

RESOLUTION NO. 73254

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**A RESOLUTION OF THE COUNCIL OF THE
CITY OF SAN JOSE SETTING SCHEDULES
OF SANITARY SEWER SERVICE AND USE
CHARGES AND STORM SEWER SERVICE
CHARGES FOR FISCAL YEAR 2006 - 2007**

WHEREAS, Part 3 of Chapter 15.12 of Title 15 of the San José Municipal Code authorizes the setting of sanitary sewer service and use charges by resolution of the City and Council, and the collection of such charges for the purpose of deriving revenue for acquisition, construction, reconstruction, maintenance and operation of the sanitary sewer system of the City of San José, including the repayment of principal and interest on bonds and state and federal loans issued by, or made to, the City for construction or reconstruction of sanitary sewer facilities; and

WHEREAS, Part 6 of Chapter 15.16 of Title 15 of the San José Municipal Code authorizes the setting of storm sewer service and use charges by resolution of the City and Council, and the collection of such charges for the purpose of deriving revenue for acquisition, repair, rehabilitations, construction, reconstruction, operation and maintenance of the storm sewer system of the City of San José; and

WHEREAS, on May 6, 2005, public notices were mailed to property owners in the City advising them that on June 21, 2005, the Council would be holding a public hearing to consider an average storm sewer service and use charge rate increase of 4.5% for FY 2005-06 and authorization for up to two additional rate increases of 4.5% each on July 1, 2006 and July 1, 2007; and

WHEREAS, on May 7, 2004, public notices were mailed to property owners in the City advising them that on June 22, 2004 the Council would be holding a public hearing to consider an average sanitary sewer service and use charge rate increase of 4.5 % for

FY 2004-05 and authorization for up to two additional rate increases of 4.5% each on July 1, 2005 and July 1, 2006; and

WHEREAS, there was no protest by a majority of affected property owners to either the storm sewer or sanitary sewer service and use charge rate increase; and

WHEREAS, this Council wishes to implement increases to sanitary sewer service and storm sewer charges consistent with the notices that were provided to property owners;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. **Schedule of Sewer Service and Use Charges.**

The following sewer service and use charges are hereby established for fiscal year 2006-2007 for the premises listed below:

- | | | |
|----|--|-------------------|
| A. | Single-family residential, if connected to the system prior to July 1, 2006 | \$259.56 per year |
| | Single-family residential, if connected to the system after July 1, 2006 | \$21.63 per month |
| B. | Two-family residential, multiple-family residential and residential condominiums, per unit, if connected to the system prior to July 1, 2006 | \$148.32 per year |
| | Two-family residential, multiple-family residential and residential condominiums, per unit, if connected to the system after July 1, 2006 | \$12.36 per month |

C. Mobilehome park residential, per unit, if connected to the system prior to July 1, 2006 \$148.44 per year

Mobilehome park residential, per unit, if connected to the system after July 1, 2006 \$12.37 per month

D. Commercial, industrial or miscellaneous premises and commercial, industrial or miscellaneous condominium premises.

For each one hundred cubic feet of sanitary sewage and industrial waste discharged from said premises into the sanitary sewer system, the charge for premises collected on the tax roll shall be calculated by annualizing the estimated monthly discharge using the months of January, February and March preceding the fiscal year for which the charge is being calculated; provided, however, that for those premises that first discharge into the sewer system in April or May preceding the current fiscal year, the charge for the current fiscal year shall be calculated by annualizing the estimated monthly discharge for said month(s). The charge for the particular types of premises listed below shall be calculated by multiplying the yearly discharge (calculated in hundreds of cubic feet [HCF]) by the following amounts: ¹

Meat Packers	\$2.40
Dairy Product Processors	\$3.45
Wholesale Bakeries	\$2.92
Soft drink Bottlers	\$2.86
Wineries	\$5.14

¹ Calculated by annualizing the estimated monthly discharge using the months of January, February and March preceding the fiscal year for which the charge is being calculated. Charges for facilities first discharging into the sewer system in April or May preceding the current fiscal year are calculated by annualizing the average discharge for those months.

Paper Pulp Mills	\$3.80
Plating Works	\$1.72
Electrical Equipment Manufacturers	\$1.96
Machinery Manufacturers	\$2.59
Film Service Laboratories	\$1.94
Soft Water Services	\$1.72
Car Washes	\$1.84
Automotive Steam Cleaners	\$3.47
Printing Plants	\$2.48
Restaurants-Delis	\$3.52
Hotels-Motels	\$2.10
Hospitals and Convalescent Homes	\$2.04
Public Schools, Colleges and Universities	\$2.23
Private Schools, Colleges and Universities	\$2.23
Repair Shops and Service Stations	\$2.12
Domestic Laundries	\$1.90

Business Offices/Condos	\$1.95
Government Agencies	\$1.95
Medical Centers/Clinics	\$1.97
Beauty Salons	\$2.05
Commercial and Department Stores	\$2.05
Storage/Warehouses	\$2.00
Health Care	\$2.05
Theatres	\$2.11
Association/Communities Services	\$1.95
Business Parks	\$1.97
Building Construction/Field Offices	\$1.97
Parking Lots	\$1.90
Gas Service Stations	\$2.09
Auto Showrooms, Body Shops & Detail, and Trucking	\$2.22
Manufacturing Paint Products	\$1.97
Concrete Companies	\$1.95
Paper Recovery	\$1.97
General Manufacturing Industries	\$1.97

Chemical Manufacturing	\$1.97
Ice Plants	\$1.97
Pubs	\$2.15
Amusement Parks	\$2.08
Athletic/Fitness Clubs	\$2.00
Cemeteries	\$2.00
Country Clubs (Golf)	\$2.11
Lounges, Clubs, Billiards	\$2.11
Convenience Stores	\$2.00
Boarding/Rooming	\$2.14
Cleaners (Commercial Laundries)	\$2.46
Plazas/Malls	\$2.27
Nurseries (Growers)	\$2.35
Laboratories (Commercial and Industrial)	\$2.29
Cafés & Ice-creams	\$3.55
Donuts & Bakeries	\$3.55
Supermarket Groceries	\$3.45
Mortuaries (Embalming)	\$3.45
Catering	\$3.47

\$ 4,040.00	Per year for each thousand pounds per day of sewage treatment plant capacity required to remove the biochemical oxygen demand contained in sewage discharged from said premises into the sanitary sewer system; plus
\$ 2,696.00	Per year for each thousand pounds per day of sewage treatment plant capacity required to remove the suspended solids contained in the sewage discharged by said premises into the sanitary sewer system; plus
\$ 11,018.00	Per year for each thousand pounds per day of sewage treatment plant capacity required to remove ammonia contained in the sewage discharged by said premises into the sanitary sewer system.

Operating and Maintenance Cost Recovery

\$1,862.00	For each million gallons of sewage discharged from said premises into the sanitary sewer system (\$1.393 per HCF); plus
\$161.00	For each thousand pounds of biochemical oxygen demand discharged from said premises into the sanitary sewer system; plus
\$180.00	For each thousand pounds of suspended solids discharged from said premises into the sanitary sewer system; plus
\$1,333.00	For each thousand pounds of ammonia discharged from said premises into the sanitary sewer system.

The decision as to whether to apply the alternate charge provided for in this section within a given fiscal year shall be made on or before July 1st of the fiscal year for which the charge is to be applied.

SECTION 2. Schedule of Storm Sewer Service Charges.

For all premises connected directly or indirectly to or served by the storm sewer system, storm sewer service charges are hereby established for fiscal year 2006 - 2007 for the premises listed below:

<p>A. Single-family residential and duplex, if connected to the system prior to July 1, 2006</p> <p>Single family residential and duplex, if connected to the system after July 1, 2006</p>	<p>\$49.92 per year</p> <p>\$4.16 per month</p>				
<p>B. Mobile Home Residential, per unit, if connected to the system prior to July 1, 2006</p> <p>Mobile Home Residential, per unit, if connected to the system after July 1, 2006</p>	<p>\$25.08 per year</p> <p>\$2.09 per month</p>				
<p>C. Small Multiple Family Residential (3- 4 units), if connected to the system prior to July 1, 2006</p> <p>Small Multiple Family Residential (3- 4 units), if connected to the system after July 1, 2006</p>	<p>\$94.80 per year</p> <p>\$7.90 per month</p>				
<p>D. Residential Condominium, per unit, if connected to the system prior to July 1, 2006</p> <p>Residential Condominium, per unit, if connected to the system after July 1, 2006</p>	<p>\$27.36 per year</p> <p>\$2.28 per month</p>				
<p>E. Large Multiple Family Residential (5 or more units), per unit, if connected to the system prior to July 1, 2006</p> <p>Large Multiple Family Residential (5 or more units), per unit, if connected to the system after July 1, 2006</p>	<p>\$27.36 per year</p> <p>\$2.28 per month</p>				
<p>F. Church, annual charge if connected to the system prior to July 1, 2006</p> <p>Church, monthly charge if connected to the system after July 1, 2006</p>	<table border="1"> <tr> <td data-bbox="1016 1192 1149 1276">\$48.48 x Acreage</td> <td data-bbox="1149 1192 1274 1276">+\$174.00</td> </tr> <tr> <td data-bbox="1016 1276 1149 1350">\$4.04 x Acreage</td> <td data-bbox="1149 1276 1274 1350">+\$14.50</td> </tr> </table>	\$48.48 x Acreage	+\$174.00	\$4.04 x Acreage	+\$14.50
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\$4.04 x Acreage	+\$14.50				
<p>G. College/University, annual charge if connected to the system prior to July 1, 2006</p> <p>College/University and private schools, monthly charge if connected to the system prior to July 1, 2006</p>	<table border="1"> <tr> <td data-bbox="1016 1371 1149 1455">\$48.48 x Acreage</td> <td data-bbox="1149 1371 1274 1455">+\$174.00</td> </tr> <tr> <td data-bbox="1016 1455 1149 1524">\$4.04 x Acreage</td> <td data-bbox="1149 1455 1274 1524">+\$14.50</td> </tr> </table>	\$48.48 x Acreage	+\$174.00	\$4.04 x Acreage	+\$14.50
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H.	Commercial, Light Industrial and Miscellaneous Premises, annual charge if connected to the system prior to July 1, 2006	\$82.56 x Acreage	+\$348.12
	Commercial, Light Industrial and Miscellaneous Premises, monthly charge if connected to the system after to July 1, 2006	\$6.88 x Acreage	+\$29.01
I.	Heavy Industrial Premises, annual charge if connected to the system prior to July 1, 2006	\$82.56 x Acreage	+\$435.12
	Heavy Industrial Premises, monthly charge if connected to the system after July 1, 2006	\$6.88 x Acreage	+\$36.26
J.	Open Space, annual charge if connected to the system prior to July 1, 2006	\$48.48 x Acreage	+\$87.00
	Open Space, monthly charge if connected to the system after July 1, 2006	\$4.04 x Acreage	+\$7.25
K.	Parking Facility, annual charge if connected to the system prior to July 1, 2006	\$87.36 x Acreage	+\$348.12
	Parking Facility, monthly charge if connected to the system after July 1, 2006	\$7.28 x Acreage	+\$29.01
L.	School, annual charge if connected to the system prior to July 1, 2006	\$24.12 x Acreage	+\$87.00
	School, monthly charge if connected to the system after July 1, 2006	\$2.01 x Acreage	+\$7.25
M.	Small Commercial, Light Industrial, and Miscellaneous Premises (under .2 acre), annual charge if connected to the system prior to July 1, 2006	\$82.56 x Acreage	+\$174.00
	Small Commercial, Light Industrial, and Miscellaneous Premises (under .2 acre), monthly charge if connected to the system after July 1, 2006	\$6.88 x Acreage	+\$14.50

SECTION 3. Effective Date.

This Resolution shall become effective on July 1, 2006.

ADOPTED this 20th day of June, 2006, by the following vote:

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AYES: CAMPOS, CHAVEZ, CORTESE, LeZOTTE, NGUYEN,
PYLE, REED, WILLIAMS, YEAGER; GONZALES

NOES: NONE

ABSENT: CHIRCO

DISQUALIFIED: NONE

VACANT: NONE

RON GONZALES
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk