

RESOLUTION NO. 682

**A RESOLUTION ESTABLISHING RATES AND CHARGES  
IN RELATION TO THE STORM WATER UTILITY OF  
THE CITY; REPEALING RESOLUTION 640; &  
PROVIDING AN EFFECTIVE DATE.**

**R E C I T A L S:**

1. Pursuant to existing Ordinances, the City established a storm water utility.

2. Those Ordinances authorized the establishment by resolution of rates and charges to be paid by those benefitted by and within the area subject to the storm water utility. This was done most recently through the adoption of Resolution 640 in 2012. Since that time, the City has assumed additional responsibilities in relation to the service of additional properties, as well as maintenance of storm water ponds.

3. In setting those rates and charges in 2012, the Council and Mayor considered the factors set forth within the Ordinance, as well as such other information and factors as have been developed since the adoption of the Ordinance.

4. In 2016, the Council and Mayor have received a recommendation from the Public Works Director as to an increase in rates so as to more fully comply with the funding requirement

recommended in the Capital Improvement Plan prepared in relation to the utility. The Council and Mayor find such increases appropriate at this time to the extent they relate to the capital improvement component of that study. They do so recognizing both the impacts of increased costs in terms of operating and maintaining the system and the impact of fee increases upon the utility's customers.

5. In light of those factors, the rates set forth herein are found to be reasonable, necessary, and appropriate to operate the utility.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR CONCURRING:

SECTION I: AUTHORIZATION:

Pursuant to the authority granted by the Ordinance establishing the utility, there is hereby created and imposed in Section II a system of rates and charges on each parcel of real property within the City served by or which is capable of receiving benefit and service by and from the Storm Water Utility established by Ordinance.

SECTION II: RATES AND CHARGES:

The following Utility rates and charges are hereby established for all parcels of real property in the City:

2.1. System Development Charge: The charge assessed to all parcels upon application for development. The System Development Charge shall be a one-time charge of Six Hundred

Thirty-Two Dollars and Seventy Cents (\$632.70) for all applications received on and after the effective date of this resolution. This charge shall be adjusted annually as of December 16, 2016, and each December 16 thereafter as provided in Section III.2 of this resolution.

2.2. Monthly Charges:

2.2.1: The following shall be billed upon the same billing schedule as is provided for the other utility services of the City.

A. Single-Family Parcels: The base single-family residential charge shall be \$9.00 per month for each Equivalent Service Unit (ESU) for a parcel having one residential unit. This uniform rate is based upon each residential unit being equal to or less than 3,000 square feet, or fraction thereof, of impervious surface and \$3.50 for each additional 3,000 square feet, or fraction thereof, of impervious surface area.

B. Multiple Family Parcels (two or more units): The base shall be \$9.00 for the first 3,000 square feet of impervious surface, or fraction thereof, and \$3.50 for each additional 3,000 square feet, or fraction thereof, of impervious surface area.

C. Non-residential Parcels: The base shall be \$9.00 for the first 3,000 square feet of impervious surface, or fraction thereof, and \$3.50 for each additional 3,000 square feet, or fraction thereof, of impervious surface area.

2.2.2: In the event more than one utility account is based

upon services provided to improvements located upon one parcel, the monthly charges set out in subsection 2.2.1 [B] or 2.2.1[C] shall be billed to and be the responsibility of the owner of the parcel.

2.2.3: The charges established in §2.2.1 shall be adjusted annually as of December 16, 2016, and each December 16 thereafter as provided in Section III of this resolution

SECTION III: ANNUAL ADJUSTMENT:

In recognition of the necessity of assuring that the rates established for this service remain consistent with the increase in costs and of the billing period utilized by the City utility, the rates set by Section II of this resolution shall be subject to adjustment as of December 16 of each calendar year.

3.1. Unless otherwise established by action of the Council, the adjustments implemented for the succeeding years shall be as follows:

A. December, 2016: Base shall be \$10.40 for the first 3,000 square feet of impervious surface, or fraction thereof, and \$4.00 for each additional 3,000 square feet, or fraction thereof, of impervious surface area.

B. December, 2017: Base shall be \$12.00 for the first 3,000 square feet of impervious surface, or fraction thereof, and \$4.50 for each additional 3,000 square feet, or fraction thereof, of impervious surface area.

3.2. As to the rate set in Section 2.1 and as to the rates set in Section 2.2, if there is no specific annual monetary adjustment provided in this resolution or by other action of the Council, the following adjustments shall occur as of each December 16 thereafter:

The adjustment shall be the greater of either three percent (3%) or the monetary amount which is the result of the following calculation:

A. Methodology of Calculation: The then existing utility rate multiplied by a figure established as the average of the Seattle-Tacoma-Bremerton Area Bi-Monthly Index CPI-U (June compared with June) and the US All City Average CPI-U for the same period . [Example: S-T-B Area Bi-monthly Index CPI-U is 3.5% and the US All City Average CPI-U for that period is 2.5%. The multiplier to be utilized is 3.0%. If the existing rate is \$4.00, the result would be an increase of \$00.12 for an adjusted rate of \$4.12.]

B. Principals of application:

1. The average for the CPI multiplier, if not an even 1/10th of a percent, shall be rounded upward to the nearest 1/10th of a percent.

2. The resulting product of the calculation carried out pursuant to §A shall be rounded to the next highest 1/10th of a dollar, if the initial calculation does not so result."

SECTION IV: REPEAL & EFFECTIVE DATE:

4.1. This resolution shall take effect at 12:01 a.m. on the day following adoption with the rates established by the provisions of Section II to be applied as to any utility service provided by the City on and after the 15th day of January, 2016.

4.2. Resolution 640 shall be repealed as of the effective date of this resolution: PROVIDED THAT, such repeal shall not affect any obligations which have arisen under the provisions of that resolution, whether fiscal or otherwise.

PASSED THIS 10<sup>th</sup> DAY OF ~~JANUARY~~ <sup>February</sup>, 2016, by the City Council of the City of McCLEARY, and signed in authentication therewith this 10<sup>th</sup> day of ~~January~~ <sup>February</sup>, 2016.

CITY OF McCLEARY:

  
BRENT SCHILLER, Mayor

ATTEST:

  
WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

  
DANIEL O. GLENN, City Attorney