

ORDINANCE 1751

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, INCREASING SEWER GENERAL FACILITY CHARGES; AMENDING THE CITY'S TAXES, RATES, AND FEES SCHEDULE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of North Bend ("City") owns and operates a municipal sewer utility as authorized by Chapter 35.67 RCW; and

WHEREAS, the City has developed a Wastewater System Facilities Plan ("Plan") which describes improvements necessary for the City's Wastewater Treatment Plant ("WWTP") and in the sewer collection system, in order to increase reliability and redundancy for the utility and address the growth that recently occurred within the City; and

WHEREAS, general facilities charges ("GFCs") are collected by the City for each new Equivalent Residential Unit added to the sewer utility, and those GFCs are designated to pay for a proportionate share of the existing sewer infrastructure as well as a proportionate share of future capital projects over a five-year period; and

WHEREAS, the City's existing sewer customers are responsible for paying for operations, maintenance and repairs for the sewer utility and to existing infrastructure within the sewer system, and for stricter environmental requirements imposed by Washington State Department of Ecology; and

WHEREAS, the City Council adopted Ordinance 1084, the Taxes, Rates and Fees Schedule, effective November 2, 1999; and

WHEREAS, the Taxes, Rates and Fees Schedule, which includes sewer rates and GFCs, was last amended by Ordinance 1741, effective April 1, 2021; and

WHEREAS, the sewer GFC was updated in January 2019 and has been automatically increased each year since then on January 1st by the percentage reflected in the Seattle ENR Construction Cost Index (CCI); and

WHEREAS, the City last studied sewer rates in 2016 and revised the sewer rate structure to encourage water conservation practices by lowering the base fixed fee and raising the variable usage fee, adopted a rate schedule for the years 2016 – 2020, and included an automatic annual CPI adjustment beginning January 1, 2021; and

WHEREAS, the City has been working with Trane, through a contract with the State of Washington Department of Enterprise Services, for the WWTP High Priority Improvements Project Phase II ("Phase II") design; and

WHEREAS, WWTP High Priority Improvements Phase II was projected to include approximately \$24 million worth of capital improvement projects at the WWTP, however, the anticipated project costs have increased due to higher fuel, steel, and copper material costs during the first half of 2021, and the revised calculated final project cost is expected to be approximately \$25 million; and

WHEREAS, the City contracted with FCS Group to update the Sewer Rate Study to recalculate the City’s sewer rates and GFCs to recover costs necessary to fund Phase II Improvements, existing debt repayment for Phase I Improvements, and ongoing operations and maintenance of the municipal sewer utility; and

WHEREAS, the sewer GFC was last calculated in by the FCS Group on May 11, 2021, and the proposed GFC increase is approximately two to three percent (approximately \$413 per equivalent residential unit (“ERU”)); and

WHEREAS, the City held a public hearing on the proposed changes to the sewer rates and GFCs at the June 15, 2021 City Council meeting; and

WHEREAS, the City Council finds it appropriate to the amend Taxes, Rates and Fees Schedule to reflect costs associated with providing sewer services as well as sewer public facilities and infrastructure;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. General Facilities Charges: The Taxes, Rates and Fees Schedule as adopted by Ordinance 1084 and last amended by Ordinance 1741, is amended to read as follows:

		Effective 07/01/2021*				
13.20.080	Equivalent Residential Unit (ERU) Based on water meter size:	ERUs	Charge Non-ULID #6	Charge ULID #6	Commercial Non-ULID #6	Commercial ULID #6
	5/8" or 3/4"	1	\$ 16,437.00	\$ 14,557.00	\$ 13,150.00	\$ 10,190.00
	1"	2.5	\$ 41,092.00	\$ 36,393.00	\$ 32,874.00	\$ 25,475.00
	1-1/2"	5	\$ 82,185.00	\$ 72,785.00	\$ 65,748.00	\$ 50,950.00
	2"	8	\$ 131,496.00	\$ 116,457.00	\$ 105,197.00	\$ 81,520.00
	3"	16	\$ 262,991.00	\$ 232,913.00	\$ 210,393.00	\$163,039.00
	4"	25	\$ 410,924.00	\$ 363,927.00	\$ 328,739.00	\$254,749.00

*The charges in this table will be automatically increased each year on January 1st, compared to the prior year, by the percentage reflected in the Seattle ENR Construction Cost Index (CCI).

Section 2. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by

state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date: This ordinance shall be published in the official newspaper of the City and shall take effect and be in full force on July 1, 2021.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 15TH DAY OF JUNE, 2021.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Rob McFarland, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published: June 25, 2021
Effective: July 1, 2021

Susie Oppedal, City Clerk