

RESOLUTION NO. 28018

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA LEVYING AND ASSESSING WASTEWATER SERVICE CHARGES AND REPEALING RESOLUTION NO. 27538

WHEREAS, Chapter 15-20 of the Santa Rosa City Code provides for the operation of sanitary sewer facilities as a City-owned utility "maintained and operated under the control and direction of the Board of Public Utilities in accordance with the City Charter"; and

WHEREAS, it is a policy of the City that the wastewater (sewer) system, including the wastewater treatment and disposal facilities, be operated as a self-supporting utility and that service charges for its use shall be calculated and changed from time to time in sufficient amounts to operate and maintain the sewer system to meet the needs of all users; and

WHEREAS, the Board of Public Utilities has reviewed the proposed sewer service charges to determine their adequacy and satisfy the financial needs required to operate and maintain the sanitary sewer system of the City of Santa Rosa; and

WHEREAS, the Council finds that the rate increases set forth below are for the purpose of meeting increased operating expenses, cost of supplies, materials and equipment, and financing capital projects necessary to maintain service within existing service areas.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa repeals Resolution No. 27538 and establishes the following monthly wastewater (sewer) service charges to be reflected on billings rendered on and after January 14, 2012, and on and after January 1, 2013.

1. Fixed Monthly Charges

- (a) Residential: The fixed monthly charge per sewer connection for single family residential users, on billings rendered on and after January 14, 2012, shall be \$19.57. The fixed monthly charge per sewer connection for single family residential users, on billings rendered on and after January 1, 2013, shall be \$20.16.
- (b) Commercial/Industrial: The fixed monthly charge per sewer connection for commercial, industrial, and multi-family residential users is based on the size of the water meter to the premises and shall be as follows:

MeterSize (in inches)	On Billings Rendered On and After January 14, 2012	On Billings Rendered On and After January 1, 2013
5/8	\$19.57	\$20.16
1	\$43.59	\$44.90
1 ½	\$93.02	\$95.81
2	\$162.05	\$166.91
3	\$359.50	\$370.29
4	\$635.88	\$654.96
6	\$1,425.59	\$1,468.36

2. General User Charges

- (a) Residential: In addition to the fixed monthly charge set forth in section 1, residential users shall pay a user charge of \$12.00 for each 1,000 gallons of wastewater generated, on billings rendered on and after January 14, 2012, and \$12.36 for each 1,000 gallons of wastewater generated, on billings rendered on and after January 1, 2013.
- (b) Commercial/Industrial: In addition to the fixed monthly charge set forth in section 1, commercial/industrial users shall pay a user charge of \$12.00 for each 1,000 gallons of wastewater generated, on billings rendered on and after January 14, 2012, and \$12.36 for each 1,000 gallons of wastewater generated on billings rendered on and after January 1, 2013; provided, however, that those commercial/industrial users identified in section 3 shall pay only the user charges therein set forth. Commercial/industrial users identified and coming within the provisions of section 4 shall also pay a surcharge as therein set forth.

3. User Charges for Certain Commercial/Industrial Operations

In addition to the fixed monthly charges set forth in section 1, the following types of commercial/industrial operations shall pay a user charge for each 1,000 gallons of water used, based on wastewater strength ranges on file at the Utilities Department, as follows:

Category	On Billings Rendered On and After January 14, 2012	On Billings Rendered On and After January 1, 2013
Bakery, Commercial	\$17.41	\$17.93
Bakery, Industrial	\$47.42	\$48.84
Car Wash, Commercial	\$7.46	\$7.68
Combined General Commercial/Food	\$13.80	\$14.22
Electronics Manufacture	\$12.58	\$12.95
Food Processor	\$20.66	\$21.28
Garbage and Septic	\$32.83	\$33.81
Glass Products	\$10.07	\$10.38
Gray Water delivered by truck – any landfill	\$35.44	\$36.51
Groundwater	\$7.46	\$7.68
Hotel/Motel w/Restaurant	\$13.80	\$14.22
Landfill Leachate delivered via pipeline – Meacham Road	\$5.24	\$5.40
Landfill Leachate delivered by truck – all other landfills	\$16.96	\$17.47
Miller	\$16.70	\$17.20
Mortuary	\$13.80	\$14.22

Category	On Billings Rendered On and After January 14, 2012	On Billings Rendered On and After January 1, 2013
Newspaper	\$10.71	\$11.03
Restaurant	\$15.85	\$16.33
Supermarket	\$15.85	\$16.33
Water Purifier	\$12.96	\$13.35
Waste Hauler Service:	Effective January 14, 2012: \$465.60 for each 1,000 gallons of wastewater discharged to the City's sanitary sewer system	
	Effective January 1, 2013: \$479.57 for each 1,000 gallons of wastewater discharged to the City's sanitary sewer system.	
One Time Discharge:	Effective January 14, 2012: A fee of \$439.01 plus a quantity charge of \$12.00 for each 1,000 gallons of wastewater discharged to the City's sanitary sewer system. There is an additional flat rate of \$131.68 per hour if the discharge period exceeds three hours.	
	Effective January 1, 2013: A fee of \$452.18 plus a quantity charge of \$12.36 for each 1,000 gallons of wastewater discharged to the City's sanitary sewer system. There is an additional flat rate of \$135.63 per hour if the discharge period exceeds three hours.	

4. High Strength Surcharge

(a) Calculated

In addition to the fixed and user charges set forth in sections 1, 2, and 3, for a commercial/industrial user whose wastewater strengths exceed the range for its category, as determined by being sampled and analyzed, a High Strength Surcharge shall be imposed, calculated, and billed based on the actual test results.

For a commercial/industrial user whose wastewater strengths are lower than the range for its category, as determined by being sampled and analyzed, a user charge based on section 2(b) may be assigned, and a High Strength Surcharge imposed if appropriate, provided the resulting total user charge is not greater than the user charge for its original category.

The High Strength Surcharge related to Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS) and ammonia (as measured by Total Kjeldahl Nitrogen (TKN)) will be based on laboratory analysis, made by the City of Santa Rosa from time to time, of the discharge to the sewer from the premises as follows:

The monthly surcharge will be developed for each industrial and commercial connection to the sewer system, whose wastewater is sampled and analyzed, based on

the flow from the premises, the laboratory analysis, and the high strength surcharges as follows:

**High Strength Surcharges
Surcharge Per Pound**

Pollutant	Effective January 14, 2012	Effective January 1, 2013
BOD	\$1.04	\$1.07
TSS	\$1.10	\$1.14
Ammonia (TKN)	\$2.83	\$2.92

Illustrated below is a sample high strength surcharge calculation for a large industrial user discharging a higher than average strength or level of BOD. Average strengths or levels (measured at the treatment plant headworks) for this sample calculation are 210 milligrams (mg)/L for BOD, 220 mg/L for TSS and 35 mg/L for ammonia (as measured by TKN).

Flow Characteristics:

Measured monthly flow = One million gallons (MG)

Measured strengths (BOD) = 550 mg/L

Monthly Surcharge Calculation: (based on rates effective January 14, 2012)

Pounds of High Strength BOD: (measured BOD - threshold limit) mg/L
x 8.34lbs/gallon x Flow MG x Surcharge \$/lb

Example: 550 mg/L- 210 mg/L
x 8.34 lbs/gallon x 1.0 MG
= 2,835 lbs. x \$1.04/lb
= \$2,948.40

(b) Precalculated

In addition to the fixed and user charges set forth in sections 1 and 2, the following types of commercial/industrial users shall pay a High Strength Surcharge for each 1,000 gallons of water used, based on the high strength flow from the premises, and based on wastewater strength ranges on file at the Utilities Department.

Category	On Billings Rendered On and After January 14, 2012	On Billings Rendered On and After January 1, 2013
Fisheries Processor	\$16.39	\$16.88
Laundry, Industrial	\$14.51	\$14.95
Winery (A)	\$27.71	\$28.51
Winery (B)	\$22.43	\$23.08

(c) Establishment of a Monthly Surcharge Rate

In addition to the fixed and user charges set forth in Sections 1 and 2, a monthly surcharge rate may be established for commercial/industrial users discharging high strength waste. The monthly rate shall be determined as set forth in 4(a) and by utilizing the average of twelve billing periods of analytical data. Should the discharge characteristics of a commercial/industrial category change over time from that which the rate was developed, the rate for that commercial/industrial discharger shall be developed in accordance with 4(a).

5. Mixed Service Users

The City of Santa Rosa shall place each account into one of the above categories of users based upon which is the predominant service use.

Business enterprises will be classified into a commercial or industrial category by the City of Santa Rosa in accordance with standard definitions.

BE IT FURTHER RESOLVED that wastewater service billings shall be based on these new rates and charges on billings rendered on and after January 14, 2012, and January 1, 2013.

BE IT FURTHER RESOLVED that the revenues collected from the adopted wastewater service charges shall be used to defray any expenses associated with the City's Local Wastewater Fund.

BE IT FURTHER RESOLVED that pursuant to City Code Section 15-20.040(C), the minimum sewer usage charge will be set at 1,000 gallons per month.

BE IT FURTHER RESOLVED that delinquent charges and all penalties thereon when recorded as provided in Chapter 6 of Part 1 of Division 2 of Title 5 of the Government Code and in Chapter 15-20 of the Santa Rose City Code, as the same now exist or may hereafter be amended, shall constitute a lien upon the real property served (except publicly-owned property) and such lien shall continue until the charge(s) and all penalties thereon are fully paid or the property sold therefore.

BE IT FURTHER RESOLVED that the Council, based on the reports, oral and written, of staff, the recommendations of the Board of Public Utilities, the other materials provided and considered, and the testimony and other evidence presented, finds that the changes in monthly service charges and rates set forth above are required and sufficient to meet the estimated costs and

operating expenses (including, but not limited to, employee wages and benefits, the cost of purchasing and/or leasing supplies, materials and equipment, financial reserve requirements, including payments on outstanding bonds, and capital costs required for replacements and previously approved improvements, including costs and improvements required to meet regional water quality control wastewater discharge requirements) of the City's wastewater utility, an enterprise system, which are necessary for the utility to continue to provide proper and adequate service to the properties and premises served by it. Based on this finding, the Council finds and determines that the changes in the service charges and rates set forth in this resolution are exempt from the provisions of the California Environmental Quality Act under section 15273 of the State CEQA Guidelines.

AYES: (6) Mayor Olivares, Vice Mayor Sawyer, Council Members Bartley, Gorin, Ours, Vas Dupre

NOES: (1) Council Member Wysocky

ABSENT: (0)

ABSTAIN: (0)

ATTEST: Terri Griffin, City Clerk

APPROVED: Ernesto Olivares, Mayor

APPROVED AS TO FORM:
Caroline Fowler, City Attorney