ 150	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 150
Sharp Park Pump Station Facility Improvements Project	$ 500	$ 1,500	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,000
Sharp Park Pump Station Bar Screen Rebuild	$ -	$ 250	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 250
Sharp Park Pump Station - New Washer/Compactor	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 160	$ 160
Anza Pump Station Rebuild	$ 1,000	$ 1,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,000
Sewer System Master Plan Update Phase 2	$ 20	$ -	$ -	$ -	$ -	$ -	$ 90	$ -	$ -	$ -	$ -	$ 110
Collection System Projects	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 1,100
Lateral Grant Assistance	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 1,100
Relocation of Sewer Mainline at SF RV Park	$ -	$ -	$ 200	$ 2,400	$ 1,200	$ -	$ -	$ -	$ -	$ -	$ -	$ 3,800
Collection System R&R Project Lower Linda Mar 1	$ -	$ -	$ 492	$ 2,786	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 3,278
Collection System R&R Project Lower Linda Mar 2	$ -	$ -	$ -	$ 492	$ 2,786	$ -	$ -	$ -	$ -	$ -	$ -	$ 3,278
Collection System R&R Project Lower Linda Mar 3	$ -	$ -	$ -	$ -	$ 492	$ 2,786	$ -	$ -	$ -	$ -	$ -	$ 3,278
Collection System R&R Project Fremont, Linda Mar Blvd & Catalina Av	$ -	$ -	$ -	$ -	$ -	$ 210	$ 1,190	$ -	$ -	$ -	$ -	$ 1,400
Collection System R&R Project Vallemar 1	$ -	$ -	$ -	$ -	$ -	$ -	$ 557	$ 3,152	$ -	$ -	$ -	$ 3,709
Collection System R&R Project Vallemar 2	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 557	$ 3,152	$ -	$ -	$ 3,709
Collection System R&R Project Vallemar 3	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 557	$ 3,152	$ -	$ 3,709
Collection System R&R Project Vallemar 4	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 557	$ 3,152	$ 3,709
Collection System R&R Project Fairway Park 1 & 2	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 990	$ 990
Rockaway Beach Ave (San Sewer) 1&2	$ -	$ -	$ 506	$ 2,863	$ 506	$ 2,863	$ -	$ -	$ -	$ -	$ -	$ 6,738
Forcemain Condition Assessment	$ -	$ -	$ -	$ 75	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 75
Linda Mar Pump Station Jockey Pump Upgrade	$ -	$ 50	$ 150	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 200
Collection System Projects	$ 3,295	$ 3,890	$ 1,548	$ 8,816	$ 5,184	$ 6,059	$ 2,037	$ 3,909	$ 3,909	$ 3,909	$ 4,662	$ 47,218
Total Collection System Projects FY 2022-27		**$**				**25,497**						
Total Collection System Projects FY 2027-32							**$**				**18,426**	

CAPITAL IMPROVEMENT PROJECTS (COST IN THOUSAND DOLLARS)

PROJECT	21-22	22-23	23-24	24-25	25-26	26-27	27-28	28-29	29-30	30-31	31-32	TOTALS
WASTEWATER TREATMENT PLANT												
Digesters - ATAD Modification Phase 3	$ 175	$ 150	$ -	$ -	$ 100	$ -	$ -	$ 100	$ -	$ -	$ 100	$ 625
CCWRP Pump Replacement	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 550
CCWRP Centrifuges	$ 25	$ 50	$ -	$ -	$ -	$ 250	$ -	$ -	$ -	$ 250	$ -	$ 575
CCWRP SCADA and PLC Upgrade	$ 200	$ 400	$ 400	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,000
Calera Creek and Wetlands Maintenance	$ 75	$ -	$ 30	$ -	$ 30	$ -	$ -	$ 30	$ -	$ 30	$ -	$ 195
CCWRP Parking Lot Restoration	$ -	$ -	$ -	$ -	$ 100	$ -	$ -	$ -	$ -	$ -	$ -	$ 100
CCWRP Roof Improvements	$ -		$ 200	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 200
CCWRP Laboratory Room Improvement	$ 25	$ -	$ -	$ -	$ 25	$ -	$ -	$ -	$ -	$ 25	$ -	$ 75
CCWRP Security & Gate System	$ 70	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 70
CCWRP Blower Replacement	$ 30	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 530
San Pedro Creek & Pacifica State Beach TMDL, BMP, Monitoring Plan	$ 10	$ 10	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 20
CCWRP Arc Flash Hazard Analysis	$ 65	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 65
CCWRP R&R Project	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 550
CCWRP R&R Project - Transformer Upgrade	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
CCWRP R&R Project - Grit Classifier Upgrade	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
CCWRP R&R Project - Sand Filter Upgrade	$ 170	$ 150	$ -	$ -	$ 750	$ 750	$ -	$ -	$ -	$ -	$ -	$ 1,820
Ultraviolet Disinfection System Upgrade	$ 122	$ 3,760	$ 2,980	$ 4,570	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 11,432
CCWRP Photovoltaic System Improvement Project	$ 280	$ 100		$ 1,100	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,480
CCWRP Process Optimization Projects	$ 50	$ 100	$ -	$ -	$ 100	$ 50	$ 50	$ 50	$ 50	$ 50	$ 50	$ 550
Sewer Rate Study for FY 2022-2027	$ 20	$ -	$ -	$ -	$ -	$ 50	$ 20	$ -	$ -	$ -	$ 50	$ 140
CCWRP R&R Project - Drain Pump Station Piping Replacement	$ 40	$ 100	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 140
CCWRP R&R Project - Plant Effluent Pipe Line Spot Repair	$ 100	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 100
CCWRP Electrical Condition Assessment and Improvements	$ 50	$ 100	$ 750	$ 750	$ 750	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,400
CCWRP Environmental Compliance Project	$ 50	$ -	$ -	$ -	$ 50	$ -	$ -	$ -	$ 50	$ -	$ -	$ 150
CCWRP Admin Building Elevator Assessement	$ 40	$ -	$ -	$ -	$ -	$ 100	$ -	$ -	$ -	$ -	$ -	$ 140
CCWRP Headworks Feasibility and Improvements	$ 50	$ 100	$ 300	$ -	$ 1,500	$ 3,500	$ 5,000	$ -	$ -	$ -	$ -	$ 10,450
CCWRP Vehicle Storage and Office Facility	$ 17	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 400	$ 4,000	$ -	$ 4,417
CCWRP Projects	$ 1,764	$ 5,170	$ 4,810	$ 6,570	$ 3,555	$ 4,850	$ 5,220	$ 330	$ 650	$ 4,505	$ 350	$ 37,774
Total Wastewater Treatment Plant Projects FY 2022-27		**$**				**24,955**						
Total Wastewater Treatment Plant Projects FY 2027-32							**$**				**11,055**	

Collection System and Wastewater Treatment Plant Projects	$ 5,059	$ 9,060	$ 6,358	$ 15,386	$ 8,739	$ 10,909	$ 7,257	$ 4,239	$ 4,559	$ 8,414	$ 5,012	
lection System and Wastewater Treatment Plant Projects FY 2022-27		**$**				**50,452**						
lection System and Wastewater Treatment Plant Projects FY 2027-32							**$**				**29,481**	

CAPITAL IMPROVEMENT PROJECTS (COST IN THOUSAND DOLLARS)

PROJECT	21-22	22-23	23-24	24-25	25-26	26-27	27-28	28-29	29-30	30-31	31-32	TOTALS
OTHER												
540 Crespi Drive Tree Replacement	$ 10	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 10
Beach Blvd Infrastructure Resiliency Project	$ -	$ -	$ -	$ -	$ -	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ -	$ -	$ 40,000
Other Wastewater Projects	$ 10	$ -	$ -	$ -	$ -	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ -	$ -	$ 40,010
Total Wastewater Other Projects FY 2022-27		**$**				**10,000**						
Total Wastewater Other Projects FY 2027-32							**$**				**30,000**	

WASTEWATER ASSETS											
DESCRIPTION		#YEARS	ENR CCI (yearly average)	LATEST ENR (May 2021)	% INCREASE FROM ACQUISITION DATE	ORIGINAL COST	PRESENT VALUE AS OF May 2021	Depreciation As of 2021	DEPRECIATION PRESENT VALUE AS OF May 2021)	RCNLD AS OF May 2021	USEFUL LIFE
LAND											
FY 95-96	1995	26	5,471	11,990	119%	$4,014,412	$8,797,741	$0	$0	$8,797,741	
TOTAL LAND						**$4,014,412**	**$8,797,741**	**$0**	**$0**	**$8,797,741**	
COLLECTION SYSTEM											
ANZA PUMP STATION											
FY 85-86	1985	36	4,195	11,990	186%	$28,364	$81,068	$28,364	$81,068	$0	20
FY 86-87	1986	35	4,295	11,990	179%	$88,600	$247,336	$88,600	$247,336	$0	20
FY 87-88	1987	34	4,406	11,990	172%	$22,544	$61,348	$22,544	$61,348	$0	20
FY 88-89	1988	33	4,519	11,990	165%	$1,455	$3,860	$1,455	$3,860	$0	20
FY 95-96	1995	26	5,471	11,990	119%	$6,350	$13,916	$6,350	$13,916	$0	20
FY 96-97	1996	25	5,620	11,990	113%	$3,885	$8,288	$3,885	$8,288	$0	20
FY 03-04	2003	18	6,694	11,990	79%	$10,048	$17,997	$9,043	$16,198	$1,800	20
FY 04-05	2004	17	7,115	11,990	69%	$108,092	$182,152	$91,878	$154,829	$27,323	20
FY 05-06	2005	16	7,446	11,990	61%	$5,988	$9,642	$4,790	$7,714	$1,928	20
FY 06-07	2006	15	7,751	11,990	55%	$8,351	$12,918	$6,263	$9,689	$3,230	20
FY 07-08	2007	14	7,966	11,990	51%	$0	$0	$0	$0	$0	20
FY 08-09	2008	13	8,310	11,990	44%	$1,739	$2,509	$1,130	$1,631	$878	20
FY 09-10	2009	12	8,570	11,990	40%	$8,827	$12,349	$5,296	$7,410	$4,940	20
FY 10-11	2010	11	8,799	11,990	36%	$2,679	$3,651	$1,473	$2,008	$1,643	20
FY 11-12	2011	10	9,070	11,990	32%	$0	$0	$0	$0	$0	20
FY 12-13	2012	9	9,308	11,990	29%	$8,249	$10,626	$3,712	$4,782	$5,844	20
ROCKAWAY PUMP STATION											
FY 85-86	1985	36	4,195	11,990	186%	$1,158	$3,310	$1,158	$3,310	$0	20
FY 87-88	1987	34	4,406	11,990	172%	$12,145	$33,050	$12,145	$33,050	$0	20
FY 88-89	1988	33	4,519	11,990	165%	$27,286	$72,396	$27,286	$72,396	$0	20
FY 96-97	1996	25	5,620	11,990	113%	$8,588	$18,322	$8,588	$18,322	$0	20
FY 97-98	1997	24	5,826	11,990	106%	$80	$165	$80	$165	$0	20
FY 02-03	2002	19	6,538	11,990	83%	$9,063	$16,620	$8,610	$15,789	$831	20
FY 03-04	2003	18	6,694	11,990	79%	$11,762	$21,067	$10,586	$18,961	$2,107	20
FY 04-05	2004	17	7,115	11,990	69%	$173	$292	$147	$248	$44	20
FY 05-06	2005	16	7,446	11,990	61%	$13,959	$22,477	$11,167	$17,982	$4,495	20
FY 06-07	2006	15	7,751	11,990	55%	$28,623	$44,277	$21,467	$33,207	$11,069	20
FY 07-08	2007	14	7,966	11,990	51%	$1,874	$2,821	$1,312	$1,974	$846	20
FY 08-09	2008	13	8,310	11,990	44%	$2,824	$4,075	$1,836	$2,648	$1,426	20
FY 09-10	2009	12	8,570	11,990	40%	$1,882	$2,633	$1,129	$1,580	$1,053	20
FY 10-11	2010	11	8,799	11,990	36%	$5,388	$7,342	$2,963	$4,038	$3,304	20
FY 11-12	2011	10	9,070	11,990	32%	$22,365	$29,565	$11,183	$14,782	$14,782	20
FY 13-14	2013	8	9,547	11,990	26%	$601	$755	$240	$302	$453	20
FY 18-19	2018	3	11,062	11,990	8%	$57,877	$62,732	$8,682	$9,410	$53,322	20
FAIRWAY PUMP STATION											
SHARP PARK PUMP STATION											
FY 01-02	2001	20	6,343	11,990	89%	$182,969	$345,859	$182,969	$345,859	$0	20
FY 02-03	2002	19	6,538	11,990	83%	$163,873	$300,523	$155,679	$285,497	$15,026	20
FY 03-04	2003	18	6,694	11,990	79%	$9,630	$17,249	$8,667	$15,524	$1,725	20
FY 05-06	2005	16	7,446	11,990	61%	$2,448	$3,942	$1,958	$3,154	$788	20
FY 06-07	2006	15	7,751	11,990	55%	$79,214	$122,535	$59,411	$91,901	$30,634	20
FY 07-08	2007	14	7,966	11,990	51%	$64,958	$97,771	$45,471	$68,439	$29,331	20
FY 08-09	2008	13	8,310	11,990	44%	$19,680	$28,395	$12,792	$18,457	$9,938	20
FY 09-10	2009	12	8,570	11,990	40%	$4,584	$6,413	$2,750	$3,848	$2,565	20
FY 10-11	2010	11	8,799	11,990	36%	$99,523	$135,614	$54,738	$74,588	$61,027	20
FY 11-12	2011	10	9,070	11,990	32%	$13,010	$17,198	$6,505	$8,599	$8,599	20
FY 12-13	2012	9	9,308	11,990	29%	$77,669	$100,048	$34,951	$45,021	$55,026	20
FY 15-16	2015	6	10,035	11,990	19%	$21,214	$25,347	$6,364	$7,604	$17,743	20
FY 16-17	2016	5	10,338	11,990	16%	$37,227	$43,176	$9,307	$10,794	$32,382	20
FY 17-18	2017	4	10,737	11,990	12%	$65,689	$73,355	$13,138	$14,671	$58,684	20

WASTEWATER ASSETS											
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SKYRIDGE PUMP STATION											
FY 10-11	2010	11	8,799	11,990	36%	$16,201	$22,076	$8,911	$12,142	$9,934	20
FY 11-12	2011	10	9,070	11,990	32%	$9,755	$12,895	$4,878	$6,448	$6,448	20
FY 15-16	2015	6	10,035	11,990	19%	$28,680	$34,267	$8,604	$10,280	$23,987	20
FY 18-19	2018	3	11,062	11,990	8%	$24,262	$26,297	$3,639	$3,945	$22,352	20
BRIGHTON PUMP STATION											
FY 85-86	1985	36	4,195	11,990	186%	$2,276	$6,505	$2,276	$6,505	$0	20
FY 96-97	1996	25	5,620	11,990	113%	$5,412	$11,546	$5,412	$11,546	$0	20
FY 05-06	2005	16	7,446	11,990	61%	$8,127	$13,086	$6,502	$10,469	$2,617	20
FY 06-07	2006	15	7,751	11,990	55%	$3,738	$5,782	$2,804	$4,337	$1,446	20
FY 07-08	2007	14	7,966	11,990	51%	$998	$1,502	$699	$1,051	$451	20
FY 08-09	2008	13	8,310	11,990	44%	$0	$0	$0	$0	$0	20
FY 09-10	2009	12	8,570	11,990	40%	$7,709	$10,785	$4,625	$6,471	$4,314	20
FY 10-11	2010	11	8,799	11,990	36%	$20,886	$28,460	$11,487	$15,653	$12,807	20
FY 11-12	2011	10	9,070	11,990	32%	$0	$0	$0	$0	$0	20
FY 12-13	2012	9	9,308	11,990	29%	$6,926	$8,922	$3,117	$4,015	$4,907	20
FY 13-14	2013	8	9,547	11,990	26%	$8,913	$11,194	$3,565	$4,477	$6,716	20
FY 17-18	2017	4	10,737	11,990	12%	$77,924	$87,018	$15,585	$17,404	$69,614	20
FY 18-19	2018	3	11,062	11,990	8%	$18,378	$19,919	$2,757	$2,988	$16,931	20
GENERAL COLLECTION SYSTEM											
FY 98-99	1998	23	5,920	11,990	103%	$57,075	$115,595	$57,075	$115,595	$0	20
FY 01-02	2001	20	6,343	11,990	89%	$9,598	$18,143	$9,598	$18,143	$0	20
FY 02-03	2002	19	6,538	11,990	83%	$263,855	$483,879	$250,662	$459,685	$24,194	20
FY 03-04	2003	18	6,694	11,990	79%	$20,650	$36,987	$18,585	$33,288	$3,699	20
FY 04-05	2004	17	7,115	11,990	69%	$21,834	$36,794	$18,559	$31,275	$5,519	20
FY 05-06	2005	16	7,446	11,990	61%	$83,112	$133,831	$66,490	$107,065	$26,766	20
FY 06-07	2006	15	7,751	11,990	55%	$391,239	$605,202	$293,429	$453,901	$151,300	20
FY 07-08	2007	14	7,966	11,990	51%	$29,548	$44,474	$20,684	$31,132	$13,342	20
FY 08-09	2008	13	8,310	11,990	44%	$31,025	$44,764	$20,166	$29,096	$15,667	20
FY 09-10	2009	12	8,570	11,990	40%	$547,346	$765,768	$328,408	$459,461	$306,307	20
FY 10-11	2010	11	8,799	11,990	36%	$932,293	$1,270,384	$512,761	$698,711	$571,673	20
FY 11-12	2011	10	9,070	11,990	32%	$889,766	$1,176,209	$444,883	$588,104	$588,104	20
FY 12-13	2012	9	9,308	11,990	29%	$398,660	$513,526	$179,397	$231,087	$282,439	20
FY 13-14	2013	8	9,547	11,990	26%	$2,153,962	$2,705,123	$861,585	$1,082,049	$1,623,074	20
FY 14-15	2014	7	9,806	11,990	22%	$997,923	$1,220,172	$349,273	$427,060	$793,112	20
FY 15-16	2015	6	10,035	11,990	19%	$252,540	$301,737	$75,762	$90,521	$211,216	20
FY 16-17	2016	5	10,338	11,990	16%	$176,830	$205,086	$44,207	$51,271	$153,814	20
FY 17-18	2017	4	10,737	11,990	12%	$3,742,457	$4,179,168	$748,491	$835,834	$3,343,334	20
FY 18-19	2018	3	11,062	11,990	8%	$3,439,136	$3,727,620	$515,870	$559,143	$3,168,477	20
LINDA MAR FORCE MAIN											
FY 97-98	1997	24	5,826	11,990	106%	$200,674	$412,987	$200,674	$412,987	$0	20
FY 98-99	1998	23	5,920	11,990	103%	$127,227	$257,676	$127,227	$257,676	$0	20
FY 99-00	1999	22	6,059	11,990	98%	$78,852	$156,037	$78,852	$156,037	$0	20
FY 01-02	2001	20	6,343	11,990	89%	$254,893	$481,813	$254,893	$481,813	$0	20

WASTEWATER ASSETS											
DESCRIPTION		#YEARS	ENR CCI (yearly average)	LATEST ENR (May 2021)	% INCREASE FROM ACQUISITION DATE	ORIGINAL COST	PRESENT VALUE AS OF May 2021	Depreciation As of 2021	DEPRECIATION PRESENT VALUE AS OF May 2021)	RCNLD AS OF May 2021	USEFUL LIFE
LINDA MAR PUMP STATION											
FY 85-86	1985	36	4,195	11,990	186%	$17,378	$49,669	$17,378	$49,669	$0	20
FY 86-87	1986	35	4,295	11,990	179%	$77,843	$217,306	$77,843	$217,306	$0	20
FY 87-88	1987	34	4,406	11,990	172%	$931	$2,534	$931	$2,534	$0	20
FY 88-89	1988	33	4,519	11,990	165%	$86,859	$230,456	$86,859	$230,456	$0	20
FY 90-91	1990	31	4,732	11,990	153%	$1,096	$2,777	$1,096	$2,777	$0	20
FY 91-92	1991	30	4,835	11,990	148%	$8,388	$20,801	$8,388	$20,801	$0	20
FY 92-93	1992	29	4,985	11,990	141%	$119,516	$287,460	$119,516	$287,460	$0	20
FY 93-94	1993	28	5,210	11,990	130%	$86,988	$200,188	$86,988	$200,188	$0	20
FY 95-96	1995	26	5,471	11,990	119%	$28,188	$61,775	$28,188	$61,775	$0	20
FY 96-97	1996	25	5,620	11,990	113%	$11,580	$24,705	$11,580	$24,705	$0	20
FY 00-01	2000	21	6,221	11,990	93%	$9,650	$18,599	$9,650	$18,599	$0	20
FY 02-03	2002	19	6,538	11,990	83%	$585,202	$1,073,190	$555,942	$1,019,531	$53,660	20
FY 03-04	2003	18	6,694	11,990	79%	$13,141	$23,537	$11,827	$21,184	$2,354	20
FY 04-05	2004	17	7,115	11,990	69%	$33,124	$55,819	$28,155	$47,446	$8,373	20
FY 05-06	2005	16	7,446	11,990	61%	$1,275	$2,053	$1,020	$1,642	$411	20
FY 06-07	2006	15	7,751	11,990	55%	$36,694	$56,761	$27,521	$42,571	$14,190	20
FY 07-08	2007	14	7,966	11,990	51%	$32,656	$49,152	$22,859	$34,406	$14,746	20
FY 08-09	2008	13	8,310	11,990	44%	$34,738	$50,121	$22,580	$32,579	$17,542	20
FY 09-10	2009	12	8,570	11,990	40%	$84,127	$117,698	$50,476	$70,619	$47,079	20
FY 10-11	2010	11	8,799	11,990	36%	$363,699	$495,592	$200,034	$272,576	$223,017	20
FY 11-12	2011	10	9,070	11,990	32%	$12,585	$16,636	$6,293	$8,318	$8,318	20
FY 12-13	2012	9	9,308	11,990	29%	$141,601	$182,400	$63,720	$82,080	$100,320	20
FY 13-14	2013	8	9,547	11,990	26%	$290,443	$364,762	$116,177	$145,905	$218,857	20
FY 14-15	2014	7	9,806	11,990	22%	$648,202	$792,565	$226,871	$277,398	$515,167	20
FY 15-16	2015	6	10,035	11,990	19%	$21,214	$25,347	$6,364	$7,604	$17,743	20
FY 16-17	2016	5	10,338	11,990	16%	$87,708	$101,723	$21,927	$25,431	$76,292	20
FY 17-18	2017	4	10,737	11,990	12%	$46,987	$52,470	$9,397	$10,494	$41,976	20
FY 18-19	2018	3	11,062	11,990	8%	$56,312	$61,036	$8,447	$9,155	$51,881	20
TOTAL COLLECTION SYSTEM						**$19,631,313**	**$26,157,346**	**$8,388,482**	**$12,816,071**	**$13,341,274**	
CALERA CREEK PLANT											
FY 95-96	1995	26	5,471	11,990	119%	$3,470,294	$7,605,285	$3,007,588	$6,591,247	$1,014,038	30
FY 96-97	1996	25	5,620	11,990	113%	$6,278,969	$13,395,778	$5,232,474	$11,163,148	$2,232,630	30
FY 96-97	1996	25	5,620	11,990	113%	$131,811	$281,210	$109,842	$234,341	$46,868	30
FY 97-98	1997	24	5,826	11,990	106%	$20,358,392	$41,897,578	$16,286,714	$33,518,062	$8,379,516	30
FY 98-99	1998	23	5,920	11,990	103%	$13,566,368	$27,476,272	$10,400,882	$21,065,142	$6,411,130	30
FY 99-00	1999	22	6,059	11,990	98%	$3,071,885	$6,078,829	$2,252,716	$4,457,808	$1,621,021	30
FY 00-01	2000	21	6,221	11,990	93%	$2,573,405	$4,959,796	$1,801,383	$3,471,857	$1,487,939	30
FY 01-02	2001	20	6,343	11,990	89%	$316,253	$597,800	$210,835	$398,533	$199,267	30
FY 02-03	2002	19	6,538	11,990	83%	$668,468	$1,225,890	$423,363	$776,397	$449,493	30
FY 03-04	2003	18	6,694	11,990	79%	$91,583	$164,038	$54,950	$98,423	$65,615	30
FY 04-05	2004	17	7,115	11,990	69%	$548,108	$923,649	$310,595	$523,401	$400,248	30
FY 05-06	2005	16	7,446	11,990	61%	$2,191,599	$3,529,019	$1,168,853	$1,882,143	$1,646,875	30
FY 06-07	2006	15	7,751	11,990	55%	$694,783	$1,074,750	$347,392	$537,375	$537,375	30
FY 07-08	2007	14	7,966	11,990	51%	$617,475	$929,384	$288,155	$433,712	$495,671	30
FY 08-09	2008	13	8,310	11,990	44%	$239,040	$344,894	$103,584	$149,454	$195,440	30
FY 09-10	2009	12	8,570	11,990	40%	$162,007	$226,657	$64,803	$90,663	$135,994	30
FY 10-11	2010	11	8,799	11,990	36%	$127,867	$174,237	$46,885	$63,887	$110,350	30
FY 11-12	2011	10	9,070	11,990	32%	$466,421	$616,576	$155,474	$205,525	$411,051	30
FY 12-13	2012	9	9,308	11,990	29%	$401,797	$517,567	$120,539	$155,270	$362,297	30
FY 13-14	2013	8	9,547	11,990	26%	$104,835	$131,660	$27,956	$35,109	$96,551	30
FY 14-15	2014	7	9,806	11,990	22%	$119,550	$146,175	$27,895	$34,108	$112,068	30
FY 15-16	2015	6	10,035	11,990	19%	$442,687	$528,927	$88,537	$105,785	$423,142	30
FY 16-17	2016	5	10,338	11,990	16%	$58,877	$68,285	$9,813	$11,381	$56,904	30
FY 17-18	2017	4	10,737	11,990	12%	$56,187	$62,744	$7,492	$8,366	$54,378	30
FY 18-19	2018	3	11,062	11,990	8%	$52,749	$57,174	$5,275	$5,717	$51,456	30
TOTAL CALERA CREEK PLANT						**$56,811,409**	**$113,014,173**	**$42,553,993**	**$86,016,857**	**$26,997,316**	

Appendix B – Government Code Pertaining to Capacity Fees

California Government Code
Key Sections Pertaining to Water & Wastewater Capacity Fees
Sections 66013, 66016, & 66022

66013

(a) Notwithstanding any other provision of law, when a local agency imposes fees for water connections or sewer connections, or imposes capacity charges, those fees or charges shall not exceed the estimated reasonable cost of providing the service for which the fee or charge is imposed, unless a question regarding the amount of the fee or charge imposed in excess of the estimated reasonable cost of providing the services or materials is submitted to, and approved by, a popular vote of two-thirds of those electors voting on the issue.

(b) As used in this section:

(1) "Sewer connection" means the connection of a structure or project to a public sewer system.

(2) "Water connection" means the connection of a structure or project to a public water system, as defined in subdivision (f) of Section 116275 of the Health and Safety Code.

(3) "Capacity charge" means a charge for public facilities in existence at the time a charge is imposed or charges for new public facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged, including supply or capacity contracts for rights or entitlements, real property interests, and entitlements and other rights of the local agency involving capital expense relating to its use of existing or new public facilities. A "capacity charge" does not include a commodity charge.

(4) "Local agency" means a local agency as defined in Section 66000.

(5) "Fee" means a fee for the physical facilities necessary to make a water connection or sewer connection, including, but not limited to, meters, meter boxes, and pipelines from the structure or project to a water distribution line or sewer main, and that does not exceed the estimated reasonable cost of labor and materials for installation of those facilities.

(6) "Public facilities" means public facilities as defined in Section 66000.

(c) A local agency receiving payment of a charge as specified in paragraph (3) of subdivision (b) shall deposit it in a separate capital facilities fund with other charges received, and account for the charges in a manner to avoid any commingling with other moneys of the local agency, except for investments, and shall expend those charges solely for the purposes for which the

charges were collected. Any interest income earned from the investment of moneys in the capital facilities fund shall be deposited in that fund.

(d) For a fund established pursuant to subdivision (c), a local agency shall make available to the public, within 180 days after the last day of each fiscal year, the following information for that fiscal year:

(1) A description of the charges deposited in the fund.

(2) The beginning and ending balance of the fund and the interest earned from investment of moneys in the fund.

(3) The amount of charges collected in that fiscal year.

(4) An identification of all of the following:

(A) Each public improvement on which charges were expended and the amount of the expenditure for each improvement, including the percentage of the total cost of the public improvement that was funded with those charges if more than one source of funding was used.

(B) Each public improvement on which charges were expended that was completed during that fiscal year.

(C) Each public improvement that is anticipated to be undertaken in the following fiscal year.

(5) A description of each interfund transfer or loan made from the capital facilities fund. The information provided, in the case of an interfund transfer, shall identify the public improvements on which the transferred moneys are, or will be, expended. The information, in the case of an interfund loan, shall include the date on which the loan will be repaid, and the rate of interest that the fund will receive on the loan.

(e) The information required pursuant to subdivision (d) may be included in the local agency's annual financial report.

(f) The provisions of subdivisions (c) and (d) shall not apply to any of the following:

(1) Moneys received to construct public facilities pursuant to a contract between a local agency and a person or entity, including, but not limited to, a reimbursement agreement pursuant to Section 66003.

(2) Charges that are used to pay existing debt service or which are subject to a contract with a trustee for bondholders that requires a different accounting of the charges, or charges that are used to reimburse the local agency or to reimburse a person or entity who advanced funds under a reimbursement agreement or contract for facilities in existence at the time the charges are collected.

(3) Charges collected on or before December 31, 1998.

(g) Any judicial action or proceeding to attack, review, set aside, void, or annul the ordinance, resolution, or motion imposing a fee or capacity charge subject to this section shall be brought pursuant to Section 66022.

(h) Fees and charges subject to this section are not subject to the provisions of Chapter 5 (commencing with Section 66000), but are subject to the provisions of Sections 66016, 66022, and 66023.

(i) The provisions of subdivisions (c) and (d) shall only apply to capacity charges levied pursuant to this section.

(Amended by Stats. 2007, Ch. 94, Sec. 1. Effective January 1, 2008.)

66016

(a) Prior to levying a new fee or service charge, or prior to approving an increase in an existing fee or service charge, a local agency shall hold at least one open and public meeting, at which oral or written presentations can be made, as part of a regularly scheduled meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, and a statement that the data required by this section is available, shall be mailed at least 14 days prior to the meeting to any interested party who files a written request with the local agency for mailed notice of the meeting on new or increased fees or service charges. Any written request for mailed notices shall be valid for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The legislative body may establish a reasonable annual charge for sending notices based on the estimated cost of providing the service. At least 10 days prior to the meeting, the local agency shall make available to the public data indicating the amount of cost, or estimated cost, required to provide the service for which the fee or service charge is levied, and the revenue sources anticipated to provide the service, including General Fund revenues. Unless there has been voter approval, as prescribed by Section 66013 or 66014, no local agency shall levy a new fee or service charge or increase an existing fee or service charge to an amount which exceeds the estimated amount required to provide the service for which

the fee or service charge is levied. If, however, the fees or service charges create revenues in excess of actual cost, those revenues shall be used to reduce the fee or service charge creating the excess.

(b) Any action by a local agency to levy a new fee or service charge or to approve an increase in an existing fee or service charge shall be taken only by ordinance or resolution. The legislative body of a local agency shall not delegate the authority to adopt a new fee or service charge, or to increase a fee or service charge.

(c) Any costs incurred by a local agency in conducting the meeting or meetings required pursuant to subdivision (a) may be recovered from fees charged for the services which were the subject of the meeting.

(d) This section shall apply only to fees and charges as described in Sections 51287, 56383, 65104, 65456, 65584.1, 65863.7, 65909.5, 66013, 66014, and 66451.2 of this code, Sections 17951, 19132.3, and 19852 of the Health and Safety Code, Section 41901 of the Public Resources Code, and Section 21671.5 of the Public Utilities Code.

(e) Any judicial action or proceeding to attack, review, set aside, void, or annul the ordinance, resolution, or motion levying a fee or service charge subject to this section shall be brought pursuant to Section 66022.

(Amended by Stats. 2006, Ch. 643, Sec. 19. Effective January 1, 2007.)

66022

(a) Any judicial action or proceeding to attack, review, set aside, void, or annul an ordinance, resolution, or motion adopting a new fee or service charge, or modifying or amending an existing fee or service charge, adopted by a local agency, as defined in Section 66000, shall be commenced within 120 days of the effective date of the ordinance, resolution, or motion.

If an ordinance, resolution, or motion provides for an automatic adjustment in a fee or service charge, and the automatic adjustment results in an increase in the amount of a fee or service charge, any action or proceeding to attack, review, set aside, void, or annul the increase shall be commenced within 120 days of the effective date of the increase.

(b)Any action by a local agency or interested person under this section shall be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure.

(c) This section shall apply only to fees, capacity charges, and service charges described in and subject to Sections 66013, 66014, and 66016.

(Amended by Stats. 2006, Ch. 643, Sec. 20. Effective January 1, 2007.