

32

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 117566

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4
5 AN ORDINANCE relating to drainage and wastewater services of Seattle Public Utilities;
6 adjusting wastewater and drainage rates to pass through increased treatment costs
7 charged by King County; amending Sections 21.28.040 and 21.33.030 of the Seattle
8 Municipal Code to reflect the adjusted rates; and amending Section 21.76.040 of the
9 Seattle Municipal Code to adjust credits to low-income drainage and wastewater
10 customers.

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

15 WHEREAS, proposed ordinances introduced as Council Bill Nos. 117520 and 117521,
16 introduced on July 16, 2012, propose to established the 2013-2015 Seattle Public
17 Utilities' wastewater volume rate and drainage rates, respectively, based on the existing
18 King County wastewater treatment charge of \$36.10; and

19 WHEREAS, King County adopted a new wastewater treatment rate of \$39.79 per residential
20 customer equivalent per month effective January 1, 2013, which is an increase of more
21 than 10 percent over the existing treatment rate; and

22 WHEREAS, Subsections 21.28.040 B.1 and 21.33.030 D.1 allow the treatment rates of each
23 utility to be adjusted by ordinance at any time in response to changes in the King County
24 wastewater rates; and

25 WHEREAS, Seattle Public Utilities' proposed 2013, 2014, and 2015 wastewater and drainage
26 treatment rates, contained in Council Bill Nos. 117520 and 117521, will not provide
27 sufficient revenues to pay the increased King County treatment costs; and

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



BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection 21.28.040 B.3 of the Seattle Municipal Code is amended as follows:

21.28.040 Wastewater volume charge.

* * *

B. The wastewater volume rate shall be the sum of the treatment rate, the system rate and, where applicable, the MMRD surcharge, as follows:

* * *

3. The wastewater volume rate per CCF shall be in accordance with the following schedule:

	Effective Jan. 1, 2012	Effective Jan. 1, 2013	Effective Jan. 1, 2014	Effective Jan. 1, 2015
Treatment Rate	\$6.94	(\$6.88) <u>\$7.69</u>	(\$6.91) <u>\$7.69</u>	(\$6.96) <u>\$7.69</u>
System Rate	\$3.74	\$3.96	\$4.06	\$4.15
Wastewater Volume Rate	\$10.68	(\$10.84) <u>\$11.654</u>	(\$10.97) <u>\$11.757</u>	(\$11.11) <u>\$11.841</u>

* * *



1 Section 2. Subsection 21.33.030 D.3 of the Seattle Municipal Code is amended as
2 follows:

3
4 **SMC 21.33.030 Drainage service charges and drainage rates – Schedule –**
5 **Exemptions.**

6 * * *

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

9
10 * * *

11
12 3. The rate categories and the corresponding annual drainage rates are as follows:

13
14 Effective January 1, 2012:

Rate Category	Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
Small Residential				
Under 3000 sq. ft.	\$11.44	\$137.89	\$149.33	per parcel
3000-4999 sq. ft.	\$14.78	\$178.01	\$192.79	per parcel
5000-6999 sq. ft.	\$20.06	\$241.60	\$261.66	per parcel
7000-9999 sq. ft.	\$25.34	\$306.89	\$332.23	per parcel



1	General Service/Large Residential					
2	Undeveloped	(0-15% impervious)				
3						
4		Regular	\$1.69	\$20.27	\$21.96	per 1000 Sq Ft
5						
6		Low Impact	\$1.06	\$12.70	\$13.76	per 1000 Sq Ft
7						
8	Light	(16-35% impervious)				
9						
10		Regular	\$2.53	\$30.45	\$32.98	per 1000 Sq Ft
11						
12		Low Impact	\$2.01	\$24.13	\$26.14	per 1000 Sq Ft
13						
14	Moderate	(36-65% impervious)				
15						
16		Regular	\$3.66	\$44.10	\$47.76	per 1000 Sq Ft
17						
18		Low Impact	\$2.94	\$35.41	\$38.35	per 1000 Sq Ft
19						
20	Heavy	(66-85% impervious)				
21						
22		Regular	\$4.83	\$58.18	\$63.01	per 1000 Sq Ft
23						
24		Low Impact	\$5.70	\$68.79	\$74.49	per 1000 Sq Ft
25						

Effective January 1, 2013

Rate Category	Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
---------------	----------------	-------------	---------------------	--------------



1	Small Residential					
2		Under 3000 sq. ft.	(((\$14.59)) <u>\$15.92</u>)	\$148.13	(((\$162.72)) <u>\$164.05</u>)	per parcel
3						
4		3000-4999 sq. ft	(((\$18.92)) <u>\$20.88</u>)	\$192.04	(((\$210.96)) <u>\$212.92</u>)	per parcel
5						
6		5000-6999 sq. ft	(((\$25.68)) <u>\$28.40</u>)	\$260.71	(((\$286.39)) <u>\$289.11</u>)	per parcel
7						
8		7000-9999 sq. ft.	(((\$32.30)) <u>\$35.92</u>)	\$330.05	(((\$362.34)) <u>\$365.97</u>)	per parcel
9						
10	General Service/Large Residential					
11	Undeveloped	(0-15% impervious)				
12						
13		Regular	(((\$2.06)) <u>\$2.40</u>)	\$20.91	(((\$22.97)) <u>\$23.31</u>)	per 1000 Sq Ft
14						
15		Low Impact	(((\$1.21)) <u>\$1.40</u>)	\$12.25	(((\$13.46)) <u>\$13.65</u>)	per 1000 Sq Ft
16						
17	Light	(16-35% impervious)				
18						
19		Regular	(((\$3.20)) <u>\$3.60</u>)	\$32.45	(((\$35.65)) <u>\$36.05</u>)	per 1000 Sq Ft
20						
21		Low Impact	(((\$2.51)) <u>\$2.82</u>)	\$25.53	(((\$28.04)) <u>\$28.35</u>)	per 1000 Sq Ft
22						
23	Moderate	(36-65% impervious)				
24						
25		Regular	(((\$4.65)) <u>\$5.13</u>)	\$47.22	(((\$51.87)) <u>\$52.35</u>)	per 1000 Sq Ft
26						
27		Low Impact	(((\$3.74)) <u>\$37.98</u>)	\$37.98	(((\$41.72)) <u>\$41.72</u>)	per 1000



Maria Coe
 SPU King County Passthrough ORD
 10/23/2012
 Version #4

		<u>\$4.14</u>		<u>\$42.11</u>	Sq Ft
1					
2	Heavy	((\$6.25)) <u>\$6.82</u>	\$63.42	((\$69.67)) <u>\$70.23</u>	per 1000 Sq Ft
3					
4	Very Heavy	((\$7.39)) <u>\$8.02</u>	\$75.06	((\$82.45)) <u>\$83.08</u>	per 1000 Sq Ft
5					

6
 7 Effective January 1, 2014

8	Rate Category	Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
9					
10	Small Residential				
11		((\$17.44)) <u>\$19.03</u>	\$161.93	((\$179.37)) <u>\$180.96</u>	per parcel
12	Under 3000 sq. ft.				
13		((\$22.62)) <u>\$24.95</u>	\$209.93	((\$232.55)) <u>\$234.87</u>	per parcel
14	3000-4999 sq. ft				
15		((\$30.70)) <u>\$33.93</u>	\$285.00	((\$315.70)) <u>\$318.92</u>	per parcel
16	5000-6999 sq. ft				
17		((\$38.61)) <u>\$42.88</u>	\$360.82	((\$399.43)) <u>\$403.70</u>	per parcel
18	7000-9999 sq. ft.				
19	General Service/Large Residential				
20	Undeveloped	(0-15% impervious)			
21					
22		((\$2.46)) <u>\$2.85</u>	\$22.86	((\$25.32)) <u>\$25.71</u>	per 1000 Sq Ft
23	Regular				
24		((\$1.44)) <u>\$1.66</u>	\$13.39	((\$14.83)) <u>\$15.06</u>	per 1000 Sq Ft
25	Low Impact				
26	Light	(16-35%			



1		impervious)				
2		Regular	(((\$3.82)) <u>\$4.29</u>	\$35.47	(((\$39.29)) <u>\$39.76</u>	per 1000 Sq Ft
3		Low Impact	(((\$3.04)) <u>\$3.37</u>	\$27.90	(((\$30.94)) <u>\$31.27</u>	per 1000 Sq Ft
4	Moderate	(36-65% impervious)				
5		Regular	(((\$5.56)) <u>\$6.13</u>	\$51.62	(((\$57.18)) <u>\$57.75</u>	per 1000 Sq Ft
6		Low Impact	(((\$4.47)) <u>\$4.94</u>	\$41.51	(((\$45.98)) <u>\$46.45</u>	per 1000 Sq Ft
7	Heavy	(66-85% impervious)	(((\$7.47)) <u>\$8.15</u>	\$69.33	(((\$76.80)) <u>\$77.48</u>	per 1000 Sq Ft
8	Very Heavy	(86-100% impervious)	(((\$8.84)) <u>\$9.60</u>	\$82.05	(((\$90.89)) <u>\$91.65</u>	per 1000 Sq Ft
9						
10						
11						
12						
13						
14						

15
 16

17 Effective January 1, 2015

18	19	20	21	22	23
	Rate Category	Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
24	Small Residential				
25	Under 3000 sq. ft.	(((\$17.34)) <u>\$18.90</u>	\$179.93	(((\$197.27)) <u>\$198.83</u>	per parcel
26	3000-4999 sq. ft.	(((\$22.48)) <u>\$24.79</u>	\$233.27	(((\$255.75)) <u>\$258.06</u>	per parcel
27	5000-6999 sq.	(((\$30.52))	\$316.67	(((\$347.19))	per



1		ft	<u>\$33.73</u>		<u>\$350.40</u>	parcel
2		7000-9999 sq.	(\$38.38)		(\$439.28)	per
3		ft.	<u>\$42.65</u>	\$400.90	<u>\$443.55</u>	parcel
4	General Service/Large Residential					
5	Undeveloped	(0-15% impervious)				
6						
7		Regular	(\$2.45)		(\$27.85)	per 1000
8			<u>\$2.85</u>	\$25.40	<u>\$28.25</u>	Sq Ft
9		Low Impact	(\$1.43)		(\$16.31)	per 1000
10			<u>\$1.66</u>	\$14.88	<u>\$16.54</u>	Sq Ft
11	Light	(16-35% impervious)				
12						
13		Regular	(\$3.80)		(\$43.21)	per 1000
14			<u>\$4.27</u>	\$39.41	<u>\$43.69</u>	Sq Ft
15		Low Impact	(\$2.99)		(\$34.00)	per 1000
16			<u>\$3.35</u>	\$31.01	<u>\$34.36</u>	Sq Ft
17	Moderate	(36-65% impervious)				
18						
19		Regular	(\$5.53)		(\$62.89)	per 1000
20			<u>\$6.09</u>	\$57.36	<u>\$63.45</u>	Sq Ft
21		Low Impact	(\$4.45)		(\$50.57)	per 1000
22			<u>\$4.92</u>	\$46.12	<u>\$51.04</u>	Sq Ft
23	Heavy	(66-85% impervious)	(\$7.43)		(\$84.46)	per 1000
24			<u>\$8.10</u>	\$77.03	<u>\$85.12</u>	Sq Ft
25	Very Heavy	(86-100% impervious)	(\$8.79)		(\$99.95)	per 1000
26			<u>\$9.53</u>	\$91.16	<u>\$100.69</u>	Sq Ft



* * *

Section 3. Subsection 21.76.040 A of the Seattle Municipal Code is amended as follows:

21.76.040 Low Income Rate Credits.

* * *

A. Drainage, Wastewater, and Water. Persons qualified by the Human Services Department as eligible recipients of low income utility credits provided for in Section 21.76.010 (eligible recipients) shall be granted low income billing credits in the following amounts:

1. Wastewater. Eligible recipients billed directly by Seattle Public Utilities for wastewater services and residing in single-family dwellings shall receive a credit equal to 0.5 times the total current wastewater volume charge. Eligible recipients not billed directly by Seattle Public Utilities for wastewater services shall receive the following credits based on dwelling type:

Effective Date	Single-family and duplex	Multifamily dwelling
January 1, 2012	\$27.77 per month	\$19.22 per month
<u>January 1, 2013</u>	\$(23.31) 25.05 per month	\$(16.26) 17.48 per month
<u>January 1, 2014</u>	\$(23.59) 25.26 per month	\$(16.46) 17.63 per month
<u>January 1, 2015</u>	\$(23.89) 25.46 per month	\$(16.67) 17.76 per month

At the time of a change to the wastewater volume rate described in SMC 21.28.040, the Director of Seattle Public Utilities shall calculate new credits based on dwelling type for eligible recipients not billed directly by Seattle Public Utilities. The credit for Single-family and duplex



1 customers shall be 0.5 times the wastewater volume rate multiplied by ~~((5-2))~~4.3 CCF, which is
 2 typical single family residential sewer billed consumption. The credit for Multifamily dwelling
 3 customers shall be 0.5 times the wastewater volume rate multiplied by ~~((3-6))~~3.0 CCF, which is
 4 typical multifamily sewer billed consumption.

5
 6 2. Drainage. Eligible recipients residing inside The City of Seattle shall receive the following
 7 credits for drainage services based on dwelling type:

	Effective	<u>Effective</u>	<u>Effective</u>	<u>Effective</u>
	January 1,	<u>January 1,</u>	<u>January 1,</u>	<u>January 1,</u>
	2012	<u>2013</u>	<u>2014</u>	<u>2015</u>
Single-family	\$10.90 per	\$(11.93)) 12.26	\$(13.15)) 13.27	\$(14.47)) 14.60
	month	per month	per month	per month
Duplex	\$5.45 per	\$(5.97)) 6.13	\$(6.58)) 6.64	\$(7.24)) 7.30
	month	per month	per month	per month
Multifamily	\$1.17 per	\$(1.28)) 1.31	\$(1.41)) 1.42	\$(1.55)) 1.56
	month	per month	per month	per month

20 * * *

21
 22 Section 4. This ordinance does not affect any existing right acquired or liability or
 23 obligation incurred under the sections amended or repealed in this ordinance or under any rule or
 24 order adopted under those sections, nor does it affect any proceeding instituted under those
 25 sections.
 26



1 Section 5. This ordinance does not affect any existing right acquired or liability or
2 obligation incurred under the sections amended or repealed in this ordinance or under any rule or
3 order adopted under those sections, nor does it affect any proceeding instituted under those
4 sections.

5 Section 6. The provisions of this ordinance are declared to be separate and severable. If
6 a court of competent jurisdiction, all appeals having been exhausted or all appeal periods having
7 run, finds any provision of this ordinance to be invalid or unenforceable as to any person or
8 circumstance, then such provision or provisions shall be null and severed from the rest of this
9 ordinance with respect to the particular person or circumstance. The offending provision with
10 respect to all other persons and all other circumstances, as well as all other provisions of this
11 ordinance, shall remain valid and enforceable.
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1 Section 7. This ordinance shall take effect and be in force 30 days from and after its
2 approval by the Mayor, but if not approved and returned by the Mayor within ten days after
3 presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020;
4 provided that if C.B. 117520 and/or C.B. 117521 become ordinances, then this ordinance shall
5 take effect no earlier than one day after the effective date of the ordinance introduced as C.B.
6 117520 or the effective date of the ordinance introduced as C.B. 117521, whichever is later.
7
8

9 Passed by the City Council the ____ day of _____, 2012, and signed by me in open
10 session in authentication of its passage this ____ day of _____, 2012.
11

12
13
14 _____
15 President _____ of the City Council

16 Approved by me this ____ day of _____, 2012.

17
18 _____
19 Michael C. McGinn, Mayor

20 Filed by me this ____ day of _____, 2012.

21
22 _____
23 Monica Martinez Simmons, City Clerk

24 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Seattle Public Utilities	Maria Coe 233-7905	Karl Stickel 684-8085

Legislation Title:

AN ORDINANCE relating to drainage and wastewater services of Seattle Public Utilities; adjusting wastewater and drainage rates to pass through increased treatment costs charged by King County; amending Sections 21.28.040 and 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 and wastewater customers.

Summary of the Legislation:

This ordinance would revise the 2013-2015 wastewater treatment rate from \$6.94 per CCF (hundred cubic feet) to \$7.69 per CCF, and revise the 2013-2015 drainage treatment rates. The proposed increases are due to an increase in the rate King County charges the City for treating our wastewater. The ordinance would also increase the applicable wastewater and drainage credits for low-income customers.

Background:

The wastewater rate that Seattle Public Utilities (SPU) charges its customers is the sum of the treatment rate and the system rate. The wastewater treatment rate is the projected cost of treatment, including cash adjustments, divided by the projected billed consumption and adjusted to account for taxes and low-income credits. The system rate is the rate required to pay all other costs of the wastewater system.

The drainage rate that Seattle Public Utilities (SPU) charges its customers is the sum of the treatment rate and the system rate. The drainage treatment rate is a portion of the projected cost of treatment divided by the projected billing units, adjusted to account for taxes and low-income credits. The system rate is the rate required to pay all other costs of the drainage system.

Consistent with Seattle Municipal Code Sections 21.28.040 B.1 and 21.33.030 D.1, this proposed Bill would adjust the wastewater and drainage treatment rates to pass through rate changes adopted by King County and resulting adjustments to cash and other financial policies. In June 2012, the King County Council adopted a wastewater treatment rate of \$39.79 per residential customer equivalent per month, effective January 1, 2013, an increase from the existing rate of \$36.10. The new 2013 wastewater treatment rate established in this ordinance is based on a projected treatment cost of \$128,914,075, a multiplier of 116.9% to cover the costs of taxes and low-income rate credits, and projected billed wastewater consumption of 19,600,000 CCF. The new 2013 drainage treatment rates established in this ordinance are based on a projected treatment cost of \$6,844,495, a multiplier of 118.0% to cover the costs of taxes and low income rate assistance, and projected drainage billing units. With this treatment rate



increase, the applicable wastewater and drainage credits to low-income customers are also increased.

As a result of this proposed Bill, the monthly treatment rate for wastewater would increase by 10.2% (or \$3.48 for the typical residential customer), while the monthly treatment rate for drainage would increase by 1.1 percent (or 26 cents for the typical residential customer).

Council Bills 117520 and 117521, in which the Mayor proposed new wastewater and drainage rates for 2013 - 2015, were based on the existing King County wastewater treatment rates. The City Council Libraries, Utilities and Center Committee (LUC) is considering the Council Bills, and may recommend revisions to the proposed 2013-2015 wastewater and drainage rates. The full City Council in November 2012 will consider the Committee's recommendations. It is anticipated that this Bill will be considered separately by the full Council in November. This Bill assumes the revised rates proposed by the Mayor in Council Bills 117520 and 117521. In the event the full Council adopts new wastewater and drainage rates that differ from what the Mayor has proposed, this Bill may need to be amended to reflect the actual rates adopted.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Department	Revenue Source	2012 Revenue	2013 Revenue
Drainage and Wastewater Fund 44010	Seattle Public Utilities	Wastewater Utility Services	\$0	\$15,855,505
Drainage and Wastewater Fund 44010	Seattle Public Utilities	Drainage Utility Services	\$0	\$876,192
TOTAL			\$0	\$16,731,696

Revenue/Reimbursement Notes:

The 2013 revenues are the additional revenues resulting from the increase in SPU's wastewater rates and drainage rates.



Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**

No

- b) **What is the financial cost of not implementing the legislation?**

The Drainage and Wastewater Fund would not fully recover the cost of its business operations.

- c) **Does this legislation affect any departments besides the originating department?**

Several City departments have facilities that incur drainage costs. These facilities' costs will increase commensurate with the rate increases proposed in this legislation. The impacts will be included in the 2013-2014 Proposed Budget. The impacted departments include: Seattle Center, Seattle City Light, the Department of Neighborhoods, the Seattle Department of Transportation, the Department of Finance and Administrative Services, the Department of Parks and Recreation, and the Seattle Public Library.

- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

Not raising the rates at this time would result in the Drainage and Wastewater Fund failing to recover the cost of its operations in accordance with its financial policies. Alternatively, the Fund could meet its financial policies without raising rates by cutting the cost of its operations by the amounts shown above; however, this would result in an inability to pay for basic operations or make important investments in the system.

- e) **Is a public hearing required for this legislation?**

No.

- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

None.

- g) **Does this legislation affect a piece of property?**

No.

- h) **Other Issues:**

List attachments to the fiscal note below:

Exhibit A: King County Passthrough Analysis



Exhibit A

**Seattle Public Utilities
 King County Treatment Rate
 2013 Passthrough to Wastewater Rate**

	<u>2012</u> <u>Adopted</u> <u>Rate</u>	<u>Proposed</u> <u>in CB 117521</u> <u>2013</u>	<u>Adjusted</u> <u>2013</u>
1			
2	\$6.94	\$6.88	\$7.69
3	<u>\$3.74</u>	<u>\$3.98</u>	<u>\$3.98</u>
4	\$10.68	\$10.86	\$11.67
5			
6	<i>\$36.10</i>	<i>\$36.10</i>	<i>\$39.79</i>
7			
8	<u>2013 Projected Sewer Volumes</u>		
9			12,600,000
10			7,000,000
11			<u>19,600,000</u>
12			
13			\$133,994,379
14			\$1,276,283
15			<u>\$487,908</u>
16			<u>\$135,758,569</u>
17			
18			\$135,758,569
19			0.05042
20			6,844,495
21			
22			\$128,914,075
23			
24			\$128,914,075
25			(\$1,276,283)
26			<u>\$1,278,807</u>
27			<u>\$128,916,599</u>
28			
29			\$128,916,599
30			19,600,000
31			\$6.58
32			16.9%
33			\$7.69
34			
35	<u>Note 1: 2013 Drainage allocation</u>		
36	Percent of KC Treatment CSO-related		11%
37	Percent of CSO assigned to Drainage		55%
38	4/6 shift in 2013		83%
39	2013 Allocation to Drainage		5.042%

