



TO: Elizabeth A. Pauli, City Manager
FROM: Kurt Fremont, Assistant Division Manager, Business Operations *GMS*
Michael P. Slevin III, P.E., Environmental Services Director
COPY: City Council and City Clerk
SUBJECT: Ordinance - Rates and Fees Ordinance for Stormwater, Wastewater, and Industrial
Wastewater Pretreatment Services – May 18, 2021
DATE: May 3, 2021

SUMMARY AND PURPOSE:

An ordinance to adopt a Rates and Fees Ordinance and rate and fee schedule to ease access for customers and clarify the distinction between rates and fees associated with stormwater, wastewater, and industrial wastewater pretreatment services. If adopted, the proposed ordinance will not alter existing rates and fees.

BACKGROUND:

This Department’s Recommendation is Based On: The Environmental Services Department has proposed an ordinance, to be heard concurrently with this request, to amend Tacoma Municipal Code (TMC) 12.08 to repeal and reenact in its entirety to create four new sections. That ordinance is being proposed for adoption to ensure full compliance with Department of Ecology pretreatment requirements and the consent decree requirements in Puget Soundkeeper Alliance (PSA) v City of Tacoma, as well as recommendations from an independent audit and a Department of Ecology (Ecology) audit. That project identified a need to enhance transparency of the rate and fee structure and improve access to and understanding of those rates and fees, and to simplify the process to update rates and fees. While the underlying basis for the rates and fees will remain in TMC 12.08, the proposed ordinance would create a separate rate and fee schedule that will be more transparent to the customer and allow for a more streamlined process for future adjustments by the City Council.

The Department has received approval from Ecology to advance the revised pretreatment section to City Council for consideration. Based on this, the Department recommends and is requesting the City Council consider approval and adoption of the new Rates and Fees Ordinance.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

Environmental Services (ES) presented summaries of the project to the Environmental Services Commission (2019 & 2021), Council Study Session (2019), and the Council Infrastructure, Planning and Sustainability Committee (2021).

2025 STRATEGIC PRIORITIES:

Equity and Accessibility:

Having a rates and fees table in an independent ordinance provides a transparent format that is easier to follow and easier to understand the established rates and fees for services provided by the utilities.



Economy/Workforce: *Equity Index Score:* Low Opportunity
Increase positive public perception related to the Tacoma economy.

Explain how your legislation will affect the selected indicator(s).
Stormwater, wastewater and industrial wastewater customers benefit from having a dedicated rates and fees ordinance to ease access to and better understand the charges for services provided by the utilities.

ALTERNATIVES:

Alternative(s)	Positive Impact(s)	Negative Impact(s)
Not approve the TMC 12.08 Revisions.	None.	Potential non-compliance with NPDES Municipal Permit and possible enforcement actions by Ecology and third parties.

EVALUATION AND FOLLOW UP:
Environmental Services will monitor the effectiveness of the new rate and fee ordinance through continuous use and propose amendments, if needed, no later than during each biennial budget review.

STAFF/SPONSOR RECOMMENDATION:
Environmental Services recommends the City Council adopt a Rates and Fees Ordinance and rate and fee schedule to ease access for customers and clarify the distinction between rates and fees associated with stormwater, wastewater, and industrial wastewater pretreatment services. **(Note: this is not a request for a change in any previously approved rate or fee).**



City of Tacoma

City Council Action Memorandum

FISCAL IMPACT:

No cost to the City of Tacoma

What Funding is being used to support the expense? N/A

Are the expenditures and revenues planned and budgeted in this biennium's current budget? N/A

Are there financial costs or other impacts of not implementing the legislation?

YES

Environmental Services is concurrently requesting approval of an ordinance to repeal and reenact TMC 12.08 to create four independent chapters. The rates and fees charged for wastewater, stormwater and pretreatment services will no longer be embedded in TMC 12.08, if that ordinance is adopted. Accordingly, if the City Council adopts the ordinance amending TMC 12.08, not adopting this ordinance will mean that the City will have no established rates and fees for those services.

Will the legislation have an ongoing/recurring fiscal impact?

No

Will the legislation change the City's FTE/personnel counts?

No

ATTACHMENTS:

- Wastewater Rate and Fee Table
- Stormwater Rate and Fee Table