



**BOARD MEETING AGENDA SUBMITTAL**

**MEETING DATE:**

**ITEM SUBMITTED BY:**

**SUBMITTAL PREPARED BY:**

**AGENDA ITEM:**

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**RECOMMENDED ACTION**

**BACKGROUND**

**ATTACHMENTS**

**FINANCIAL IMPACTS**

# GCSD

## 2019 Wastewater Ordinance Update Overview

### **ARTICLE I. DEFINITIONS**

Updated by staff as a last step in the process to ensure clarity in terms

### **ARTICLE II. REQUIRED USE OF PUBLIC SEWERS**

Updated by General Manager with legal and engineering review and input. This section needs to address new "Accessory Dwelling Unit" laws and regulations.

### **ARTICLE III. REGULATIONS**

Updated by District Engineer and General Manager to address new state regulations and laws. Propose to issue permits to Accessory Dwellings and require separate connections for separate dwelling units. Regulations on discharge of Fats, Oils and Grease (FOG) must be clarified and strengthened. A section regarding the issuance of discharge permits should be added.

### **ARTICLE IV. PRIVATE SEWERS TO EXISTING SERVICE STUBS, CLASSIFICATION OF USERS, CONNECTION FEES AND CHARGES**

Updated by GM, District Engineer, with legal review. All fees will be removed from Ordinance and kept updated in annual approval of miscellaneous fee schedule, however descriptions of the purpose of the fee and charge remains in the ordinance. Propose eliminating the connection fee discount for government and non-profit agencies (currently 60% of normal). Connection/capacity fees language needs to reflect the requirements of Government Code 66000 and must be tied to Master Plan Capital Improvement Plan, and reviewed by municipal finance consultant/legal. The standards and requirements for private sewer connections to existing stubs (and laterals) needs to be updated and easement and inspection requirements included.

A separate section needs to be added for compliance with current sanitary sewer management plan requirements, to provide for private sewer lateral inspections, mandatory repair or replacement to avoid public sewer overflows. Mandatory hookup and abatement requirements should also be considered.

### **Article V. SEWER MAIN EXTENSIONS INCLUDING NEW SEWER SERVICE STUBS**

No review needed, references policy only. The new connection policy should be reviewed and updated as well.

### **ARTICLE VI. PROTECTION FROM DAMAGE**

To be reviewed by District Engineer

### **ARTICLE VII. SERVICE CHARGES**

The applicability of charges to Accessory Dwelling Units needs to be specifically defined. The provisions for automatic rate adjustments needs to be removed and reference made to rate schedules adopted by Board Resolution.

The provisions need to be evaluated for Special Flat Rate for Significant Landscape Irrigation, which provide for winter averaging or a minimum of 3100 gallons in calculating sewer usage charges. The GM and District Engineer will evaluate the average customer winter water usage and make recommendations regarding the minimum accordingly. May propose proof of installation of water saving plumbing fixtures and replacement of toilet flap valves. A better, quantifiable definition of special usage charges will be provided.

The requirements for delivered sewage waste, such as RVs and portable toilets needs to be updated by the District Engineer. The Ordinance references charging standby fees to undeveloped lots with a service stub. We are currently not charging this fee, and need to determine if this is a legally adopted standby fee (in accordance with Prop 218), the parcels to which it would apply. If there are lots who should be paying, legal counsel will need to opine on whether we have a legally enforceable charge. It is advisable to add requirements that new land development/subdivision projects shall be required to approve a standby fee on all vacant parcels until served.

**Article VIII. BILLING POLICY, ADMINISTRATION, COLLECTION AND DISPUTES**

This section will be updated by staff under the direction of the Office Manager. All fees listed in the ordinance will be removed and maintained in the miscellaneous fee schedule adopted by resolution. The requirement for payment of connection fees a second time after disconnection of service, may not be allowed under law and may require a wording change.

**Article IX. RATE ADJUSTMENTS, REQUIREMENT TO BALANCE SEWER FUND ANNUALLY**

This section will be updated by Management. Service financial goals and reserve requirements should not be contained in the ordinance since they are internal requirements; rather they should be moved to a separate financial policy. The requirements for use of a specific rate model should be removed from the ordinance and moved to internal policy.

**ARTICLE X. RETROACTIVE EFFECT**

To be reviewed by legal counsel

**ARTICLE XI. MISCELLANEOUS AND PENALTIES**

To be reviewed by management and legal counsel

**EXHIBIT A – SEWER RATES**

To be updated by management and include reference to rate resolutions and miscellaneous fee schedules

**EXHIBIT B – USER CLASSIFICATIONS**

To be reviewed by District Engineer. The Board can also give consideration to modified rate application structures such as all flat rate, or user classifications based on the fixture count of a business, multifamily or home with accessory dwellings or other large discharge requirements.

**EXHIBIT C – ASSESSMENT AREA CREDITS**

This section needs to be reviewed by legal counsel

**EXHIBIT D – SPECIAL PARTICIPATION FEES**

This section needs to be reviewed by legal counsel

**EXHIBIT E – IMPROVEMENT AGREEMENT**

Legal counsel will determine if this section is needed