



Legislation Details (With Text)

File #: CB 119915 **Version:** 1 **Name:** CB 119915
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 11/23/2020
Final Action: 12/1/2020 **Ord. No.** Ord 126215

Title: AN ORDINANCE relating to drainage services of Seattle Public Utilities; adjusting drainage rates to pass through changes to treatment rates charged by King County; amending Section 21.33.030 of the Seattle Municipal Code to reflect the adjusted rates; and amending Section 21.76.040 of the Seattle Municipal Code to adjust credits to low-income drainage customers.

Sponsors: Teresa Mosqueda

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Signed Ordinance 126215, 3. Affidavit of Publication

Date	Ver.	Action By	Action	Result
12/1/2020	1	City Clerk	attested by City Clerk	
12/1/2020	1	Mayor	returned	
12/1/2020	1	Mayor	Signed	
11/24/2020	1	City Clerk	submitted for Mayor's signature	
11/23/2020	1	City Council	passed	Pass
11/18/2020	1	Select Budget Committee	pass	Pass
10/19/2020	1	City Council	referred	
10/14/2020	1	City Clerk	sent for review	
10/14/2020	1	Council President's Office	sent for review	
9/29/2020	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to drainage services of Seattle Public Utilities; adjusting drainage rates to pass through changes to treatment rates charged by King County; amending Section 21.33.030 of the Seattle Municipal Code to reflect the adjusted rates; and amending Section 21.76.040 of the Seattle Municipal Code to adjust credits to low-income drainage customers.

WHEREAS, Resolution 31760, adopted on November 13, 2017, adopted the 2018-2023 Strategic Business

Plan Update for Seattle Public Utilities, which guides utility investments, service levels, and rate paths through 2023; and

WHEREAS, Seattle Public Utilities' drainage rates are based on the sum of the treatment rate and system rate and are designed to pass through the drainage share of the rates King County charges for its wastewater treatment services as part of the treatment rate applicable to drainage services; and

WHEREAS, Ordinance 125686 established drainage rates for 2019 through 2021 based on the then current King County wastewater treatment charge of \$45.33; and

WHEREAS, King County Council adopted a new wastewater treatment rate of \$47.37 per residential customer equivalent per month effective January 1, 2021, which is an increase of 4.5 percent over the existing treatment rate; and

WHEREAS, the increase in King County treatment rates will increase drainage treatment expense; and

WHEREAS, quarantine measures to combat the COVID-19 pandemic have lowered Seattle Public Utilities' utilization of treatment services; and

WHEREAS, lower utilization of treatment services is expected to have a larger effect on drainage treatment costs than the increase in the King County treatment rate; and

WHEREAS Seattle Public Utilities expects that adopted 2021 drainage rates are higher than what is necessary to pay for drainage treatment expense, taxes on treatment revenue, discounts to low-income customers, and stormwater facility incentive program credits; and

WHEREAS, subsection 21.33.030.D.1 of the Seattle Municipal Code allows drainage treatment rates to be adjusted by ordinance at any time in response to changes in the King County wastewater rates; and

WHEREAS, drainage credits for qualified low-income customers, not billed directly by Seattle Public Utilities, are based on typical residential bills, and credits for such customers need to be revised to reflect the changes in the drainage rates; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection 21.33.030.D of the Seattle Municipal Code, which section was last amended by Ordinance 125686, is amended as follows:

21.33.030 Drainage service charges and drainage rates - Schedule - Exemptions

* * *

D. Drainage rates used in the calculation of drainage service charges shall be the sum of the treatment rate and the system rate, as follows:

1. Treatment rate. The "treatment rate" shall be the rate required to pay the drainage share of "treatment cost" which is the cost of wastewater treatment, interception and disposal service, and any associated costs necessary to meet Drainage and Wastewater Fund policies. The treatment rate shall be the amount obtained when (a) the projected drainage treatment cost for each rate category is divided by (b) the projected number of billing units in each rate category and the result is multiplied by ~~((148))~~ 117.4 percent to cover the costs of taxes, low income rate assistance, and other allowances. The projected treatment cost shall be the treatment cost anticipated for the upcoming calendar year, which may include an adjustment to reflect the difference, whether positive or negative, between the drainage share of expected total treatment cost for the current year and the total drainage service charge revenues attributable to the treatment rate expected for the current year. The treatment rate is designed to pass through cost changes driven by King County and may be adjusted by ordinance at any time in response to such charges.

2. System rate. The "system rate" shall be the rate required to fund the expense associated with operating, maintaining, and constructing the City's surface and stormwater management system, including any share of combined sanitary and stormwater system expense assigned to drainage.

3. The rate categories and the corresponding annual drainage rates are as follows:

((Effective January 1, 2018

Rate Category	Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
Small Residential				
Und	\$13.75	\$145.93	\$159.68	per parcel
2,00	\$20.90	\$238.78	\$259.68	per parcel
3,00	\$30.38	\$325.77	\$356.15	per parcel
5,00	\$41.43	\$439.43	\$480.86	per parcel
7,00	\$52.33	\$551.57	\$603.90	per parcel
General Service/Large Residential				

Undeveloped (0-15% impervious)				
Reg	\$3.39	\$35.39	\$38.78	per 1,000 sq. ft.
Low	\$1.99	\$21.07	\$23.06	per 1,000 sq. ft.
Light (16-35% impervious)				
Reg	\$5.20	\$54.04	\$59.24	per 1,000 sq. ft.
Low	\$4.09	\$42.65	\$46.74	per 1,000 sq. ft.
Moderate (36-65% impervious)				
Reg	\$7.52	\$77.93	\$85.45	per 1,000 sq. ft.
Low	\$6.09	\$63.19	\$69.28	per 1,000 sq. ft.
Heavy (66-85% impervious)	\$9.92	\$102.65	\$112.57	per 1,000 sq. ft.
Very Heavy (86-100% impervious)	\$11.89	\$122.96	\$134.85	per 1,000 sq. ft.

Effective January 1, 2019

Rate Category	Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
Small Residential				
Und	\$12.71	\$157.10	\$169.81	per parcel
2,00	\$21.98	\$254.53	\$276.51	per parcel
3,00	\$30.32	\$353.11	\$383.43	per parcel
5,00	\$41.27	\$475.45	\$516.72	per parcel
7,00	\$52.43	\$600.18	\$652.61	per parcel
General Service/Large Residential				
Undeveloped (0-15% impervious)				
Reg	\$3.45	\$39.17	\$42.62	per 1,000 sq. ft.
Low	\$2.03	\$23.33	\$25.36	per 1,000 sq. ft.
Light (16-35% impervious)				
Reg	\$5.18	\$58.46	\$63.64	per 1,000 sq. ft.
Low	\$4.05	\$45.80	\$49.85	per 1,000 sq. ft.
Moderate (36-65% impervious)				
Reg	\$7.39	\$83.19	\$90.58	per 1,000 sq. ft.
Low	\$5.97	\$67.34	\$73.31	per 1,000 sq. ft.

Heavily Impervious (66-85%)	\$9.80	\$110.06	\$119.86	per 1,000 sq. ft.
Very Heavily Impervious (86-100%)	\$11.70	\$131.40	\$143.10	per 1,000 sq. ft.))

Effective January 1, 2020

Rate Category	Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
Small Residential				
Und	\$12.88	\$170.59	\$183.47	per parcel
2,00	\$22.29	\$276.46	\$298.75	per parcel
3,00	\$30.74	\$383.52	\$414.26	per parcel
5,00	\$41.85	\$516.42	\$558.27	per parcel
7,00	\$53.16	\$651.93	\$705.09	per parcel
General Service/Large Residential				

Undeveloped (0-15% impervious)					
	Reg	\$3.50	\$42.55	\$46.05	per 1,000 sq. ft.
	Low	\$2.06	\$25.34	\$27.40	per 1,000 sq. ft.
Light (16-35% impervious)					
	Reg	\$5.25	\$63.50	\$68.75	per 1,000 sq. ft.
	Low	\$4.10	\$49.75	\$53.85	per 1,000 sq. ft.
Moderate (36-65% impervious)					
	Reg	\$7.49	\$90.37	\$97.86	per 1,000 sq. ft.
	Low	\$6.06	\$73.15	\$79.21	per 1,000 sq. ft.
Heavy (66-85% impervious)		\$9.93	\$119.57	\$129.50	per 1,000 sq. ft.
Very Heavy (86-100% impervious)		\$11.87	\$142.73	\$154.60	per 1,000 sq. ft.

((Effective January 1, 2021

Rate Category	Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
Small Residential				
Und	\$12.88	\$184.60	\$197.48	per parcel
2,00	\$22.29	\$299.22	\$321.51	per parcel
3,00	\$30.74	\$415.09	\$445.83	per parcel
5,00	\$41.85	\$558.94	\$600.79	per parcel
7,00	\$53.16	\$705.60	\$758.76	per parcel
General Service/Large Residential				
Undeveloped (0-15% impervious)				
Reg	\$3.50	\$46.05	\$49.55	per 1,000 sq. ft.
Low	\$2.06	\$27.43	\$29.49	per 1,000 sq. ft.
Light (16-35% impervious)				
Reg	\$5.25	\$68.73	\$73.98	per 1,000 sq. ft.
Low	\$4.10	\$53.85	\$57.95	per 1,000 sq. ft.
Moderate (36-65% impervious)				
Reg	\$7.49	\$97.81	\$105.30	per 1,000 sq. ft.
Low	\$6.06	\$79.18	\$85.24	per 1,000 sq. ft.

He av y (66 - 85 % im per vie us)	\$9.93	\$129.42	\$139.35	per 1,000 sq. ft.
Ve ry He av y (86 - 10 0% im per vie us)	\$11.87	\$154.49	\$166.36	per 1,000 sq. ft.)

Effective January 1, 2021

<u>Ra</u> <u>te</u> <u>Ca</u> <u>teg</u> <u>or</u> <u>y</u>	<u>Treatment Rate</u>	<u>System Rate</u>	<u>Total Drainage Rate</u>	<u>Billing Unit</u>
Small Residential				
	Und \$10.97	\$184.60	\$195.57	per parcel
	2,00 \$21.36	\$299.22	\$320.58	per parcel
	3,00 \$30.16	\$415.09	\$445.25	per parcel
	5,00 \$41.00	\$558.94	\$599.94	per parcel
	7,00 \$52.09	\$705.60	\$757.69	per parcel
General Service/La rge Residential				

Undeveloped (0-15% impervious)				
Reg	\$3.44	\$46.05	\$49.49	per 1,000 sq. ft.
Low	\$2.02	\$27.43	\$29.45	per 1,000 sq. ft.
Light (16-35% impervious)				
Reg	\$5.19	\$68.73	\$73.92	per 1,000 sq. ft.
Low	\$4.02	\$53.85	\$57.87	per 1,000 sq. ft.
Moderate (36-65% impervious)				
Reg	\$7.34	\$97.81	\$105.15	per 1,000 sq. ft.
Low	\$5.82	\$79.18	\$85.00	per 1,000 sq. ft.
Heavy (66-85% impervious)	\$9.75	\$129.42	\$139.17	per 1,000 sq. ft.
Very Heavy (86-100% impervious)	\$11.62	\$154.49	\$165.81	per 1,000 sq. ft.

4. SPU shall provide a ten percent reduction in the drainage service charge for parcels containing new or remodeled commercial buildings that, after July 27, 2003, install and utilize rainwater harvesting systems that meet the performance requirement that the systems are sized to use the amount of rain that falls on the roofs of such buildings during a one year, 24-hour storm event. A

system that involves indoor uses of rainwater must be permitted by Seattle-King County Department of Health to qualify for the rate reduction. A system that relies solely on the capture and indoor use of rainwater shall qualify for the drainage service charge reduction only if the system is sized to meet the performance requirement stated above. Qualifying for the drainage service charge reduction does not relieve the property owner from the obligation to comply with applicable stormwater and drainage code requirements for the buildings and site.

5. Effective November 7, 2008, open space properties or parcels shall be charged only for the area of impervious surface and at the rate under which the parcel is classified using the total parcel acreage.

* * *

Section 3. Subsection 21.76.040.A of the Seattle Municipal Code, which section was last amended by Ordinance 125985, is amended as follows:

21.76.040 Rate discounts

A. Drainage, wastewater, and water. Certified low-income residential utility customers ("Certified customers") will receive rate discounts (or credits) in the following amounts:

1. Wastewater. Certified customers billed directly for Seattle Public Utilities wastewater services will receive a rate discount equal to 0.5 times the total current wastewater volume charge. Certified customers who pay for wastewater services indirectly through rent shall receive the following rate credits based on dwelling type and consistent with Section 21.76.050:

Effective date	Single-family and duplex dwellings	Multifamily dwellings
January 1, 2018	\$28.94 per month	\$20.20 per month
January 1, 2019	\$31.13 per month	\$21.72 per month
January 1, 2020	\$33.43 per month	\$23.32 per month
January 1, 2021	\$34.96 per month	\$24.39 per month

At the time of a change to the wastewater volume charge described in Section 21.28.040, the Director of Seattle Public Utilities shall calculate new credits for certified customers who pay for wastewater services indirectly through rent. The rate credit for single-family and duplex customers shall be 0.5 times the wastewater volume charge multiplied by 430 cubic feet (4.3 CCF), which is typical single-family residential sewer billed consumption. The rate credit for multifamily dwelling customers shall be 0.5 times the wastewater volume charge multiplied by 3.0 CCF, which is typical multifamily sewer billed consumption.

2. Drainage. Certified customers residing inside The City of Seattle shall receive the following rate credits for drainage services based on dwelling type:

Effective Date	Single-Family	Duplex	Multifamily
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January 1, 2018	\$20.03 per month	\$10.02 per month	\$2.14 per month
January 1, 2019	\$21.53 per month	\$10.77 per month	\$2.30 per month
January 1, 2020	\$23.24 per month	\$11.62 per month	\$2.49 per month
January 1, 2021	\$25.02 per month	\$12.51 per month	\$2.68 per month))

<u>Effective Date</u>	<u>Single-Family</u>	<u>Duplex</u>	<u>Multifamily</u>
January 1, 2020	\$23.24 per month	\$11.62 per month	\$2.49 per month
January 1, 2021	\$25.00 per month	\$12.50 per month	\$2.68 per month

3. Water. Certified customers billed directly for Seattle Public Utilities water services shall receive a rate discount equal to 0.5 times the total current commodity and base service charges. Certified customers who pay for water services indirectly through their rent shall receive the following rate credits based on dwelling type and consistent with Section 21.76.050:

<u>Effective Date</u>	<u>Single-family and duplex dwellings</u>	<u>Multifamily dwellings</u>
January 1, 2017	\$20.56 per month	\$12.38 per month
January 1, 2018	\$21.15 per month	\$12.38 per month
January 1, 2019	\$21.86 per month	\$12.38 per month
January 1, 2020	\$22.85 per month	\$12.50 per month

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Section 4. This ordinance does not affect any existing right acquired or liability or obligation incurred under the sections amended or repealed in this ordinance or under any rule or order adopted under those sections, nor does it affect any proceeding instituted under those sections.

Section 5. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of its application to any person or circumstance, does not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 6. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2020, and signed by me in open session in authentication of its passage this _____ day of _____, 2020.

President _____ of the City Council

Approved by me this _____ day of _____, 2020.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2020.

Monica Martinez Simmons, City Clerk

(Seal)