

ORDINANCE NO. 25

URGENCY ORDINANCE OF THE UKIAH VALLEY SANITATION DISTRICT AMENDING SECTION 8.1 OF ORDINANCE 12 AND ADDING SECTION 8.12 TO ORDINANCE 12 PERTAINING TO SEWER SERVICE CHARGES

The Board of Directors of the Ukiah Valley Sanitation District ordains as follows:

WHEREAS, the Ukiah Valley Sanitation District, under an agreement with the City of Ukiah, uses the water processing and distribution system operated and maintained by the City of Ukiah; and

WHEREAS, a report entitled "City of Ukiah Sewer Utility Rate Study (October 2005)" (hereinafter referred to as "Rate Study"), has been available for public inspection in advance of the hearing on the proposed rate changes and presents a comprehensive analysis of the sewer utility's rate structure; and

WHEREAS, the Ukiah Valley Sanitation District Board considered the proposed changes on September 14, 2005; and

WHEREAS, the District Board provided written notice by mail to sewer utility customers and owners of parcels of real property potentially affected by the proposed changes of a hearing on the proposed changes at least 45 days in advance of the hearing; and

WHEREAS, the District Board conducted a public hearing concerning the proposed rates on November 2, 2005, and heard and considered public comment on the proposed rates at that public hearing; and

WHEREAS, the District Board did not receive written protests prior to or during the hearing from a majority of the property owners potentially affected by the proposed changes; and

WHEREAS, the District Board has determined that the changes are required to cover the costs of providing sewer service and to fairly apportion those costs based on cost of serving the customer;

WHEREAS, it is recommended that this ordinance take effect immediately as the City of Ukiah will act to adopt new rates on November 2, 2005, by resolution in order to obtain bond financing for the construction of the improvements to the City sewer plant.

NOW, THEREFORE, the Board of Directors of the Ukiah Valley Sanitation District ordains as follows:

Section 8.1 of Ordinance 12 of the Ukiah Valley Sanitation District is amended to read as follows:

1. Rates. The rates set forth hereafter shall be the rates for all premises connected to public sewers within or under the jurisdiction and control of the District. These rates shall be subject to modifications and change. These rates, although stated on a monthly basis, may be billed monthly, bi-monthly, or quarterly as determined from time to time by the Board. These rates may be in addition to any ad valorem taxes to which the premises might be subject on account of the District's sewage system.

Charges for sewer services to any premises connected with City Water and/or Electric systems shall be collected together with, and not separately from, the charges for services to said premises, and shall be billed upon one bill and collected as one item.

The Customer who applied for and assumed the obligation to pay for water service to the property is the person liable for sewer charges to the property served by that water service. In the case of multiple units served by a master water meter, one person or entity, such as the property owner, shall pay for and assume liability for sewer service to that property. This requirement shall not prevent tenants in a multi-unit residential property from exercising their rights under Public Utilities Code Section 10009.1, including their option to become utility customers in accordance with the requirements of that section, to whom the service will then be billed, without being required to pay the amount due on the delinquent account.

Each premise or user connected to the public sewage system shall be classified under one of the following user categories and shall be subject to the rates specified for such category. Premises or users which are susceptible to classification under two or more of such user categories shall be specially classified by District and shall be subject to rates established by District which shall allow for a reasonable usage allocation.

Section 8.12 is added to Ordinance 12 of the Ukiah Valley Sanitation District to read as follows:

A. This Ordinance supersedes and replaces any prior provisions of any ordinance of the Ukiah Valley Sanitation District on the subject of sewer rates, including all amendments thereto, beginning with Ordinance 12 adopted in 1985.

B. Notwithstanding any provision of any prior ordinance of the District, Section 8.12 supersedes any inconsistent provisions of Sections 8.2, 8.5, 8.6, 8.7, and 8.8 of Ordinance 12, and any amendments to any of those sections. If there is any conflict or inconsistency between those sections or any other provisions of the ordinances of the Ukiah Valley Sanitation District and this section, the provisions of this section shall prevail over the inconsistent or conflicting provisions in those sections.

C. The Board of the Ukiah Valley Sanitation District sets the following sewer rates:

(A) **Revenue.** The purpose of the sewer rates is to raise revenue for the cost of providing sewer service. Cost of service includes the cost of operation and maintenance of the City of Ukiah Sewer Utility used for the collection, treatment and disposal of sewer effluent and payment of principle and interest on debt used to finance capital projects.

(B) **Ordinance.** The purpose of this ordinance is to establish a method of sharing the cost of service among the users of the sewer system.

(C) **Territory.** All areas served by the City of Ukiah Sewer Utility lying within the boundaries of the Ukiah Valley Sanitation District.

D. **Sewer Rates.**

(1) Sewer bills are based on consumption.

(2) "Consumption" means the amount of water used in the month of January as *measured by* the water meter at the location of the sewer service.

(3) Water use is measured in units of one hundred cubic feet ("hcf"). One hcf equals 748 gallons.

(4) Each unit of consumption is billed at the consumption rate for the customer category/group.

(5) Customer categories/groups — Sewer customers are classified as Residential, Commercial or Industrial based on the content/strength of their discharge as established by industry standards and Regional Water Resources Control Board guidelines.

a. **Determination of customer classification:** The Public Utilities Director shall determine the classification of sewer customers following industry standards and Regional Water Resources Control Board guidelines.

b. **Monitoring of discharge:** The Public Utilities Director may monitor the discharge of customers to determine the appropriate classification and/or to establish a Special rate for commercial and industrial users.

(6) Unit rate established by category — Unit sewer rates for each customer category/group are based on the cost of treating each unit of effluent for that category.

(7) **Monthly fixed/minimum service charge** — all customers pay no less than the fixed/minimum service charge. Customers, regardless of classification, whose consumption times the unit rate for their customer group falls below the fixed/minimum service charge pay the published fixed/minimum service charge.

(8) Sewer unit rates and fixed/minimum service charges are presented in Table 1.

Table 1 Ukiah Valley Sanitation District Sewer Utility – Sewer Unit Rates & Fixed/Minimum Service Charge

Sewer Rates FY 2005/06 to 2009/10	Sewer Rates Effective:				
	Dec 1, 2005	July 1, 2006	July 1, 2007	July 1, 2008	July 1, 2009
	2005/06	2006/07	2007/08	2008/09	2009/10
Typical SFR (1)	\$28.00	\$38.00	\$43.00	\$55.00	\$62.90
Residential Rates					
Fixed/minimum (per month per dwelling)	\$20.97	\$28.43	\$32.26	\$41.31	\$47.18
Consumption unit rate (\$/hcf)	0.82	1.12	1.27	1.62	1.85
Commercial Rates (2)					
Low strength unit rate (\$/hcf)	3.29	4.46	5.06	6.48	7.40
Moderate strength unit rate (\$/hcf)	3.51	4.77	5.41	6.92	7.91
Medium strength unit rate (\$/hcf)	6.22	8.44	9.57	12.24	13.99
High strength unit rate (\$/hcf)	8.01	10.87	12.32	15.77	18.02
Special (3)					
1 - Projected monthly bill for a typical single family residence with January water use of 8.5 hcf					
2 - Commercial customers are charged for consumption times the unit rate but no less than the residential fixed/minimum monthly rate					
3 - Determined on a case-by-case basis					

PASSED AND ADOPTED at a regular meeting of the Ukiah Valley Sanitation District on the 2nd day of November, 2005, by the following vote:

AYES: Directors Crane, Wattenburger, and Delbar
 NOES:
 ABSENT:
 ABSTAIN:

APPROVED:



Michael Delbar, Chairman
 Ukiah Valley Sanitation District

ATTEST:
 Kristi Furman
 Clerk of the Board/District Secretary



I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

KRISTI FURMAN
 Clerk of the Board

By: 