

ORDINANCE NO. ORD-2021-004

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING SECTIONS 14-04.015, 14-04.090 AND 14-08.010 AND DELETING SECTION 14-08.015 OF THE SANTA ROSA CITY CODE, REVISING MONTHLY SERVICE CHARGES, RATES CHARGED FOR CITY WATER SERVICES AND WATER SHORTAGE RATE AND EXCESS USE PENALTIES STRUCTURES

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. Section 14-04.015 of the Santa Rosa City Code is amended to read in full as follows:

“14-04.015 Water Shortage Rate Structure.

At any time the Council of the City of Santa Rosa or the Director of Utilities declares a Water Shortage Emergency and implements Water Shortage Stages 2 through 8 pursuant to its current, adopted Water Shortage Contingency Plan, the following water shortage rate structure will be applied to all potable water accounts:

(A) A water shortage rate charge (WSC) will be implemented for all potable water accounts as follows:

Water Shortage Stage	Water Usage Charge
Stage 2	Current User Charge + 5% WSC
Stage 3	Current User Charge + 7.5% WSC
Stage 4	Current User Charge + 10% WSC
Stage 5	Current User Charge + 15% WSC
Stage 6	Current User Charge + 25% WSC
Stage 7	Current User Charge + 35% WSC
Stage 8	Current User Charge + 45% WSC

(B) In addition to the WSC, an excess use penalty (EUP) for all water used above the individual account allocations specified in the current, adopted Urban Water Shortage Contingency Plan will be implemented for all potable water accounts as follows:

Water Shortage Stage	Excess Use Penalty 101% to 150% of allocation	Excess Use Penalty over 151% of allocation
Stage 5	Current User Charge + 10% penalty	Current User Charge + 20% penalty
Stage 6	Current User Charge + 25% penalty	Current User Charge + 50% penalty
Stage 7	Current User Charge + 40% penalty	Current User Charge + 80% penalty
Stage 8	Current User Charge + 50% penalty	Current User Charge + 100% penalty

Excess Use Penalty revenues are not intended to be used as general operating revenues during the emergency but may be used to: (1) offset the extraordinary costs of the water shortage emergency such as additional conservation support; (2) rebuild the Catastrophic Reserve; (3) establish a rate stabilization fund for the post-emergency recovery.

Section 2. Section 14-04.090 of the Santa Rosa City Code is amended to read in full as follows:

"14-04.090 Fixed monthly service charges.

(A) The fixed monthly service charges for water service are based upon the size of the water meter and are as follows for meters connected to the potable water system:

Meter Size (in inches)	Meters Read on and After July 1, 2021	Meters Read on and After July 1, 2022	Meters Read on and After July 1, 2023	Meters Read on and After July 1, 2024
Potable Water - Monthly Service Charge				
5/8" & 3/4"	\$14.09	\$14.51	\$14.95	\$15.55
1"	\$31.63	\$32.58	\$33.56	\$34.90
1.5"	\$60.86	\$62.69	\$64.57	\$67.15
2"	\$95.95	\$98.83	\$101.79	\$105.87
3"	\$177.81	\$183.14	\$188.64	\$196.18
4"	\$294.76	\$303.60	\$312.71	\$325.22
6"	\$587.13	\$604.74	\$622.89	\$647.80

(B) The monthly service charges for meters connected to the recycled water system is 90% of the monthly service charge for potable water and are as follows:

Meter Size (in inches)	Meters Read on and After July 1, 2021	Meters Read on and After July 1, 2022	Meters Read on and After July 1, 2023	Meters Read on and After July 1, 2024
Recycled Water - Monthly Service Charge				
5/8" & 3/4"	\$12.68	\$13.06	\$13.45	\$13.99
1"	\$28.47	\$29.32	\$30.20	\$31.41
1.5"	\$54.77	\$56.42	\$58.11	\$60.43
2"	\$86.36	\$88.95	\$91.61	\$95.28
3"	\$160.03	\$164.83	\$169.77	\$176.57
4"	\$265.28	\$273.24	\$281.44	\$292.70
6"	\$528.42	\$544.27	\$560.60	\$583.02

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(C) The monthly service charges for City-maintained meters on private water systems are as follows:

Meter Size (in inches)	Meters Read on and After July 1, 2021	Meters Read on and After July 1, 2022	Meters Read on and After July 1, 2023	Meters Read on and After July 1, 2024
City Meters on Private Systems - Monthly Service Charge				
5/8" & 3/4"	\$5.39	\$5.50	\$5.61	\$5.72
1"	\$5.77	\$5.89	\$6.01	\$6.13
1.5"	\$8.35	\$8.51	\$8.68	\$8.86
2"	\$9.18	\$9.36	\$9.55	\$9.74
3"	\$15.05	\$15.35	\$15.65	\$15.97
4"	\$20.61	\$21.03	\$21.45	\$21.88
6"	\$29.73	\$30.32	\$30.93	\$31.55

Section 3. Section 14-08.010 of the Santa Rosa City Code is amended to read in full as follows:

"14-08.010 Rates for the delivery of potable and recycled water in addition to fixed monthly charges.

The user charges shall be as follows:

Single Family and Duplex Residential Accounts (Potable Water)

In addition to the fixed monthly charge set forth in section 1, residential users shall pay a user charge for each 1,000 gallons of water used, on billings rendered on and after July 1, 2021, and on and after July 1, for each of the following years through July 1, 2024 as follows:

Tier*	Meters Read on and After July 1, 2021	Meters Read on and After July 1, 2022	Meters Read on and After July 1, 2023	Meters Read on and After July 1, 2024
Potable Water – Usage Charge				
Tier 1	\$5.99	\$6.17	\$6.36	\$6.61
Tier 2	\$6.79	\$6.99	\$7.20	\$7.49

**Tier 1 Up to Sewer Cap*

Tier 2 Over Sewer Cap

Single family residential accounts with no sewer cap due to an absence of irrigation usage and single-family residential accounts that are water-only accounts, which do not use City water to irrigate, will have all water billed at the Tier 1 user charge.

Single family residential water-only accounts (i.e. those with no corresponding City wastewater account), and which use City water for irrigation, will be allotted a water cap for purposes of being billed at the tiered rates.

Dedicated Irrigation Accounts

Dedicated irrigation accounts are accounts that have a meter used solely for irrigation. These accounts shall have a user charge based on site-specific water budgets.

The billing period water budget is the amount of water needed to irrigate the specific area of landscape served by the dedicated irrigation account for the specific days covered by the billing period. The billing period water budget is determined monthly in arrears for each account in accordance with the following formula:

$$\text{Billing Period Water Budget} = \{ .7 \times [\text{ET}_o - \text{EP}] \times [\text{LA}_h + \text{LA}_m] \times \text{CF} \}$$

ET_o (Reference Evapotranspiration) = Evapotranspiration is defined as the amount of water used by the plants (transpiration) and evaporated from the soil (evaporation). It is measured in inches by the Santa Rosa California Irrigation Management Information Systems (CIMIS) weather stations. Reference Evapotranspiration is a standard measurement of evapotranspiration for cool-season turf. The billing period ET_o is the sum of the daily ET_o for the specific days of the billing cycle.

EP (Effective Precipitation) = The depth of rainfall, measured in inches by the Santa Rosa CIMIS weather stations, that offsets ET_o . It is assumed that only one third of total rainfall offsets ET_o . The billing period effective precipitation is for the specific days of the billing cycle.

LA_h (landscape area high) = Square footage of site's landscape area consisting of high water use plants or uses (turfgrass, ornamental water features, annuals, plants in containers and plants with a plant factor greater than 0.6)

LA_m (landscape area moderate) = Square footage of site's landscape area consisting of moderate and low water use plants (plants with a plant factor of 0.6 or less)

CF (Conversion factor) = 0.623, the number that converts square feet to gallons

Verifications of the account site's landscape measurements may be requested by the customer. Adjustments to the landscape measurements may be made if changes, including but not limited to addition of landscape, changes to the plant type, or removal of landscape, are made to the connection site's landscape, however the adjustments cannot exceed the acceptable landscape plant mix as defined by the City's Water Efficient Landscape Ordinance (Chapter 14-30). To request a verification or adjustment for the connection site, contact the Water Department.

In addition to the fixed monthly charge set forth in section 1, dedicated irrigation users shall pay a user charge for each 1,000 gallons of water used, on billings rendered on and after July 1, 2021, and on and after July 1, for each of the following years through July 1, 2024 as follows:

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(A) For potable water use:

Tier*	Meters Read on and After July 1, 2021	Meters Read on and After July 1, 2022	Meters Read on and After July 1, 2023	Meters Read on and After July 1, 2024
Irrigation Potable Water - Usage Charge				
Tier 1	\$6.09	\$6.27	\$6.46	\$6.72
Tier 2	\$7.54	\$7.77	\$8.00	\$8.32

**Tier 1 Up to 125% of Billing Period Water Budget*

Tier 2 Over 125% of Billing Period Water Budget

(B) For recycled water use:

Tier*	Meters Read on and After July 1, 2021	Meters Read on and After July 1, 2022	Meters Read on and After July 1, 2023	Meters Read on and After July 1, 2024
Irrigation Recycled Water - Usage Charge				
Tier 1	\$5.79	\$5.96	\$6.14	\$6.38
Tier 2	\$7.54	\$7.77	\$8.00	\$8.32

**Tier 1 Up to 125% of Billing Period Water Budget*

Tier 2 Over 125% of Billing Period Water Budget

Multi-Unit Residential Accounts (three units and more):

In addition to the fixed monthly charge set forth in section 1, multi-family residential users shall pay a user charge for each 1,000 gallons of water used, on billings rendered on and after July 1, 2021, and on and after July 1, for each of the following years through July 1, 2024 as follows:

Meters Read on and After July 1, 2021	Meters Read on and After July 1, 2022	Meters Read on and After July 1, 2023	Meters Read on and After July 1, 2024
\$6.33	\$6.52	\$6.72	\$6.98

Commercial, Industrial and Institutional Accounts:

In addition to the fixed monthly charge set forth in section 1, commercial, industrial and institutional users shall pay a user charge for each 1,000 gallons of water used, on billings rendered on and after July 1, 2021, and on and after July 1, for each of the following years through July 1, 2024 as follows:

(A) For potable water use:

Meters Read on and After July 1, 2021	Meters Read on and After July 1, 2022	Meters Read on and After July 1, 2023	Meters Read on and After July 1, 2024
\$6.33	\$6.52	\$6.72	\$6.98

(B) For recycled water use requiring special on-site treatment:
Certain customers may require special on-site treatment to utilize recycled water for some commercial / industrial / institutional needs. The Board of Public Utilities may set user rates for such customers on a case-by-case basis that result in the use of recycled water having the same financial impact to the customer as the use of potable water.

Section 4. Section 14-08.015 “Automatic wholesale rate pass through adjustment” of the Santa Rosa City Code is to be deleted.

Section 5. The City Council, based on the reports, oral and written, of staff, the recommendations of the Board of Public Utilities, the other materials provided and considered, and the testimony and other evidence presented, finds that the changes in service rates and charges set forth above are not discriminatory or excessive, are sufficient under Section 54515 of the Government Code, and are required to meet estimated costs and operating expenses, including increased employee wages and fringe benefits, the cost of purchasing and/or leasing supplies, materials and equipment, financial reserve requirements and the costs of capital improvements, necessary to maintain and provide proper and adequate service to properties and premises served by the City's water utility, an enterprise system. Based on these findings, the City Council finds that the changes in rates and charges set forth in this ordinance are exempt from the provisions of the California Environmental Quality Act under section 15273 of the State CEQA Guidelines.

Section 6. Delinquent water service charges and all penalties thereon when recorded as provided in Chapter 14-04 of the Santa Rosa City Code and Chapter 6 of Part 1 of Division 2 of Title 5 of the Government Code shall constitute a lien upon the real property served.

Section 7. This ordinance shall be effective following its adoption and publication, provided, however, that the water charges and rates set forth in Sections 1 and 2 of this ordinance shall be applied only to billings on water meters read by the City on and after July 1, 2021 and for each of the following years through July 1, 2024, as set forth in the above amended sections 14-04.090 and 14-08.010 of the City Code.

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Section 8. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

This ordinance was introduced by the Council of the City of Santa Rosa on the 25th day of May, 2021

IN COUNCIL DULY PASSED AND ADOPTED this 8th day of June, 2021.

AYES: (7) Mayor C. Rogers, Vice Mayor N. Rogers, Council Members Alvarez, Fleming, Sawyer, Schwedhelm, Tibbetts

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney