

Ordinance No. 121665

Council Bill No. 115080

AN ORDINANCE relating to wastewater services of Seattle Public Utilities; amending Seattle Municipal Code Section 21.28.080 to adjust the calculation of summer residential wastewater charges for customers with inadequate consumption records.

The City of Seattle
Council Bill/Ordinance

11-10-04 Pass RM

11-22-04 Pass

CF No. _____

Date Introduced:	OCT 18 2004	
Date 1st Referred:	To: (committee)	BUDGET
OCT 18 2004		
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote: 9-0	
11-22-04		
Date Presented to Mayor:	Date Approved:	
11-22-04	11/30/04	
Date Returned to City Clerk:	Date Published:	T.O. <input checked="" type="checkbox"/>
11/30/04	2 pp	F.T. <input checked="" type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready

LAW DEPARTMENT

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

Jim Ah...

Councilmember

Committee Action:

11-10-04 Pass RM, RC, JC, DD, TD, JG, DL, TR, PS

11-27-04 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____

LAW DEPARTMENT

*Final Note: Approved
11/27/04
No further action
over full
over full*

Law Dept. Review

OMP
Review

City Clerk
Review

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City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

September 27, 2004

Honorable Jan Drago
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Drago:

I am pleased to transmit the attached proposed Council Bill, which authorizes the Seattle Public Utilities to base certain wastewater bills on a revised typical residential monthly consumption level. This proposed change results from our customers' strong conservation efforts, which have reduced typical residential wastewater demand from 600 cubic feet per month to 520 cubic feet per month.

Water used outdoors during the summer rarely enters the wastewater system. For this reason, summer residential wastewater bills are based on average winter water use to avoid charging residential customers for the water used outdoors during the summer. When winter water consumption records are unavailable or inaccurate, residential customers may be billed for wastewater use at the typical monthly winter water consumption level of residential households. This "default" consumption amount is identified in the Seattle Municipal Code, and should be revised downward to reflect the conservation efforts of our customers. While changes such as these are usually considered as part of rate proposals, the next wastewater rate proposal is not expected until 2007, so we are proposing this adjustment now.

Thank you for your consideration of this legislation. Should you have questions, please contact Brian Buck at 733-9064.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a horizontal line.

GREG NICKELS
Mayor of Seattle

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

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2005 BUDGET LEGISLATION FISCAL NOTE

Note: This fiscal note template may be used for most pieces of budget legislation. Certain legislation submitted with the budget (e.g., the Supplemental Ordinance, Drug Forfeiture Legislation, Money Laundering Forfeiture Legislation, etc.), require that the standard fiscal note template be used with some modification. Please work with your Budget Analyst so that your fiscal note provides the information that is required during the budget process. The standard template can be found on the Legislation Tracking Page on the inweb at <http://inweb/legislationtracking/>

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Seattle Public Utilities	Brian Buck, 773-9064	Cameron Keyes, 684-8048

Legislation Title:

AN ORDINANCE relating to wastewater services of Seattle Public Utilities; amending Seattle Municipal Code Section 21.28.080 to adjust the calculation of summer residential wastewater charges for customers with inadequate consumption records.

• Summary of the Legislation:

This ordinance adjusts the level of typical residential consumption used to calculate a "default" bill for residential customers for whom relevant records are unavailable or inaccurate. Because of conservation efforts, the "typical" level of residential consumption has fallen from 6 hundred cubic feet (6 CCF) per month to 5.2 CCF per month).

• Background:

The most common use of this "default" consumption level is in billing for summer wastewater consumption. Summer wastewater bills are the lower of actual summer water consumption or average winter water consumption. Summer wastewater bills are computed in this way to exclude outdoor water use in the summer from wastewater charges. However, when winter water consumption records are unavailable or inaccurate, residential customers may be billed for wastewater use at the typical monthly winter water consumption level of residential households.

SPU analyzed typical residential water and sewer use in early 2003, and found that typical use had dropped. The most likely reason for the decrease in demand is the effect of conservation programs and education. This ordinance is proposed to reflect the new, lower consumption of the typical residential customer in the "default" consumption amount used to compute bills when no better information is available.

 This legislation does not have any financial implications. (Stop here and delete the remainder of this document prior to saving and printing.)

 X This legislation has financial implications. (Please complete all relevant sections that follow.)



Anticipated Revenue/Reimbursemen: (For budget legislation that raises fees, please provide detail on each fee that is being raised, when it was last raised, how the proposed fee compares with similar fees in the region, etc.)

Fund Name and Number	Department	Revenue Source	2005 Revenue	2006 Revenue
44010 - Drainage and Wastewater Fund	Seattle Public Utilities	Wastewater Service Rates	(\$580,000)	(\$600,000)
TOTAL			(\$580,000)	(\$600,000)

Notes:

Given that the CCSS billing system may only be able to bill in whole unit increments, the above table reflects a revenue reduction projection using a default billing rate of 5.0 CCF per month. If CCSS can actually bill using the 5.2 CCF per moth rate that this ordinance adopts, the revenue reduction would be estimated at only \$470K in 2005 and \$480K in 2006.

- What is the financial cost of not implementing this legislation? *(Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented).*
 This action reduces wastewater revenues, so without it, wastewater revenues would be higher.
- What are the possible alternatives to the legislation that could achieve the same or similar objectives? *(Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)*
 Rather than revising the "default" consumption used in calculating certain bills, the current default could be justified by changing City policy to slightly penalize customers for whom no better billing information is available. The 0.8 CCF difference between the current default and the proposed default would represent this penalty. There is no obvious reason to assess this penalty.
- Is the legislation subject to public hearing requirements? *(If yes, what public hearings have been held to date)*
 No.
- Other Issues *(including long-term implications of the legislation):*



STATE OF WASHINGTON - KING COUNTY

--SS.

179631
CITY OF SEATTLE, CLERKS OFFICE

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORDINANCE 121665

was published on

12/9/2004



Affidavit of Publication

Journal of Commerce
Subscribed and sworn to before me on

12/9/2004

Journal of Commerce

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

ORDINANCE 121666

AN ORDINANCE relating to wastewater services of Seattle Public Utilities; amending Seattle Municipal Code Section 21.28.080 to adjust the calculation of summer residential wastewater charges for customers with inadequate consumption records.

WHEREAS, metered winter water consumption is the basis for residential wastewater charges in both the winter and the summer because most of the water consumed during the winter is discharged into the wastewater system and the quantity of such discharges is similar in winter and summer; and

WHEREAS, when winter water consumption records are unavailable or inaccurate, residential customers may be billed for summer wastewater use at the typical monthly winter water consumption level of residential households; and

WHEREAS, residential water use has declined due to changes in customer habits and conservation programs; and

WHEREAS, the level of typical monthly winter wastewater consumption used in billing residential customers for whom winter water consumption records are unavailable or inaccurate should be revised to reflect lower typical residential wastewater use; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Effective January 1, 2005, Seattle Municipal Code Section 21.28.080.B is amended as follows:

B. The Director of Seattle Public Utilities may use an assumed volume of five and two tenths (5.2) (~~six (6)~~) CCF per household, or prior water consumption records if those records are more representative of expected usage, to calculate residential wastewater charges under the following circumstances:

1. When the water meter has been determined to be malfunctioning;
2. When customers have insufficient water consumption history to calculate average winter water consumption;
3. When water use in the period used to calculate average winter water consumption is not representative of expected water use, such as rental property that is vacant between tenants or in the case of seasonal customers; and
4. When customers are not served by a publicly owned water supply system.

Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 22nd day of November, 2004, and signed by me in open session in authentication of its passage this 22nd day of November, 2004.

JAN DRAGO,

President of the City Council.

Approved by me this 30th day of November, 2004.

GREGORY J. NICKELS,

Mayor.

Filed by me this 30th day of November, 2004.

(Seal) JUDITH PIPPIN,

City Clerk.

Publication ordered by JUDITH PIPPIN,

City Clerk.

Date of publication: