

WATER AGENCY  
ORDINANCE NO. 98 SVCSD  
ORDINANCE NO. \_\_

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE SONOMA VALLEY COUNTY SANITATION DISTRICT, STATE OF CALIFORNIA, SETTING SEWER SERVICE CHARGES, CALLING FOR COLLECTION ON THE TAX ROLL FOR FISCAL YEAR 2019/2020 AND MAKING FINDINGS AND DETERMINATION OF EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. (2/3 VOTE REQUIRED) (FIRST DISTRICT).

The Board of Directors of the Sonoma Valley County Sanitation District (District), State of California, ordains as follows:

SECTION I

Section III of Ordinance No. 51 is hereby replaced with the following:

“Annual Service Charge” is defined as a charge for use of the sewer system for a period of one year to each user and based on the estimated or actual usage of the sewer system. The annual service charges for residential and non-residential users are based on the estimated annual cost of operating, maintaining, and replacing the sewer system, as submitted and approved by the District’s Board of Directors each year. The methodology used to calculate annual service charges for residential and non-residential users shall be as follows:

- A) Non-Residential Users and Residential Users with No Public Water Connection. This category of users has a Sewer Charge with one component: a fixed charge component. *NOTE:* Residential Users that have a Public Water Connection but have no water usage in winter months and multi-family complexes including condominiums with only one Public Water Connection for all of the units are also included in this category.
- B) Residential Users with a Public Water Connection. This category of users has a Sewer Charge that has both a fixed charge component and a volume-based component.

The method for calculating the Sewer Charge for each category of user is described in more detail below.

- A) Sewer Charge for Non-Residential Users and Residential Users with No Public Water Connection.

Effective July 1, 2019, the charge per Equivalent Single-Family Dwelling (ESD) will be \$1,057 per ESD per year for users in this category. This represents an increase of \$48 or 5.0% versus current year. This ESD charge has been calculated by dividing the annual costs of providing wastewater treatment and collection service by the total estimated number of ESDs in the District.

A standard single-family home constitutes one ESD. Properties that are not single family homes are converted to ESDs based on industry standard methods and more information about this conversion is available from the District. Parcels which have other uses (for example, apartments and commercial buildings) will be assigned a number of ESDs using standard equivalency factors which estimate the probable quantity and quality of sewage effluent normally generated by such uses in comparison to a single-family home.

The Sewer Charge for Non-Residential Users and Residential Users with No Public Water Connection is calculated as follows:

$$\text{\$1,057 per ESD} \times \text{Assigned Number of ESD's} = \text{Annual Sewer Charge}$$

B) Sewer Charge For Residential Users With a Public Water Connection

All residential sewer customers with a public water connection must pay a Sewer Charge with two components: a fixed charge and a volume-based charge. The Residential Users with a Public Water Connection category includes single family dwellings, multiple-family units, apartments, and mobile home parks. A multi-family complex or condominium complex will also fall within this category if each unit in the complex has its own public water connection.

- Fixed Charge Component: The fixed charge component of the Sewer Charge recovers 70% of the District's costs to provide sewer services, including costs that the sewage treatment and collection system incurs regardless of increased or decreased sewage flow into the system.

Effective July 1, 2019 the fixed charge will be \$740 per ESD per year for residential users with a public water connection.

The fixed charge component of the Sewer Charge will be calculated as follows:

$$\text{\$740 per ESD} \times \text{Number of ESD's} = \text{Fixed Charge Component of the Sewer Charge}$$

- Volume-Based Component: The volume-based component recovers approximately 30% of the District's costs to provide sewer service, including costs to the sewage treatment and collection system that vary with the amount of sewage conveyed and treated. The District's volume-based component uses a customer's lowest winter water use (November – March) as the basis for the calculation. Winter water use is used because it generally provides the best available estimate of indoor water use and its impact to the District's treatment facilities because outdoor irrigation is usually minimal during the winter months.

The Volume-Based Component of the Sewer Charge has three parts, which are multiplied together:

$$\text{Winter Water Usage} \times \text{Number of Billing Periods Annually from your Water District} \times \text{rate per thousand gallon} = \text{Volume-Based Component of Sewer Charge}$$

Effective July 1, 2019, the volume-based component charge will be \$5.99 per thousand gallons for residential users with a public water connection. Each residential user with a sewer connection and a public water connection with winter water use greater than zero will be charged as follows:

**Total Sewer Charge (fixed charge + volumetric charge) for Residential Customers with a Public Water Connection**

*For Customers with a Valley of the Moon Water District bill:*

\$740 per ESD x Number of ESD's (*Fixed Charge Component*) +

\$5.99 per thousand gallons x Lowest Winter Water Usage in thousand gallons  
x 6 billing periods annually (*Volumetric Charge Component*)

*For Customers with a City of Sonoma Water District water bill:*

\$740 per ESD x Number of ESD's (*Fixed Charge Component*) +

\$5.99 per thousand gallons x Lowest Winter Water Usage in thousand gallons  
x 12 billing periods annually (*Volumetric Charge Component*)

## SECTION II

Exhibit "A" of Ordinance 51 is hereby replaced by the attached Exhibit "A".

## SECTION III

The District does hereby elect, pursuant to Section 5473 of the Health and Safety Code of the State of California to have the sewer service charge for fiscal year 2019/2020 established by said District, collected on the tax roll of the County of Sonoma, State of California, in the manner provided pursuant to Sections 5471 through 5473.11 of the Health and Safety Code of the State of California.

## SECTION IV

The Board of Directors hereby finds that the California Environmental Quality Act does not apply to the establishment of charges pursuant to this Ordinance, as such fees are for the purpose of meeting operations expenses, meeting financial reserve needs and requirements, and setting aside funds for capital projects necessary to maintain service within the existing District (14 California Code of Regulations 15273, California Public Resources Code Section 21080).

## SECTION V

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

## SECTION VI - SERVICE CHARGES

Section IV of Ordinance No. 51 is hereby amended to read:

The methodology used to calculate service charges for users other than those charged in accordance with Section III of this ordinance shall, effective July 1, 2019, be the sum of the following:

Wastewater Flow (Flow)	\$0.01306	per gallon/day (gpd) multiplied by 365 days or the number of days in the billing period
Biochemical Oxygen Demand (BOD)	\$0.75761	per pound/day (lb/day) multiplied by 365 days or the number of days in the billing period
Total Suspended Solids (TSS)	\$0.12986	per pound/day (lb/day) multiplied by 365 days or the number of days in the billing period

This methodology shall apply, at the sole discretion of the General Manager, to determine annual service charges for a nonresidential user that discharges or will discharge five or more ESDs annually from any one parcel. This methodology will also be used to determine a user's annual service charges when the General Manager determines that a user's discharge constitutes a significant portion of the District's total wastewater flow, BOD, or TSS loading. All costs of monitoring wastewater components shall be the responsibility of the user.

When the determination of connection fees or annual service charges in accordance with Exhibit A for a user is not addressed by an existing Use Category set forth in Exhibit A, the General Manager or his/her designee may instead reasonably make an independent calculation of the ESDs for the Customer. In making such a calculation, the General Manager or his/her designee may rely on one or more of the following resources to make an independent calculation for the user: (1) the use in Exhibit A that most closely matches the proposed use, (2) federal and state standard estimated wastewater flows for onsite or private wastewater treatment or disposal systems, (3) flow and strength factors published in rate studies conducted by other public entities in Sonoma County, (4) if applicable, data provided by the equipment manufacturer; or (5) other published and peer reviewed data.

The General Manager may calculate and bill the sewer service charge of industrial, commercial, and institutional users on a more frequent basis (than annually).

## SECTION VII

This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Directors voting for or against the same, in a newspaper of general circulation, published in the County of Sonoma, State of California, and the District's Clerk of the Board shall post in the office of the District's Clerk, a certified copy of the full text of this Ordinance along with the names of those Directors voting for or against the Ordinance.

In regular session of the Board of Directors of the Sonoma Valley County Sanitation District, State of California, introduced, passed, and adopted after hearing this 21st day of May 2019, on regular roll call of the members of said Board by the following vote:

DIRECTORS:

Gorin: \_\_\_\_\_ Rabbitt: \_\_\_\_\_ Harrington: \_\_\_\_\_

Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Absent \_\_\_\_\_ Abstain \_\_\_\_\_

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.

By:

\_\_\_\_\_  
Chair, Board of Directors  
County of Sonoma, State of California

ATTEST:

By:

\_\_\_\_\_  
Clerk of the Board

# EXHIBIT A

## EQUIVALENT SINGLE-FAMILY DWELLING BILLING UNIT FOR SONOMA VALLEY CSD

Use Category		Billing Basis			2019-2020	
		Flow	BOD	TSS	Use	ESD
		gallons	mg/l	mg/l		
<b>Residential</b>						
	Single-Family	200	200	200	connections	1.00
	Condominium	200	200	200	dwelling units	1.00
	Multiple-Family	160	200	200	dwelling units	0.80
	Mobile home park	160	200	200	spaces	0.80
	Mobile home (Individual)	160	200	200	units	0.80
	Granny unit	160	200	200	unit	0.80
<b>Commercial</b>						
	Appliance repair	190	200	200	1,000 sq. ft.	0.95
	Art gallery	190	200	200	1,000 sq. ft.	0.95
	Auto dealers					
	With service facilities	190	180	280	connection	1.04
		38	180	280	add per service bay	0.21
	Without service facilities	190	200	200	connection	0.95
	Bakery	190	1000	600	1,000 sq. ft.	2.83
	Butcher				see note 1 below	
	Banks & financial institutions	190	130	80	1,000 sq. ft.	0.65
	Barber shop	19	130	80	chair	0.07
	Beauty shop	38	130	80	chair	0.13
	Bars & taverns	20	200	200	seat	0.10
	Car washes, self service	190	20	150	stall	0.59
	Camp ground or RV park					
	with hookups	125	200	200	site	0.63
	without hookups	75	200	200	site	0.38
	Churches, hall & lodges	2	200	200	seat	0.01
	Coffee shops	6	1000	600	seats	0.09
	Dry cleaners	285	150	110	1,000 sq. ft.	1.10
	Fire stations	190	200	200	1,000 sq. ft.	0.95
	Garages	95	180	280	service bays	0.52
	Hospitals					
	Convalescent	125	250	100	beds	0.57
	General	175	250	100	beds	0.80
	Veterinarian	6	250	100	cages	0.03
	Hotels/motels	100	310	120	sleeping rooms	0.52
	Laundromats	500	150	110	washing machines	1.92
	Library	190	200	200	1,000 sq. ft.	0.95
	Machine shops	152	180	280	1,000 sq. ft.	0.84
	Markets	38	800	800	1,000 sq. ft.	0.57
	Offices					
	Business	76	130	80	1,000 sq. ft.	0.26
	Dental	190	130	80	Exam. room	0.65
	Medical	190	130	80	Exam. room	0.65
	Post office	190	130	80	1,000 sq. ft.	0.65
	Resort				calc per ESD	
	Restaurants					
	Dine-in					
	With DW & garbage disp.	6	1000	600	seat	0.09
	With DW or garbage disp.	6	619	371	seat	0.06
	Without DW & garbage disp.	6	238	143	seat	0.03
	Take-out	475	238	143	1,000 sq. ft.	2.30
	Rest homes	125	250	100	beds	0.57
	Retail stores	38	150	150	1,000 sq. ft.	0.16
	Schools					
	Elementary	9	130	100	per student day	0.03
	High	14	130	100	per student day	0.05
	Service stations	380	180	280	set of gas pumps	2.09
		38	180	280	add per service bay	0.21
	Shoe repair	190	200	200	1,000 sq. ft.	0.95
	Theaters	2	200	200	seat	0.01
	Warehouse				see note 1 below	
	Others as determined by the General Manager				see note 1 below	

ALL COMMERCIAL ESDs TO BE DETERMINED BY THE GENERAL MANAGER USING THE FOLLOWING FORMULA:

$$ESD = (TSS \times FLOW \times 0.33) / (SFD \text{ TSS} \times SFD \text{ FLOW}) + (BOD \times FLOW \times 0.33) / (SFD \text{ BOD} \times SFD \text{ FLOW}) + (FLOW \times (0.34 / SFD \text{ FLOW}))$$

Charge Formula: Sum of the following:

Flow	\$0.01306	per gallon/day (gpd) multiplied by 365 days or the number of days in the billing period
BOD	\$0.75761	per pound/day (lb/day) multiplied by 365 days or the number of days in the billing period
TSS	\$0.12986	per pound/day (lb/day) multiplied by 365 days or the number of days in the billing period

Note 1: For warehouses and when agreement on a use category cannot be reached, the General Manager, in his or her sole discretion, may a) base charges on the user's actual or estimated contribution of wastewater into the District's facilities in terms of flow, biological oxygen demand (BOD), and total suspended solids (TSS), and b) calculate the user's charge using the above Charge Formula. The user shall provide verifiable data, as requested by the General Manager, for the charge to be determined.

Definitions	Flow = Gallons per Day	TSS = Total Suspended Solids
	BOD = Biological Oxygen Demand	DW = dishwasher
	ESD = Equivalent Single Family Dwelling	disp. = disposal