

RESOLUTION NO. RES-2020-189

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A REFUND FOR WATER DEMAND FEES FOR MULTI-FAMILY PROPERTIES THAT PAID A SEPARATE IRRIGATION WATER DEMAND FEE

WHEREAS, On August 26, 2014, the Santa Rosa City Council approved the Water and Wastewater Demand Fee Study Final Report (Report) produced by the Reed Group, Inc. and adopted Resolution No. 28547 which adopted the City's Water and Wastewater Demand Fee schedule; and

WHEREAS, the adopted demand fee for multi-family properties included an amount for irrigation demand for each individual unit; and

WHEREAS, some multi-family properties are required to install a dedicated irrigation meter and charged a corresponding irrigation water demand fee; and

WHEREAS, Santa Rosa Water has determined that those multi-family properties with a separate irrigation meter for dedicated irrigation demand were charged an additional demand fee for irrigation; and

WHEREAS, the amount of water demand volume for multi-family properties with a dedicated irrigation meter should be 4.8 units and not 9.0 units when separate water demand irrigation demand is paid; and

WHEREAS, Santa Rosa Water has identified the multi-family properties that paid an additional irrigation demand fee; and

WHEREAS, Santa Rosa Water re-calculated the total water demand fee for each individual multi-family unit without the incorporated irrigation demand; and

WHEREAS, Santa Rosa Water is recommending the multi-family properties that were charged an additional demand fee for irrigation purposes be refunded the additional payment, as indicated in the Attached Exhibit A; and

WHEREAS, per Government Code Section 66013(h), a refunding of such additional demand fees is not legally required; and

WHEREAS, the Board of Public Utilities considered this item at their November 5, 2020 Board meeting and, by resolution, recommended that the Council approve issuance of and authorize the Chief Financial Officer to pay a refund of the irrigation demand for those multi-family properties, as indicated in Attached Exhibit A, that were charged an additional demand fee for irrigation purposes; and

WHEREAS, the Council has determined that the identified multi-family developments, as indicated in the Attached Exhibit A, were charged an additional irrigation demand fee in error and

proposed refunds are appropriate.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa approves issuance of a refund of the irrigation demand for those multi-family properties that were change an additional demand fee for irrigation purposes.

BE IT FURTHER RESOLVED that the Council authorizes the Chief Financial Officer to pay these refunds to individual properties from Fund 1615-4643.

IN COUNCIL DULY PASSED this 10th day of November, 2020.

AYES: (7) Mayor Schwedhelm, Vice Mayor Fleming, Council Members Dowd, Olivares, Rogers, Sawyer, Tibbetts

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: Stephanie A. Williams
City Clerk

APPROVED: J Schwedhelm
Mayor

APPROVED AS TO FORM:

Sue Gallagher
Sue Gallagher (Dec 3, 2020 18:18 PST)
City Attorney

Exhibit A – Calculated Refunds for Multi-Family Properties

Calculated Refunds for Multi-Family Properties							
Permit Number	Payment Amount	# of Units	Per Unit Fee Paid	Per \$1,000 Gallon Charge (at time of payment)	Per Unit Fee (no irrigation capacity)	Total Fee (no irrigation capacity)	Difference to be Refunded
U07-0106	\$2,255.00	1	\$2,255	\$251	\$1,205	\$1,205	\$1,050
U07-0107	\$2,255.00	1	\$2,255	\$251	\$1,205	\$1,205	\$1,050
U07-0108	\$2,255.00	1	\$2,255	\$251	\$1,205	\$1,205	\$1,050
U07-0109	\$2,255.00	1	\$2,255	\$251	\$1,205	\$1,205	\$1,050
U07-0110	\$2,255.00	1	\$2,255	\$251	\$1,205	\$1,205	\$1,050
U15-0045	\$46,000.00	20	\$2,300	\$256	\$1,229	\$24,576	\$21,424
U15-0047	\$46,000.00	20	\$2,300	\$256	\$1,229	\$24,576	\$21,424
U15-0048	\$46,000.00	20	\$2,300	\$256	\$1,229	\$24,576	\$21,424
U15-0049	\$46,000.00	20	\$2,300	\$256	\$1,229	\$24,576	\$21,424
U15-0050	\$46,000.00	20	\$2,300	\$256	\$1,229	\$24,576	\$21,424
U15-0051	\$46,000.00	20	\$2,300	\$256	\$1,229	\$24,576	\$21,424
U16-0085	\$23,000.00	10	\$2,300	\$256	\$1,229	\$12,288	\$10,712
U16-0086	\$23,000.00	10	\$2,300	\$256	\$1,229	\$12,288	\$10,712
U16-0088	\$33,460.00	14	\$2,390	\$266	\$1,277	\$17,875	\$15,585
U16-0090	\$2,300.00	1	\$2,300	\$256	1228.8	\$1,229	\$1,071
U16-0272	\$181,700.00	79	\$2,300	\$256	\$1,229	\$97,075	\$84,625
U16-0370	\$28,680.00	12	\$2,390	\$266	\$1,277	\$15,322	\$13,358
U16-0371	\$28,680.00	12	\$2,390	\$266	\$1,277	\$15,322	\$13,358
U16-0372	\$28,680.00	12	\$2,390	\$266	\$1,277	\$15,322	\$13,358
U16-0373	\$57,360.00	24	\$2,390	\$266	\$1,277	\$30,643	\$26,717
U16-0374	\$57,360.00	24	\$2,390	\$266	\$1,277	\$30,643	\$26,717
U16-0379	\$2,300.00	1	\$2,300	\$256	\$1,229	\$1,229	\$1,071
U16-0381	\$2,300.00	1	\$2,300	\$256	\$1,229	\$1,229	\$1,071
U16-0382	\$2,300.00	1	\$2,300	\$256	\$1,229	\$1,229	\$1,071
U16-0383	\$2,390.00	1	\$2,390	\$266	\$1,277	\$1,277	\$1,113
U16-0384	\$2,390.00	1	\$2,390	\$266	\$1,277	\$1,277	\$1,113
U16-0390	\$19,752.00	8	\$2,469	\$275	\$1,320	\$10,560	\$9,192

Exhibit A
Attachment 1

Permit Number	Payment Amount	# of Units	Per Unit Fee Paid	Per \$1,000 Gallon Charge (at time of payment)	Per Unit Fee (no irrigation capacity)	Total Fee (no irrigation capacity)	Difference to be Refunded
U16-0391	\$4,938.00	2	\$2,469	\$275	\$1,320	\$2,640	\$2,298
U16-0392	\$9,876.00	4	\$2,469	\$275	\$1,320	\$5,280	\$4,596
U17-0256	\$11,950.00	5	\$2,390	\$266	\$1,277	\$6,384	\$5,566
U18-0126	\$7,407.00	3	\$2,469	\$275	\$1,320	\$3,960	\$3,447
U18-0127	\$7,407.00	3	\$2,469	\$275	\$1,320	\$3,960	\$3,447
U18-0128	\$7,407.00	3	\$2,469	\$275	\$1,320	\$3,960	\$3,447
U18-0129	\$7,407.00	3	\$2,469	\$275	\$1,320	\$3,960	\$3,447
U18-0169	\$59,256.00	24	\$2,469	\$275	\$1,320	\$31,680	\$27,576
U18-0170	\$59,256.00	24	\$2,469	\$275	\$1,320	\$31,680	\$27,576
U18-0171	\$59,256.00	24	\$2,469	\$275	\$1,320	\$31,680	\$27,576
U18-0172	\$59,256.00	24	\$2,469	\$275	\$1,320	\$31,680	\$27,576
U18-0173	\$59,256.00	24	\$2,469	\$275	\$1,320	\$31,680	\$27,576
U18-0812	\$2,541.00	1	\$2,541	\$283	\$1,358	\$1,358	\$1,183
U18-0814	\$2,541.00	1	\$2,541	\$283	\$1,358	\$1,358	\$1,183
U19-0025	\$2,541.00	1	\$2,541	\$283	\$1,358	\$1,358	\$1,183
	\$1,171,902.00				Total Refund	\$626,227.20	\$545,674.80