

ORDINANCE NO. 1555

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND,
CALIFORNIA ESTABLISHING RATES FOR SEWER SERVICE**

WHEREAS, the Woodland City Council has previously established sewer rates, but has not adjusted sewer rates since 2009; and

WHEREAS, California law allows the City to recover the full cost of providing sewer service to customers, including the cost for pipelines, treatment facilities, and other infrastructure, through the establishment of sewer rates; and

WHEREAS, the City determined to undertake a rate study to analyze the revenue requirements, and the rate structure necessary to proportionately allocate the costs of providing sewer services to its sewer customers and contracted with HDR Engineering, Inc. (HDR) in October 2011 to prepare a Comprehensive Sewer Rate Study ("Rate Study"), which was completed in July 2013; and

WHEREAS, the Rate Study was received by the City Council on September 3, 2013 and made available to the public on the City's website and the Woodland Public Library on September 13, 2013; and

WHEREAS, the Sewer Rate Schedule, attached hereto as Exhibit "A" and by this reference incorporated herein, includes the proposed rates for the sewer service charges; and

WHEREAS, the findings and determinations contained herein are based upon the Rate Study documenting the estimated reasonable costs of providing sewer services to customers in the City; and

WHEREAS, the Rate Study concluded that the existing sewer rates do not adequately recover the City's costs of providing sewer service to customers; and

WHEREAS, the City has determined to adopt a five-year schedule of rate increases as recommended in the Rate Study to sustain the City's existing sewer infrastructure system, accomplish necessary capital infrastructure improvements, and manage existing and future sewer related debt; and

WHEREAS, the City Council hereby finds and determines the following with regard to the proposed rate increases to the sewer service charges:

1. The revenues derived from the proposed sewer service charges will not exceed the funds required to provide the sewer services and shall be used exclusively for the City's sewer system;

2. The amount of the proposed sewer service charges will not exceed the proportional cost of the service attributable to each parcel upon which they are proposed for imposition;
3. The proposed sewer service charges will not be imposed on a parcel unless the sewer services are actually used by, or immediately available to, the customer of the parcel;
4. The proposed sewer service charges will not be used for any other purpose than that for which they are imposed;
5. The proposed sewer service charges are not levied for general governmental services;
6. The proposed sewer service charges are not calculated or developed on the basis of any parcel map, including an assessor's parcel map, but are based upon reasonable estimates of the demand placed upon the City in its role as a provider of the sewer services; and
7. The proposed sewer service charges represent increases in the charges needed to operate sewer collection and treatment facilities; and

WHEREAS, the City hereby finds and determines that in accordance with the provisions of California Constitution article XIII D, section 6 ("Article XIII D"):

1. The City identified the parcels upon which the increased sewer service charges are proposed to be imposed, and calculated the amount of the fees or charges proposed to be imposed on each parcel;
2. On September 16, 2013, the City mailed written Notice to customers of each parcel upon which the proposed increase to the sewer service charges are proposed for imposition, which explained: (a) the amount of the charges; (b) the basis on which they were calculated; (c) the reason for the increases; and (d) the date, time, and location of the public hearing on the proposed increases; and
3. On November 5, 2013 (more than 45 days after mailing the Notice), the City conducted a public hearing and considered all written protests against the proposed increases to the sewer service charges.; and
4. At the conclusion of the public hearing, written protests against the proposed increases to the sewer service charges were not presented by a majority of customers subject to the proposed charges; and

WHEREAS, as of the close of the public hearing, written protests against the proposed fee or charge were not presented by a majority of owners of the affected parcels;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby adopts the recitals and findings set forth above and in the staff report prepared in connection with this ordinance.

Section 2. The City Council hereby adopts, by not less than a two-thirds vote pursuant to Government Code section 5471, the sewer rate schedule set forth in Exhibit "A", attached hereto and incorporated herein by reference.

Section 3. The Ordinance supersedes and voids all prior ordinances, resolutions, and other Council actions, which are inconsistent with its terms, including all prior ordinances and resolutions establishing or amending sewer rates.

Section 4. Adoption of this Ordinance is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines (14 CCR 15061(b)(3)). CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. It is therefore found and declared that the adoption of the sewer rate schedule in this Ordinance will not have a significant effect on the environment.

Section 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

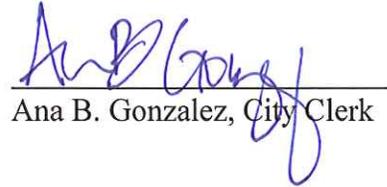
Section 6. Effective Date. The City Clerk shall certify to the adoption of this Ordinance, and the City Clerk shall cause this Ordinance to be published within 15 days as required by law. This Ordinance shall take effect thirty (30) days following its adoption.

PASSED AND ADOPTED by the City Council this 19th day of November, 2013, by the following vote:

AYES: Council Members Denny, Hilliard, Marble, Stallard and Davies
NOES: None
ABSENT: None
ABSTAIN: None


Marlin H. Davies, Mayor

ATTEST:


Ana B. Gonzalez, City Clerk

APPROVED AS TO FORM:


Kara K. Ueda, City Attorney

EXHIBIT "A"

Sewer Rate Schedule

The sewer and WIPP rates and the effective dates for their implementation are as follows:

Customer Class	Present Rates	January 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
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Residential customers will continue to pay a fixed monthly charge as shown below:

Residential

Single Family	\$38.30	\$44.05	\$48.00	\$52.30	\$57.00	\$62.15
Condo	\$25.00	\$28.75	\$31.35	\$34.15	\$37.20	\$40.55

Multi-Family

<u>Apartment/</u>						
Mobile Home	\$25.00	\$28.75	\$31.35	\$34.15	\$37.20	\$40.55
4-plex or less	\$25.00	\$28.75	\$31.35	\$34.15	\$37.20	\$40.55
<u>Residential</u>						
Attached	\$31.05	\$35.70	\$38.90	\$42.40	\$46.20	\$50.35
<u>Residential Multi-</u>						
Unit	\$31.05	\$35.70	\$38.90	\$42.40	\$46.20	\$50.35

Non-Residential

Non-residential customers (Commercial/Institutional) will be charged using a calculation that includes a fixed monthly rate and a strength-based volume rate based on an average of winter water use. Averages for winter water use (volume) will be established using the period between November and February from the prior year. The winter water use will be the "ceiling" for billing for calculating the consumption.

Monthly Meter Charge

Commercial	\$24.99	\$27.25	\$29.15	\$31.75	\$34.60	\$37.70
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	Present	January 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Volume Charge						
Commercial.....	\$3.75	N/A	N/A	N/A	N/A	N/A
Hospital	\$4.26	N/A	N/A	N/A	N/A	N/A
Hotel/Motel	\$4.97	N/A	N/A	N/A	N/A	N/A
Industrial	\$3.75	N/A	N/A	N/A	N/A	N/A
Restaurant	\$9.41	N/A	N/A	N/A	N/A	N/A
Special Rate	\$3.75	N/A	N/A	N/A	N/A	N/A
Schools.....	N/A	N/A	N/A	N/A	N/A	N/A
Correctional Facility	N/A	N/A	N/A	N/A	N/A	N/A
Low	N/A	\$5.59	\$5.98	\$6.52	\$7.11	\$7.75
Medium	N/A	\$6.46	\$6.91	\$7.53	\$8.21	\$8.95
High.....	N/A	\$7.34	\$7.85	\$8.56	\$9.33	\$10.17
Schools ¹	\$2.31	\$1.20	\$1.28	\$1.40	\$1.53	\$1.67
Correctional Facility ²	\$5,857.69	\$6,384.88	\$6,831.82	\$7,446.68	\$8,116.88	\$8,847.40

¹Schools are charged based on Average Daily Attendance (ADA)

²The Correctional Facility is charged a flat contract rate

Wastewater Industrial Prevention Program (WIPP)

Residential & Commercial.....	\$1.57	\$1.69	\$1.82	\$1.96	\$2.11	\$2.27
Monitored Commercial.....	\$8.57	\$9.21	\$9.90	\$10.64	\$11.44	\$12.30
SIUs ¹	\$185.12	\$199.00	\$213.93	\$229.97	\$247.22	\$265.76

¹Significant Industrial Users have the most impact on the wastewater system and therefore require the greatest amount of monitoring and inspection.