

RESOLUTION NO. 19-081

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING RESOLUTION NO. 19-039 FOR THE PURPOSE OF REVISING AND ESTABLISHING CERTAIN CITY FEES RELATED TO SEWER SERVICE CONNECTIONS

WHEREAS, The City's wastewater system plays a leading role in the protection of public health and the environment by operating and maintaining 256 miles of sewer mains, seven lift stations, over 7,000 access structures, two miles of pressurized force mains, and the El Estero Water Resource Center;

WHEREAS, there are approximately 27,000 privately owned sewer laterals that connect private plumbing fixtures to the City's wastewater collection system, which encompasses approximately 300 miles of privately owned sewer laterals;

WHEREAS, the Sewer Lateral Inspection Program (SLIP) was implemented in 2006 to increase public awareness of the impacts to public health and the environment from defective or poorly maintained private sewer laterals;

WHEREAS, poorly maintained or damaged private sewer laterals allow roots and other barriers to enter the City's sewer system, which affect the City's ability to prevent sewer overflow;

WHEREAS, in 2012 the City undertook the complete inspection of the sewer collection system utilizing Closed Circuit Television (CCTV) equipment, thereby providing new information on the condition of private laterals, and also increasing the number of inspection and repair notices sent to property owners; and

WHEREAS, Council has supported staff in seeking opportunities to reduce the burden to customers from repairing and replacing a private sewer lateral; and

WHEREAS, City staff has determined the reasonable cost to the City of providing the services for which the fees added or amended by this resolution will be collected and has further determined that the fees do not exceed the reasonable cost of providing the services; and

WHEREAS, the fee amendments adopted by this resolution reflect the reasonable cost to the City of providing the services for the fee is collected.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT:

Section 1. The Council hereby finds and determines that under Public Resources Code Section 21080(b)(8)(1)(2) and Title 14 of the California Administrative Code, Section

15273(a)(1X2), Division 13 of the California Public Resources Code is not applicable to this resolution.

Section 2. Pages numbered 113 through 119 of the fee resolution as originally adopted by Resolution No. 19-039 on June 18, 2019, establishing certain City-wide penalties, fees, and service charges, are hereby amended as follows:

## **SEWER RATES AND FEES**

Title 14 of the Santa Barbara Municipal Code authorizes the City Council to set water and sewer service charges;

Section 14.40.010 of the Santa Barbara Municipal Code authorizes the establishment by resolution of sewer service charges; and

Title 16 of the Santa Barbara Municipal Code authorizes the City Council to control and regulate discharges into the sewer system and to establish quantity standards, fees, and controls for dischargers.

### **Definitions**

Wherever used in this resolution, the following words shall have the meanings set forth beside them:

- A. "Composite sample." Two or more aliquot samples taken from the same waste stream over a period longer than fifteen (15) minutes.
- B. "Director." The Director of the City Public Works Department or his or her designated representative.
- C. "Hcf." 100 cubic feet.
- D. "Sewer" or "City sewer system." Any and all artificial conduits owned and operated by the City or any other public agency that are tributary to any wastewater treatment facility operated by the City.
- E. "Person." Any individual, partnership, co-partnership, firm, company, association, corporation, joint stock company, trust, estate, government entity, or any other legal entity, or their legal representatives, agents, or assigns. This definition includes all Federal, State, and Local government entities.
- F. "Waste." Sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing or processing operation of whatever nature.
- G. "Wastewater." Waste or water, treated or untreated, which is discharged into or permitted to enter a sewer.
- H. "Connection" or "Wye." The fitting or element of the sewer lateral that conveys the private sewage to the publicly maintained sewer.

**1. Sewer Service Rates.**

The following monthly rates and charges shall apply to use of sewers by the following categories of customers:

**A. Residential**

**Service Charge**

1. Applicable to all accounts serving one detached dwelling unit:

	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>
i. Fixed charge:	\$20.57	\$21.60	\$22.68
ii. Plus, charge based on the quantity of water consumed:			
	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>
1 Hcf to 10 Hcf:	\$3.37/HCF	\$3.53/HCF	\$3.71/HCF
Over 10 Hcf:	No additional charge		

2. Applicable to all accounts serving two to four detached dwelling units, Accessory Dwelling Units served by their own City water meter, and all accounts serving a dwelling unit attached to no more than three additional dwelling units:

	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>
i. Fixed charge per dwelling unit on account:	\$20.57	\$21.60	\$22.68
ii. Plus, charge based on the quantity of water consumed, up to the account cap. The account cap is equal to 10 HCF multiplied by the number of dwelling units on the account:			
	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>
Up to cap:	\$3.37/HCF	\$3.53/HCF	\$3.71/HCF
Over cap:	No additional charge		

3. Applicable to all accounts serving five or more dwelling units, and to accounts serving a dwelling unit attached to four or more additional dwelling units.

	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>
i. Fixed charge per dwelling unit on account:	\$20.57	\$21.60	\$22.68
ii. Plus, charge based on the quantity of water consumed:			
	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>
	\$3.37/HCF	\$3.53/HCF	\$3.71/HCF



C. High Strength and Industrial Class.

Applicable to all high strength commercial or industrial uses, including, but not limited to, food processing establishments, including bakeries; donut shops; butchers; restaurants (including fast food restaurants); delicatessens; hotels/motels with restaurants; industrial launderers; supermarkets/grocery stores; seafood processors; dairy processors; and alcoholic beverage producers, including breweries, wineries, and distilleries. Also applicable to mortuaries, cemeteries and mausoleums; and other commercial establishments with waste characteristics similar to those included above. The greater of:

	Service Charge		
	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>
1. Quantity of water consumed (\$/HCF):	\$5.20	\$5.46	\$5.73

Or

2. Charge based on water meter size:

	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>
5/8"	\$50.85	\$53.39	\$56.06
3/4"	\$76.28	\$80.09	\$84.09
1"	\$89.13	\$93.59	\$98.27
1 1/2"	\$153.10	\$160.76	\$160.80
2"	\$254.59	\$267.32	\$280.69
3"	\$509.04	\$534.49	\$561.21
4"	\$636.51	\$668.33	\$701.75
6"	\$1,272.76	\$1,336.40	\$1,403.22
8"	\$2,227.27	\$2,338.64	\$2,455.57
10"	\$3,500.20	\$3,675.21	\$3,858.97

D. The quantity of "water consumed" refers to the quantity of metered water service, other than through irrigation meters, provided monthly to a parcel having one or more connections to the City sewer system.

1. Where the quantity of wastewater which enters the sewer connection(s) to a particular parcel is substantially less than the quantity of metered service to the parcel, a sewer service customer shall be charged only for the

quantity of wastewater discharged to the sewer connections to the customer's property, provided the customer demonstrates annually to the satisfaction of the Director the amount of wastewater actually discharged monthly and annually from the property to the City sewer system.

2. Where the quantity of wastewater which enters the sewer connection(s) to a particular parcel is substantially more than the quantity of metered water service to the parcel, the sewer service customer shall be charged for the quantity of wastewater actually discharged to the sewer connections to the customer's property. The customer shall demonstrate monthly to the satisfaction of the Director the amount of wastewater actually discharged monthly and annually from the property to the City sewer system.

The above sewer charges shall be billed (i) effective the date of the sewer connection or (ii) as otherwise provided by written agreement of the customer and the Director.

**E. Wastewater Strength Surcharges (\$/LB)**

If the City's Water Resources Laboratory determines that a customer has exceeded the high strength discharge limit for Biochemical Oxygen (BOD), Total Suspended Solids (TSS), or Ammonia, a surcharge will be assessed for each constituent in excess of its relative limit.

	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY2022</u>
BOD (>750 mg/l)	\$0.28	\$0.30	\$0.32
TSS (>850 mg/l)	\$0.38	\$0.40	\$0.42
Ammonia (>90 mg/l)	\$0.89	\$0.93	\$0.98

- F. An account holder may request a change to their customer classification by filing a written request with the Public Works Director. The request must identify the requested classification and contain a detailed statement supporting the change based on water use patterns, wastewater strength characteristics, or other sewer service characteristics. The Director will document a decision on the request in writing. Any change in classification approved by the Director will go in effect upon commencement of the next complete billing cycle. The decision of the Director is final and not subject to appeal. The Director may delegate the authority under this provision.

**2. Industrial Waste Pretreatment Program Charges**

Every Person required to obtain a permit under Title 16 of the Santa Barbara Municipal Code shall be required to pay fees and charges as set forth below:

- A. For each permit application submitted, a permit application fee is applicable.
  1. \$155.17 per permit

- B. Where sampling is necessary no more than two times per year and (i) requires collection of a composite sample or (ii) more than one analysis:
  - 1. \$233.84 annual permit fee
  - 2. \$155.17 per resample
  
- C. Where sampling is necessary more than two times per year and (i) requires collection of a composite sample or (ii) more than one analysis:
  - 1. \$1,690.45 annual permit fee
  - 2. \$155.17 per resample

**3. Sewer Service Connections**

The City has two methods for the installation or replacement of sewer lateral connections. The two options are outlined below.

- i. Option 1: Standard Sewer Connection Installation/Replacement. This option and associated charges are only for the replacement of the lateral connection by City contractor after the property owner's appropriately licensed/permitted contractor has excavated at the location of connection to the City main. The following charges cover the cost of the City's contractor to make the replacement of the fitting from the private lateral to the City maintained sewer main and shall apply for each connection of a sewer lateral to the City sewer system, and shall be in addition to any applicable capacity charges:

Sewer Lateral Diameter	Sewer Main Diameter	Fee
4" or 6"	6" or 8"	\$895
	10" or greater	\$995

Sewer Lateral Size	Fee
4"	\$ 952.75
6"	\$ 952.75

Applicants for such connections shall coordinate with City staff in advance of the appointed installation time to determine required site preparations. If City staff determines that such preparation is not complete at the scheduled start time, a rescheduling fee of ~~\$509.85~~\$385.00 will be charged and the connection will be rescheduled upon payment of such fee.

- ii. Option 2: Complete Sewer Connection Installation/Replacement. This option and associated charges cover the complete cost of the new service connection installation or replacement, including all permits, coordination and project management, locating, excavation (up to 8 feet deep), and inspection services. The following charges shall be in addition to any applicable capacity charges:



<u>Sewer Lateral Diameter</u>	<u>Sewer Main Diameter</u>	<u>Fee</u>
4" or 6"	6" or 8"	\$5,000
	10" or greater	\$5,500

For connections deeper than 8 feet deep, an additional \$600 per four feet of depth will be added to the sewer installation fee charge.

If in the course of the scheduled wye replacement, an additional service connection is encountered and the property owner elects to replace it at the time of excavation, the additional connection may be replaced for an additional \$450 per connection, regardless of the lateral or main size.

- iii. Sewer Lateral Connection Rehabilitation: For lateral connections that are in a condition eligible for rehabilitation, on a lined sewer main or part of a proposed capital improvement project, a "trenchless" sewer lateral connection sealing device can be installed by City's contractor. Unit cost for lateral connection sealing device installed which includes coordination and project management by City Staff; \$1,500 each.
- iv. If a sewer main is damaged during installation or replacement of a lateral or during other similar work affecting City sewer lines, an additional fee equal to the greater of \$238.22 per lineal foot of sewer line needing repair or replacement, or \$361.69 per hour plus the cost of materials including fifteen percent markup, shall be charged to the person(s) who caused such damage.

**4. Wastewater Discharge Other Than Through An Approved Sewer Connection.**

The following service charge shall apply to all discharges of wastewater permitted pursuant to Municipal Code Section 16.04.080 and 16.04.090:

\$11.47 per 100 gallons. Charges shall be assessed on the metered discharge or on the rated capacity of the tank discharging the wastewater if no meter is available.

**5. Wastewater Miscellaneous Fees**

- i. The following service charges shall apply for services of City wastewater staff upon application of a property owner, contractor, or other applicant, or where such services are deemed necessary by City staff to prevent or mitigate damage to the City collection system or violation of regulations related to the collection system:
  - 1. Hourly rate for a two-person crew with heavy duty equipment, including emergency response, containment, control and recovery, data input, and reporting related to a private sewer lateral overflow or a sanitary sewer overflow or blockage caused by a private party where that party can clearly be identified:  
\$369.34 per hour

2. Hourly rate for a two-person crew with light duty equipment to respond to priority sewer related requests that do not constitute an emergency response, including CCTV inspection, locating and dye testing services for of-a sewer main: \$245.86 per hour
3. ~~Priority request for City assistance with sewer related issues at a time sooner than the next available opening: \$ 245.86 per individual request, per day, in addition to other applicable fees~~
4. ~~Hourly rate for a two person crew with heavy duty equipment including emergency response, containment, control and recovery, data input and reporting to a sanitary sewer overflow or blockage caused by a private party where that party can clearly be identified: \$ 369.34 per hour~~

- ii. Delinquency Fee: \$8.00 per account, per month, for any billing period in which a delinquent unpaid balance exists.
- iii. Returned Payment Fee: See Delinquent Check Payment Fee under Finance Administrative Fees.

**6. Effective Date.**

The rates and charges specified herein shall be effective immediately upon adoption by City Council.

**RESOLUTION NO. 19-081**

STATE OF CALIFORNIA                    )  
  )  
COUNTY OF SANTA BARBARA         ) ss.  
  )  
CITY OF SANTA BARBARA                )

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Santa Barbara at a meeting held on October 22, 2019, by the following roll call vote:

AYES:                    Councilmembers Jason Dominguez, Eric Friedman, Oscar Gutierrez, Meagan Harmon, Randy Rowse, Kristen W. Sneddon; Mayor Cathy Murillo

NOES:                   None

ABSENT:                None

ABSTENTIONS:       None

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on October 23, 2019.

  
\_\_\_\_\_  
Sarah P. Gorman, CMC  
City Clerk Services Manager



I HEREBY APPROVE the foregoing resolution on October 23, 2019.

  
\_\_\_\_\_  
Cathy Murillo  
Mayor