

RESOLUTION NO. 08-09

A RESOLUTION OF THE CITY OF EAGLE, ADA COUNTY, IDAHO, SETTING THE STORAGE AND TRUNK LINE FEE (STL) PER EQUIVALENT RESIDENTIAL CUSTOMER (ERC), SETTING THE WATER CONSTRUCTION EQUIVALENCY FEE (WCE) AND SETTING THE HOOK-UP FEE TO BE APPLIED IN THE CITY OF EAGLE SERVICE AREA; PROVIDING A SCHEDULE FOR PAYMENT DUE AT PRELIMINARY PLAT AND FINAL PLAT; ESTABLISHING A STORAGE AND TRUNK LINE (STL) AND WATER CONSTRUCTION EQUIVALENCY (WCE) FEE CREDIT PROVISION; ESTABLISHING THE USES FOR FEE ACCOUNTS; SETTING EQUIVALENT RESIDENTIAL CUSTOMER (ERC) UNITS BASED ON METER SIZE; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Eagle, Idaho ("City") is a municipal corporation operating under the laws of the State of Idaho and is authorized to fix rates and charges and take such other actions incidental to the management and operation of a municipal water system pursuant to Title 50, Chapter 10, Idaho Code; and

WHEREAS, development within the City increases the demand on the City's Water System requiring additional sources of supply, treatment, operation, maintenance, repair, replacement of and improvements to the City's Water System within the City of Eagle Water Service Area as set forth in the Master Plan which was amended in February 2005 and further updated in March, 2008; and

WHEREAS, the City periodically reviews the fee schedule to maintain reasonable fees to cover the costs associated with the increased demand on the City's Water System; and

WHEREAS, notice of the proposed increase in fees and imposition of new fees was published in the Valley Times, newspaper of general circulation within the City, June 23, 2008, and June 30, 2008, as required by law; and

WHEREAS, pursuant to a public hearing on the proposed fees held on July 8, 2008, as required by law, the City Council of the City of Eagle (the "Council") desires to set fees as set forth below.

NOW, THEREFORE BE IT RESOLVED BY THE EAGLE CITY COUNCIL, Ada County, Idaho, as follows:

Section 1: The following schedule outlines the Storage and Trunk Line Fee (STL), the Water Construction Equivalency Fee (WCE) and the Hook-up Fee as applied per Equivalent Residential Customer (ERC) in the City of Eagle's Water Service Area:

1. STL Fee per ERC.....	<b>\$2100.00</b>
2. WCE Fee per ERC paid at building permit issuance.....	<b>\$400.00</b>
3. Hook-up fee per ERC paid at building permit issuance.....	<b><u>\$850.00</u></b>
TOTAL	<b>\$3350.00</b>

Section 2: The following table provides for a scaled STL fee to be applied to applications for seventy (70) lot subdivisions or less, seventy (70) lot to five-hundred (500) lot

subdivisions, and subdivisions of five-hundred (500) lots or greater. A portion of the STL fee shall be paid at the time of application for preliminary plat approval and the remaining portion of the STL fee shall be paid at the time of application for final plat approval as follows:

Size of Application	Preliminary Plat Fee Per Lot or ERC	Final Plat Fee Per Lot or ERC
70 Lot Subdivision or less	\$ 1,050	\$ 1,050
71 to 500 Lot Subdivision	\$1,135.47 +(-1.221 x Total Lots)	(\$ 2,100 minus Preliminary Plat Fee per Lot) x Lots in Final Plat
Greater than 500 Lot Preliminary Plat	25% of \$ 2,100 x Total Lots	75% of \$ 2,100 x Lots in Final Plat

Section 3: The Owner may provide for planning, development or construction of the public water system improvements identified in the Water Master Plan upon written approval of the City in lieu of the STL and WCE fee provided for herein. Upon written approval of the City, the STL and WCE fee may be credited/reimbursed as follows:

1. All eligible costs must be approved in writing by the City before the costs are incurred.
2. Eligible costs may include costs incurred for improvements having system-wide application as defined in the Water System Master Plan including water right transfer, appropriation, well permits, well development and construction, trunk line construction, pressure reducing/boosting stations, and storage reservoir design and construction.

Section 4: STL and WCE fees shall be tracked as individual accounts and shall be used in the following manner:

1. Eligible costs for water supply related expenses including well permitting, design and construction of wells, buildings, treatment, and appurtenances shall be credited/reimbursed from the WCE account.
2. Eligible costs for water storage, distribution system improvements, pressure regulation and control expenses shall be credited/reimbursed from the STL account.
3. Costs that shall be ineligible for credit/reimbursement shall include but not be limited to costs related to: (a) distribution system (8-inch diameter or less) design and approval, (b) construction of distribution or service extensions within the development, (c) defending against appeals, protests, or other legal challenges, (d) design and construction modifications required by the Idaho State Department of Environmental Quality, (e) contractors hired directly by the Owner unless the project was publicly bid from documents reviewed and approved by the City.

4. The determination as to whether eligible costs are allocated as a credit or a reimbursement shall be made by the City, at its sole discretion.

Section 5: Calculation of Equivalent Residential Customer (ERC) units shall be based on installed meter size based on the following table:

Meter Size (inch)	ERC's
5/8	1.00
5/8 x 3/4	1.00
3/4	1.00
1	1.78
1-1/2	4.00
2	7.11
3	16.00
4	28.44

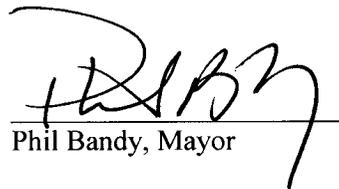
ERC's for meters greater than 4-inch shall be calculated on an individual basis. Where commercial or industrial buildings with office or retail are planned but meter size has not been determined, the ERC fee shall be calculated on the basis of 21.74 ERCs per 100,000 square feet of gross area.

Section 6: Existing City rates and fees that are not in conflict with the rates and fees adopted by this Resolution shall remain in full force and effect.

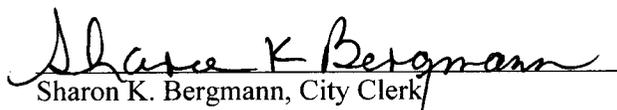
Section 7: This Resolution shall take effect immediately upon its passage and approval.

DATED this 8th day of July, 2008.

CITY OF EAGLE, IDAHO

  
Phil Bandy, Mayor

ATTEST:

  
Sharon K. Bergmann, City Clerk

