



Meeting Date: 10/27/2009

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input checked="" type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other

Prepared By: Michelle Romney, Administrative Services Manager Agenda Item No. L-2
 Reviewed By: City Manager [Signature] City Attorney [Signature] Finance [Signature] Public Works [Signature]

DATE: October 19, 2009

TO: City Council

FROM: Mark S. Norris, Assistant Public Works Director
Public Works Department, Utilities Services Branch [Signature]

SUBJECT: **Ordinances to Continue and Establish Water, Wastewater and Environmental Resources User Fees and Charges, Debt Service and Appropriation of Revenue Funds**

RECOMMENDATION

That City Council:

1. Hold a public hearing to receive public testimony and consider all protests concerning the adoption of ordinances continuing and establishing certain water, wastewater and environmental resources user fees and charges.
2. Approve the first reading by title only and subsequent adoption of ordinances continuing and establishing water, wastewater and environmental resources user fees and charges.
3. Approve a special budget appropriation in the amount of \$509,600 to the Water Enterprise Fund, \$1,814,700 to the Wastewater Enterprise Fund and \$1,111,750 to the Environmental Resources Enterprise Fund from the revenue rate increase effective December 2009.
4. Approve and authorize the Mayor to:
 - a. Execute a financial agreement authorizing a loan from the Water Enterprise Fund to the Wastewater Enterprise Fund in the amount of \$4 million to be repaid over a 5 year term at an interest rate of 3 percent per annum.
 - b. Execute a financial agreement authorizing a loan from the Water Enterprise Fund to the Environmental Resources Enterprise Fund in the amount of \$9.3 million to be repaid over a 10 year term at an interest rate of 3 percent per annum.

SUMMARY

The Public Works Department Utilities Services Branch provides effective and uninterrupted water, wastewater and environmental resources services to approximately 40,000 residential and commercial customers for an affordable price. The Utilities Services Branch operates self-supporting enterprises

that depend upon revenues derived from user fees and charges for the costs of operation, collection, processing, treatment and maintenance of water, wastewater and environmental resources facilities and services. The Utility Services Branch's goal is to ensure that revenues from rates and fees are adequate, over the long-term, to fund daily operations, maintenance, administration, ongoing capital improvements, and operating reserves.

In June 2007, the Utilities Services Branch began a comprehensive rate study for the City of Oxnard's Water, Wastewater, and Environmental Resources Enterprises. The comprehensive rate study establishes a reasonable and direct connection between the costs to the system facilities attributable to each enterprise and provides a long-term financial management plan. As an interim step, prior to the completion of this comprehensive study, Water and Wastewater were each approved a three percent (3%) rate increase for FY 2007-08 and FY 2008-09, and the Environmental Resources Division was approved for a five percent (5%) increase in FY 2007-08. The comprehensive study verified our analysis and substantiated the need for further revenue increases.

On July 28, 2009, staff presented a budget study session to City Council establishing the basis for the recommended rate increases. Subsequent to the study session, staff proceeded with a Proposition 218 process by mailing notices to all property owners and utility customers stating the date of this public hearing and explaining the basis for the recommended rates. Staff recommends the adoption of the attached ordinances continuing and establishing water, wastewater and environmental resources user fees and charges to recover cost of operations and maintenance so that the utilities can remain self-supporting enterprises.

DISCUSSION

PROPOSITION 218 REVENUE INCREASES

Subject to City Council approval, staff recommends a two-step rate increase effective December 2009 and July 2010. The revenue increases for the Water Section include an overall one and one-half percent (1.5%) increase for Fiscal Year 2009-2010 and a two percent (2%) increase for Fiscal Year 2010-2011. The revenue increases for the Wastewater Section include an overall eight percent (8%) increase for both Fiscal Year 2009-2010 and Fiscal Year 2010-2011. The revenue increase for the Environmental Resources Division includes an overall three and one-half percent (3.5%) increase for both Fiscal Year 2009-2010 and Fiscal Year 2010-2011.

The following information details, by enterprise, the factors related to the proposed revenue increases:

Water Production, Treatment and Distribution

Several factors continue to impact the cost of providing clean, safe and reliable potable water to the City's residential, commercial, industrial, and institutional customers. Annual rate adjustments for approved pass-through of wholesale water supply cost in accordance with Chapter 22, Section 60 of the Oxnard City Code do not address rising operation and maintenance costs. Mandatory cutbacks in the availability of imported water as well as on going limitations on groundwater usage required to meet demand have resulted in a higher cost of purchasing water. The availability of imported and local water resources has diminished, due to State Water Project and groundwater pumping restrictions as a result

of precipitation/ climate changes and increased protection for endangered species. Metropolitan Water District of Southern California implemented a mandatory 15% reduction in water purchases and a mandatory conservation plan and groundwater pumping was reduced by 5% in January 2009 with another scheduled 5% reduction in January 2010.

Other factors affecting the overall cost of producing, treating, and distributing water include treatment chemicals, energy, and aging facilities. The costs to maintain and repair the City's extensive but aging water distribution piping system have continued to increase.

Wastewater Collection and Treatment

Like the Water Enterprise, the Wastewater Enterprise continues to experience similar increases in its cost of operation, maintenance, administration, debt service and several other costs. Cost increases related specifically to the collection and treatment of wastewater includes chemicals and energy, biosolids management, regulatory requirements and aging facilities.

The other factors affecting the rates are reserve and cash flow requirements of existing bonds as well as City policy. Bond covenants require that adequate reserves be maintained and that debt service be covered by net operating revenues in any given year. This is important if the City is to fund future capital investment in the aging infrastructure. City Resolution No. 13,335, Financial Management Policies also require that operating revenues be maintained at a minimum of 25%.

Environmental Resources

Environmental resources services continue to rise as a result of costs increases associated with the maintenance and repair of the City's aging facilities and trucks, operation and maintenance costs for processing refuse and regulatory impacts associated with air quality.

Other factors affecting the rates are depleted reserves and debt service requirements. The replenishment of reserves are to meet and maintain a minimum 9% wastewater operating reserve as per City Resolution No. 13,335 Financial Management Policies. Also, the bond covenants require adequate reserve levels. Currently our rates do not adequately support on going capital improvements that will need to be debt financed.

INTER-FUND LOANS

Staff recommends executing a financial agreement authorizing a loan in the amount of \$13.3 million to transfer loan proceeds of \$4 million to the Wastewater Enterprise Fund and \$9.3 million to the Environmental Resources Enterprise Fund from the Water Enterprise Fund.

The \$4,000,000 being loaned to Wastewater Treatment Connection Fees by the Water Fund is to cover a current deficit created by an economic downturn. Connection fees for the last couple of years have not been sufficient. This loan is will be repaid over a 5 year term at an interest rate of 3 percent per annum with annual payments of \$873,418 beginning November 1, 2010 and ending November 1, 2014.

The \$9,300,000 being loaned to the Environmental Resources Division by the Water Fund is to replenish the Environmental resources operating reserve created by insufficient revenues to meet rising costs in operations, maintenance and capital expenditures during the last several years. This loan will be repaid over a 10 year term, paying interest only during Fiscal Year 2010-2011 and then amortizing the loan over the remaining 9 years. The interest only payment on November 1, 2010 is \$279,000 with annual payments for the remaining 9 years at \$1,194,434 commencing on November 1, 2011 and ending on November 1, 2019.

FINANCIAL IMPACT

A special budget appropriation of:

- \$509,600 will recognize the revenue increase for water services in Fund 601 Water operating budget
- \$1,814,700 will recognize the revenue increase for wastewater services in Fund 621 Wastewater Treatment operating budget and Fund 611 Wastewater Collection operating budget
- \$1,111,750 will recognize the revenue increase for environmental resources services in Fund 631 Environmental resources operating budget

Staff also recommends recognizing \$4,000,000 in loan proceeds to Wastewater Treatment Connection Fee Fund 623 from Water Connection Fee Fund 603 and \$9,300,000 in loan proceeds to Environmental resources Operating Fund 631 from Water Connection Fee Fund 603.

MLR:joh:gd

- Attachment #1 - Ordinance Continuing and Establishing Water System User Fees and Charges
#2 - Ordinance Continuing and Establishing Wastewater System User Fees and Charges
#3 - Ordinance Continuing and Establishing Environmental resources User Fees and Charges
#4 - Special Budget Appropriation for Water Revenue Increase
#5 - Special Budget Appropriation for Wastewater Revenue Increase
#6 - Special Budget Appropriation for Environmental resources Revenue Increase
#7 - Financial Agreement for the Water Fund Loan to the Wastewater Fund
#8 - Financial Agreement for the Water Fund Loan to the Environmental Resources Fund

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. _____

ORDINANCE ESTABLISHING FEES AND CHARGES FOR THE USE OF
AND FOR SERVICES RELATING TO CITY WATER SERVICES

WHEREAS, Section 22-60 of the Oxnard City Code requires that the City Council establish by ordinance the rates charged for all water supplied by the City; and

WHEREAS, Section 22-60 of the Oxnard City Code provides that the rates charged for water supplied by the City shall be increased by the same percentage that the rates paid by the City to its water supply wholesalers increase; and

WHEREAS, the Water Resources Division, Water Section operates as a self-supporting enterprise fund (Water Fund) that depends upon revenues derived from the sale of water to City customers; and

WHEREAS, on or about the 13th of July, 2004, the City Council adopted City ordinance 2661, establishing certain fees and charges associated with the City's contamination prevention and water security programs; and

WHEREAS, on or about the 18th of September, 2007, the City Council adopted City ordinance 2750, establishing the current rates and charges applicable to City water customers; and

WHEREAS, on or about the 25th of September, 2007, the City Council adopted City ordinance 2752, establishing the current rates and charges applicable to City water customers within the former Ocean View Municipal Water District service area; and

WHEREAS, the City's Public Works Department - Water Resources Division, Water Section prepared a biennial budget and recommendations for the Water Resources Division - Water Section for fiscal years 2009-10, and 2010-11, dated June 30, 2009 (Budget), on file with the City Clerk, which also establishes the basis for the fees and charges set forth herein; and

WHEREAS, the City's Water Resources Division, Water Section has developed a computerized cost and revenue allocation model (Rate Model). The Rate Model is based upon the Budget and the proportional cost of providing water service to the City's various customer classes. The Rate Model provides a further basis for the rates and charges set forth herein; and

WHEREAS, the City's Public Works Department - Water Resources Division, Water Section has updated its cost of service analysis and this ordinance reflects updated supplemental fees and charges for certain special services available upon request throughout the City; and

WHEREAS, this ordinance includes provision for the automatic adjustment of rates based on changes in certain third party costs. The proposed rates displayed as effective beginning July 1, 2010, show the pre-authorized percentage rate increase applicable at the beginning of fiscal year 2010-2011. However, the actual rates effective July 1, 2010 may vary based on the implementation of any automatic rate adjustment resulting from changes in third party costs; and

WHEREAS, Public Resources Code Section 21080(b)(8) and Section 15273 of the California Environmental Quality Act (CEQA) Guidelines provide that CEQA does not apply to the modification of public agency rates and other charges which the public agency finds are intended for certain purposes.

NOW, THEREFORE, the City Council of the City of Oxnard does hereby find as follows:

1. The adoption of this ordinance is exempt from the California Environmental Quality Act because the fees adopted herein are for the following purposes:
 - a. Meeting operating expenses, including the increased cost of water supplies, treatment chemicals, electricity costs, debt service, and Water Resources Division – Water Section employee wages and fringe benefits; and
 - b. Purchasing and leasing supplies, equipment, and materials associated with the provision of water service; and
 - c. Meeting financial reserve needs and requirements; and
 - d. Obtaining funds for capital projects necessary to maintain water service within the City service area, including cast iron pipe replacement, water quality treatment upgrades, fire hydrant upgrades, hydraulic improvements to the existing system, control system improvements, and groundwater well rehabilitation, none of which expand the water system.
2. The basis for the foregoing claim of exemption is found in the Budget and the Rate Model.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. Section 22-61 of the Oxnard City Code is amended to read as follows:

SEC. 22-61. FEES AND CHARGES.

The following fees and methods for charging and collecting for services relating to the water system of the city are established and effective during the dates indicated, as follows:

I. Monthly Water Use Rates

A. Monthly Rates for Single Family Water Use

Rate Per Hundred Cubic Feet (HCF)	Effective December 3, 2009	Effective July 1, 2010
0 to 6 HCF/Mo.	\$2.07	\$2.11
7 to 12 HCF/Mo.	\$2.30	\$2.35
Over 12 HCF/Mo.	\$3.22	\$3.28

B. Monthly Rates for Multi-Family Residential Water Use

Rate Per Hundred Cubic Feet (HCF)	Effective December 3, 2009	Effective July 1, 2010
0 to 17 HCF/Mo.	\$1.70	\$1.73
18 to 32 HCF/Mo.	\$1.88	\$1.92
Over 32 HCF/Mo.	\$2.81	\$2.87

C. Monthly Rates for Commercial/Industrial/Oceanview M&I Water Use

Rate Per Hundred Cubic Feet (HCF)	Effective December 3, 2009	Effective July 1, 2010
0 to 17 HCF/Mo.	\$1.70	\$1.73
18 to 32 HCF/Mo.	\$1.88	\$1.92
Over 32 HCF/Mo.	\$2.81	\$2.87

D. Monthly Rates for Metered Construction Use

Rate Per Hundred Cubic Feet (HCF)	Effective December 3, 2009	Effective July 1, 2010
0 to 13 HCF/Mo.	\$3.40	\$3.47
14 to 23 HCF/Mo.	\$3.77	\$3.85
Over 23 HCF/Mo.	\$5.63	\$5.74

E. Monthly Rates for Oceanview Agricultural Use

Rate Per Hundred Cubic Feet (HCF)	Effective December 3, 2009	Effective July 1, 2010
HCF/Mo.	\$0.73	\$0.74

F. Monthly Rates for Irrigation Use

Rate Per Hundred Cubic Feet (HCF)	Effective December 3, 2009	Effective July 1, 2010
0 to 17 HCF/Mo.	\$1.70	\$1.73
18 to 32 HCF/Mo.	\$1.88	\$1.92
Over 32 HCF/Mo.	\$2.81	\$2.87

G. Recycled Water Used in Lieu of Potable Water

Rate Per Hundred Cubic Feet (HCF)	Effective December 3, 2009	Effective July 1, 2010
0 to 17 HCF/Mo.	\$0.00	\$1.47
18 to 32 HCF/Mo.	\$0.00	\$1.63
Over 32 HCF/Mo.	\$0.00	\$2.44

II. Monthly Meter Rates

In addition to monthly rates for water use (per HCF) as set forth in subsection I, all accounts shall pay one of the following monthly meter rates, based on service connection or meter size, and the associated customer class or use:

A. Single Family

Meter Size (inches)	Effective December 3, 2009	Effective July 1, 2010
0.75"	\$11.59	\$11.82
1.0"	\$18.27	\$18.64
1.5"	\$33.81	\$34.49
2.0"	\$56.39	\$57.52
3.0"	\$115.15	\$117.45
4.0"	\$195.45	\$199.36
6.0"	\$405.50	\$413.61
8.0"	\$582.49	\$594.14
10.0"	\$937.61	\$956.36

B. Multi-Family

Meter Size (inches)	Effective December 3, 2009	Effective July 1, 2010
0.75"	\$9.89	\$10.09
1.0"	\$15.58	\$15.89
1.5"	\$28.40	\$28.97
2.0"	\$44.01	\$44.89
3.0"	\$98.87	\$100.85
4.0"	\$160.70	\$163.91
6.0"	\$336.20	\$342.92
8.0"	\$483.03	\$492.69
10.0"	\$777.31	\$792.86

C. Commercial/Industrial

Meter Size (inches)	Effective December 3, 2009	Effective July 1, 2010
0.75"	\$7.99	\$8.15
1.0"	\$12.29	\$12.54
1.5"	\$22.17	\$22.61
2.0"	\$34.46	\$35.15
3.0"	\$73.71	\$75.18
4.0"	\$126.05	\$128.57
6.0"	\$258.01	\$263.17
8.0"	\$376.39	\$383.92
10.0"	\$596.79	\$608.73

III. Special Water Services: Each customer shall pay the following fees, according to the service received.

A. Flat Rates: Effective December 3, 2009

Where meters are not installed, water services shall be paid for each dwelling facility, business activity, construction site, or service, whether or not such facility, activity, site or service is at the same location, at a monthly rate which shall be determined by the public works director subject to the approval of the city manager. Any unmetered service shall be temporary and limited to the shortest duration practical.

B. Fire Services

In addition to the monthly rate for water service (per HCF) set forth in subsection I, and the monthly meter rates set forth in subsection II, those accounts with separate, private fire lines used exclusively for fire protection, whether such lines are attached to automatic sprinkler systems, fire hydrants or hose attachments, shall pay monthly meter rates, based on meter or connection size:

Meter Size (inches)	Effective December 3, 2009	Effective July 1, 2010
0.75"	\$1.23	\$1.25
1.0"	\$2.09	\$2.13
1.5"	\$4.06	\$4.14
2.0"	\$6.53	\$6.66
3.0"	\$14.40	\$14.69
4.0"	\$24.62	\$25.12
6.0"	\$51.34	\$52.37
8.0"	\$73.86	\$75.34
10.0"	\$119.05	\$121.43

C. Metered Construction Rate

All water drawn through a temporary meter on a fire hydrant or other connection to a main shall be paid for at metered construction rate, as set forth in subsection I(D).

In addition to the monthly rates for water use, a monthly charge based on meter size shall be imposed as follows:

Meter Size (inches)	Effective December 3, 2009	Effective July 1, 2010
0.75"	\$0.00	\$0.00
1.0"	\$20.36	\$20.77
1.5"	\$0.00	\$0.00
2.0"	\$0.00	\$0.00
3.0"	\$68.51	\$69.88
4.0"	\$0.00	\$0.00
6.0"	\$0.00	\$0.00
8.0"	\$0.00	\$0.00
10.0"	\$0.00	\$0.00

D. Unmetered Rate

In new subdivisions and other projects where meters are not installed immediately, water use shall be paid for at a rate determined as set forth in subsection III(A). In addition to those monthly rates for water use, a monthly charge based on the size of the service connection shall be imposed as follows:

Service Meter Size (inches)	Effective December 3, 2009	Effective July 1, 2010
0.75"	\$5.76	\$5.87
1.0"	\$8.47	\$8.63
1.5"	\$12.89	\$13.15
2.0"	\$16.92	\$17.26
3.0"	\$21.28	\$21.71
4.0"	\$25.65	\$26.16
6.0"	\$34.38	\$35.07
8.0"	\$43.11	\$43.97
10.0"	\$51.84	\$52.87

E. Monthly Security and Contamination Prevention Fee

Service	Effective December 3, 2009	Effective July 1, 2010
Security and Contamination Prevention Fee	\$1.22	\$1.24

F. Monthly Water Resource Fee

Service	Effective December 3, 2009	Effective July 1, 2010
Water Resource Fee	\$0.00	\$0.50

G. Service to City

1. The city shall pay for all installation services furnished to the city at the rates established by this section. However, the Water Resources Division, Water Section shall be exempt from paying for installation service.
2. The city shall pay for all water furnished to the city at the rates established by this section. However, the Water Resources Division, Water Section and the Fire Department shall be exempt from paying for water provided to them.
3. Unmetered water used for street sweeping, plant watering, storm drain flushing, construction purposes, and all miscellaneous uses not herein specifically mentioned shall be deemed to have been furnished through a single meter for each department. The Public Works Director shall estimate the monthly volume of unmetered water used for such purposes.

4. All water furnished to property owned by the city shall be metered.

H. Temporary Agricultural Use

The city may provide water on a temporary basis for agricultural purposes in accordance with section 22-65 of the City Code. Monthly water rates for temporary agricultural purposes shall be the same as commercial/industrial blended rates.

I. Broken locks

In the event a customer breaks a lock placed on the water meter, in addition to all other amounts due, the customer shall pay a fee of \$10.00 to replace the broken lock.

J. Billing and collection; delinquent bills; nonpayment

The customer shall pay a fee of \$12.00 for each visit to a customer's property to collect a water bill that is delinquent. If water service is discontinued due to nonpayment or non-compliance with the City Code or this ordinance, in addition to all other amounts due, the customer shall pay a fee of \$75.00 for resuming service.

K. Billing Procedure for Periodic Charge for City Water Service

Water service bills shall be computed according to the rates then in effect and the number of days in the service period at each rate.

Part 2. SEC. 22-33 of the Oxnard City Code is amended to read as follows:

22-33 ALTERATIONS TO SIZE OF WATER SYSTEM CONNECTION

When a decrease in size of an existing meter is requested by the customer, the Water Resources Division, Water Section shall make the meter change at no cost to the applicant; provided, the reduced size is determined adequate for the contemplated use. When an increase in size of an existing service or meter is requested by a customer, or an increase is required because of a change in the customer's water use, the Water Resources Division shall make such change; provided, the requested size is determined adequate for the contemplated use. The applicant shall pay in advance the current cost of the new service or meter, less a credit for the meter removed. The credit shall be established by the public works director based upon the age of the existing service connection, but in no event shall the credit exceed 60 percent of the current value of a meter of that size. Where the larger service is in a location different from the existing service, the applicant shall pay the cost of abandoning the existing service in addition to any other applicable fees and charges. The cost for abandoning a water meter shall be based on the administration, labor and materials required to complete the work.

Part 3. Section 22-40 of the Oxnard City Code is amended to read as follows:

SEC. 22-40. TURNING WATER ON OR OFF.

(A) All curb cocks or valves installed by the Water Resources Division, Water Section of the inlet side of the water meter shall be for the exclusive use of the water division and shall not be operated by anyone other than authorized employees of the Water Resources Division, Water Section, unless prior approval has been obtained from the Water Resources Division, Water Section.

(B) Turn on and turn off charges shall be established by ordinance or resolution of the city council.

Part 4. Section 22-74.1 of the Oxnard City Code is amended to read as follows:

SEC. 22-74.1. INSPECTION FEE.

(A) The Public Works Director shall issue an annual notice to the customer or the owner of each backflow prevention device to arrange for the inspection and testing of each device on the premises. The notice shall include the method of reporting compliance to the city, along with information necessary to arrange for the inspection and testing. The city shall establish the fees associated with compliance with this section by ordinance or resolution.

(B) Completed forms demonstrating testing and inspection compliance shall be returned to the Water Resources Manager, along with the applicable fee, within 30 days of the notice.

(C) If the properly completed compliance forms are not returned within 30 days, the Water Resources Manager shall send a second notice, and assess an additional late fee.

(D) If the properly completed compliance forms are not returned within 60 days of the original notice, the Water Resources Manager shall send a third notice, and assess an additional late fee.

(E) If the properly completed compliance forms are not returned within 90 days of the original notice, the Water Resources Manager shall send a final notice indicating that the Water Resources Manager will arrange for the completion of the testing and inspection. The customer or owner shall pay an additional fee, plus the cost of all administrative, labor and materials required to complete the work.

(F) Compliance with this section 22-74.1 shall be deemed complete when the Water Resources Manager receives both the completed compliance inspection form and the associated fee.

Part 5. As provided in section 22-37 of the City Code, the customer shall pay for installation of each water service and water meter:

(A) In addition to the cost of administration and materials, the rates for installing each new service and each new meter, which amount shall be paid in advance, shall be as follows:

Service	Meter	Meter Box and Tail Piece	Effective December 3, 2009	Effective July 1, 2010
3/4"	3/4"	3/4"	\$1,200.00	\$1,400.00
1"	1"	1"	\$1,400.00	\$1,600.00
1-1/2"	1-1/2"	1-1/2"	\$1,800.00	\$2,000.00
2"	2"	2"	\$2,200.00	\$2,300.00

(B) The rates for installing each new meter on a service, previously installed and paid for, shall be as follows in addition to the cost of materials:

Meter	Service	New Box	Effective December 3, 2009
3/4"	3/4"	3/4"	\$415.00
1"	1"	1"	\$475.00
1-1/2"	1-1/2"	1-1/2"	\$865.00
2"	2"	2"	\$1,035.00

Part 6. As provided in sections 22-19, 22-26, 22-33, 22-35, 22-39, 22-40, 22-46, 22-48, 22-49 and 22-61 of the City Code, the city shall require the payment of deposits, fees and charges as follows:

(A) Fully Allocated Hourly Rates

	Effective December 3, 2009
Meter Repair Worker	\$64.00
Water Distribution Operator I	\$58.00
Water Distribution Operator II	\$67.00
Senior Water Distribution Operator	\$74.00

(B) Deposit guaranteeing payment

Each applicant for service shall be required to place a deposit with the city to guarantee the payment of all water charges. The amount of this deposit for monthly water service shall be:

	Meter	Effective December 3, 2009
For each	3/4"	\$41.00
For each	1"	\$61.00
For each	1-1/2"	\$112.00
For each	2"	\$174.00

For each meter over two inches, an amount equal to an approximate one-month minimum bill, but not less than \$193.00.

(C) Meter testing

Upon written request to test a meter, the customer shall deposit \$95.00 for a meter size of up to eight inches and \$190.00 for a meter size of over eight inches.

(D) Turning water on or off – non-emergency

Except in an emergency situation, the charge to have water turned on or off during customary business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) shall be \$75.00. To have the water turned on or off at any time after hours (this includes weekends and City-observed holidays), the charge shall be \$135.00.

(E) Removal of meter and reinstallation

In the event a customer turns on the water service or permits or causes water service to be turned on after water service has been turned off for nonpayment or noncompliance, the city shall again turn off the service and remove the meter, and the customer shall pay a fee of \$112.00, in addition to other amounts due, before water service is restored.

(F) Backflow Prevention and Cross-Connection Control

Timely submission of forms demonstrating completed testing and inspection compliance for backflow prevention and cross-connection control device(s) shall include a \$20.00 fee for each device. If the properly completed compliance forms are not returned within 30 days, the Water Resources Manager shall send a second notice, and assess an additional \$15.00 late fee. If the properly completed compliance forms are not returned within 60 days of the original notice, the Water Resources Manager shall send a third notice, and assess an additional \$25.00 late fee. If the properly completed compliance forms are not returned within 90 days of the original notice, the customer or owner shall pay an additional \$50.00, plus the cost of all administrative,

labor and materials required to complete the work. Inspection services by City employees shall be provided for a fee of \$45.00 plus \$15.00 per device.

(G) Fire Hydrant Test, Inspection and Repairs Fees

Service	Effective December 3, 2009
Hydrant Flow Test Inspection	\$140.00

Temporary Hydrant Meter	Effective December 3, 2009
Setup/Retrieval	\$95.00
Move	\$62.00
Deposit – Meter Replacement Cost	\$800.00
Damaged Hydrant Meter Repair	Labor + Materials
Water Curbs Stop Repair	Labor + Materials

Part 7. Automatic Adjustment for Wholesale Water Rate Increases; Reauthorization of City Code Section 22-60:

Pursuant to Government Code section 53756, section 22-60(B)(C) and (D) are reauthorized for a 5 year period.

Part 8. Severability. If any provision of this ordinance, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining sections shall not be affected, but shall remain in full force and effect, and to this end the provisions of this ordinance are severable.

Part 9. Ordinance Nos. 2750 and 2752 are repealed by this ordinance effective December 3, 2009.

Part 10. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation in the City. Ordinance No. _____ was read on October 27, 2009 and finally adopted on November 3, 2009 to become effective 30 days thereafter.

APPROVED AND ADOPTED this 3rd day of November, 2009, by the following vote:

AYES: Councilmembers .

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO.

(UNCODIFIED)

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD
ESTABLISHING WASTEWATER SYSTEM USER FEES AND CHARGES

WHEREAS, the regulations of the Federal Environmental Protection Agency (EPA) and the California State Water Resources Control Board (SWRCB) Revenue Program Guidelines require that the City of Oxnard's wastewater service charges conform to grant specifications for fair and equitable user fees; and

WHEREAS, the EPA and SWRCB revenue programs require the City to conduct an annual rate adjustment study and to implement the recommendations thereof, to keep municipal wastewater services on a self-supporting basis; and

WHEREAS, pursuant to Chapter 19 of the Oxnard City Code, Ordinance No. 2748 was adopted the 18th of September, 2007, to set forth the City's wastewater system fees, charges, and user rates in accordance with the provisions of the City Code and EPA/SWRCB guidelines; and

WHEREAS, the City's Public Works Department – Water Resources Division, Wastewater Section prepared a biennial budget and recommendations for the Wastewater Section for fiscal years 2009-10, and 2010-11, dated June 30, 2009 (Budget), on file with the City Clerk, which also establishes the basis for the fees and charges set forth herein; and

WHEREAS, the City's Water Resources Division, Wastewater Section has developed a computerized cost and revenue allocation model (Rate Model). The Rate Model is based upon the Budget and the proportional cost of providing wastewater treatment and disposal service to the City's various customer classes. The Rate Model provides a further basis for the rates and charges set forth herein; and

WHEREAS, City's Public Works Department - Water Resources Division, Wastewater Section has updated its cost of service analysis and this ordinance reflects updated supplemental fees and charges for certain special services available upon request throughout the City; and

WHEREAS, this ordinance includes provision for the automatic adjustment of rates based on changes in certain third party costs. The proposed rates displayed as effective beginning July 1, 2010, show the pre-authorized percentage rate increase applicable at the beginning of fiscal year 2010-2011. However, the actual rates effective July 1, 2010 may vary based on the implementation of any automatic rate adjustment resulting from changes in third party costs; and

WHEREAS, Public Resources Code Section 21080(b)(8) and Section 15273 of the California Environmental Quality Act (CEQA) Guidelines provide that CEQA does not apply to the modification of public agency rates and other charges which the public agency finds are intended for certain purposes.

NOW, THEREFORE, the City Council of the City of Oxnard does hereby find as follows:

1. The adoption of this ordinance is exempt from the California Environmental Quality Act because the fees adopted herein are for the following purposes:
 - a. Meeting operating expenses, including the increased cost of chemicals and energy sources, biosolids management, more stringent regulatory requirements, debt service, and Water Resources Division, Wastewater Section employee wages and fringe benefits; and
 - b. Purchasing and leasing supplies, equipment, and materials associated with the provision of wastewater service; and
 - c. Meeting financial reserve needs and requirements; and
 - d. Obtaining funds for capital projects necessary to maintain wastewater service within the City service area, including repair and replacement of the extensive collection and disposal systems and treatment plant, none of which expand the wastewater system.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. The fees, charges and rates set forth below shall be charged and collected for the use of and for other privileges and services relating to the Regional Wastewater Treatment System of the City of Oxnard:

A. Regional Treatment & Disposal Facility User Charge

The monthly rate for regional users (Oxnard, Port Hueneme, Naval Base Ventura County (Port Hueneme and Point Mugu)) of the facility shall be calculated by the "Regional User Charge Formula" as follows:

$$RMUC = e (Vm) + f (Bm) + g (Sm)$$

Where:

- RMUC = regional monthly user charge in dollars
- VM = monthly wastewater discharge in millions of gallons (volume)
- Bm = monthly biological oxygen demand (BOD) discharge in thousands of pounds
- Sm = monthly suspended solids (SS) discharge in thousands of pounds

e, f and g are unit cost coefficients established as follows:

Service	Effective December 3, 2009	Effective July 1, 2010
Monthly Wastewater Discharge/Millions of Gallons	e = \$324.67	e = \$343.34
Monthly Biological Oxygen Demand (BOD) Discharge/Thousands of Lbs.	f = \$243.85	f = \$257.87
Monthly Suspended Solids (SS) Discharge/Thousands of Lbs.	g = \$306.59	g = \$324.22

B. City of Oxnard User Charge for Wastewater System

The rate for City user classes or individual users of the wastewater system shall be calculated by the “City of Oxnard User Charge Formula” (the Oxnard Formula) as follows:

$$OMUC = p (Vm) + q(Bm) + r(Sm)$$

Where:

OMUC = Oxnard monthly user charge in dollars

Vm = monthly wastewater discharge in millions of gallons

Bm = monthly BOD discharge in thousands of pounds

Sm = monthly SS discharge in thousands of pounds

p, q and r are unit cost coefficients established as follows:

Service	Effective December 3, 2009	Effective July 1, 2010
Monthly Wastewater Discharge/Millions of Gallons	p = \$1,819.43	p = \$1,919.43
Monthly Biological Oxygen Demand (BOD) Discharge/Thousands of Lbs.	q = \$515.31	q = \$615.31
Monthly Suspended Solids (SS) Discharge/Thousands of Lbs.	r = \$362.26	r = \$391.24

1. Formula Users (Industrial & Commercial)

The monthly user charge for formula users shall be calculated using the Oxnard Formula. Industrial and commercial users billed by Oxnard Formula shall be those so designated by the Public Works Director. For those formula users that do not provide metered wastewater flow data, the wastewater flow shall be assumed to be 90% of water consumed. For those users that provide engineering data acceptable to the Public Works Director showing a different percentage, the wastewater flows will be based on that data.

2. Non-Formula Users (Industrial, Commercial & Governmental)

The monthly user charge for non-residential users of the system that are not classified as formula users by the Public Works Director shall be as follows. The rate per hundred cubic feet (HCF) of water used is based on the assumption that a percent of the water consumed is returned to the wastewater system. The applicable percentage differs based on customer class. The percentage return is included for each customer class in the tables below. The Public Works Director shall have the authority to review the water consumption of any metered user of the wastewater system and to adjust the rate based on the average water consumption over a reasonable period of time:

a. Commercial Wastewater Use (Percentage Wastewater Return = 85%):

Rate Per Hundred Cubic Feet (HCF)	Effective December 3, 2009	Effective July 1, 2010
0 to 50 HCF/Mo.	\$2.05	\$2.21
51 to 930 HCF/Mo.	\$2.56	\$2.76
Over 930 HCF/Mo.	\$5.13	\$5.54

b. Restaurant Wastewater Use (Percentage Wastewater Return = 80%):

Rate Per Hundred Cubic Feet (HCF)	Effective December 3, 2009	Effective July 1, 2010
0 to 20 HCF/Mo.	\$3.15	\$3.40
21 to 160 HCF/Mo.	\$3.94	\$4.26
Over 160 HCF/Mo.	\$7.88	\$8.51

c. Laundry / Laundromat Wastewater Use (Percentage Wastewater Return = 90%):

Rate Per Hundred Cubic Feet (HCF)	Effective December 3, 2009	Effective July 1, 2010
0 to 105 HCF/Mo.	\$2.01	\$2.17
106 to 525 HCF/Mo.	\$2.23	\$2.41
Over 525 HCF/Mo.	\$3.12	\$3.37

3. Non-Formula Users - Residential:

Residential wastewater service is deemed to begin when water service begins. Monthly residential user charges by type of dwelling units are as follows. The rate per hundred cubic feet (HCF) of water used is based on the assumption that a percentage of the water consumed is returned to the wastewater system. The applicable percentage differs based on customer class. The percentage return is included for each customer class in the tables below. The Public Works Director shall have the authority to review the water consumption of any metered user of the wastewater system and to adjust the rate based on the average water consumption over a reasonable period of time:

a. Single Family Residential Wastewater Use (Percentage Wastewater Return = 80%):

Rate Per Hundred Cubic Feet (HCF)	Effective December 3, 2009	Effective July 1, 2010
0 to 9 HCF/Mo.	\$0.95	\$1.03
10 to 18 HCF/Mo.	\$1.05	\$1.13
Over 18 HCF/Mo.	\$1.47	\$1.59

- b. Multi-Family, Multi-Unit Residential Wastewater Use (Percentage Wastewater Return = 90%):

Rate Per Hundred Cubic Feet (HCF)	Effective December 3, 2009	Effective July 1, 2010
0 to 17 HCF/Mo.	\$0.95	\$1.03
18 to 32 HCF/Mo.	\$1.05	\$1.13
Over 32 HCF/Mo.	\$1.47	\$1.59

4. Monthly Base Rates

In addition to monthly rates based on water use (per HCF) as set forth above, the following customer classes shall pay a monthly meter rates:

Service	Effective December 3, 2009	Effective July 1, 2010
Single Family	\$16.45	\$17.77
Multi-Family/Unit	\$12.03	\$12.99

5. Monthly Security and Contamination Prevention Fee: Each customer shall pay a monthly security and contamination prevention fee as follows:

Service	Effective December 3, 2009	Effective July 1, 2010
Security & Contamination Prevention Fee	\$0.00	\$0.65

6. Non-metered Water Users

Except as provided in subsection B3 for residential water users, other non-metered water users, including commercial and industrial users, shall pay a monthly rate as determined by the Public Works Director based upon the monthly rate charged a metered water user of comparable size and character of use, provided, however, that the minimum monthly charge shall be the same as that charged for a multiple dwelling family dwelling unit.

Service	Effective December 3, 2009	Effective July 1, 2010
Non-Metered Customers	\$28.25	\$30.51

7. Wastewater System Rate for Wastewater Treated by Another Agency

Where wastewater is collected by the City and is accepted by another agency for transmission, treatment and disposal, the monthly wastewater rates shall be equal at least to the rate charged by such agency for transmission, treatment and disposal of such wastewater, anything to the contrary herein notwithstanding.

8. Additional Charges for Outside the City Users of City Wastewater System

Those outside the City users of the Los Posas sewer line shall be charged a monthly rate for wastewater service as follows. Wastewater service is deemed to begin when water service begins. The rate per hundred cubic feet (HCF) of water used is based on the assumption that 85 percent of the water consumed is returned to the wastewater system. The Public Works Director shall have the right to review the water consumption of any metered user of the wastewater system and to adjust the rate based on the average water consumption over a reasonable period of time:

a. Monthly Rates for User Charge Formula – Outside City

Service	Effective December 3, 2009	Effective July 1, 2010
Outside City – Residential	\$56.50	\$61.02
Outside City – Multi	\$37.86	\$40.89

b. Monthly Rates for Las Posas Commercial Wastewater Use

Rate Per Hundred Cubic Feet (HCF)	Effective December 3, 2009	Effective July 1, 2010
0 to 50 HCF/Mo.	\$4.10	\$4.43
51 to 930 HCF/Mo.	\$5.12	\$5.53
Over 930 HCF/Mo.	\$10.26	\$11.08

C. Industrial and Liquid Waste Sampling, Analysis and Flow Measurement

Dischargers whose wastewater charges are individually calculated using the Oxnard Formula shall be responsible for costs of required sampling, analysis and flow measurement associated therewith as provided in Chapter 19 of the Oxnard City Code. If sampling, analysis and flow data are not provided to the City as required, the Public Works Director shall cause monitoring to be performed or an estimate made to enable charges to be rendered. The discharger shall be billed for these extra costs.

D. Charges for Unusual or Non-Compatible Wastewater

A charge for unusual or non-compatible waste constituents of such quality or character as to impose upon the City unusual operation and/or maintenance or capital costs whether or not related to total flow volume, biochemical oxygen demand, or suspended solids, shall be set by the Public Works Director and paid by the discharger. These charges shall be reasonably calculated to defray costs attributable to such wastes.

E. Fee for Appeal

For each appeal to the City Council of a ruling by the Public Works Director a fee of \$100 will be charged.

F. Industrial Wastewater Discharge Permits

The Industrial Wastewater Discharge Permits (permit) specified in Chapter 19 of the Oxnard City Code shall be granted for a specific time period, not to exceed five years. Application for permit and permit renewal shall be made in accordance with Chapter 19. All users classified as significant industrial wastewater users according to Chapter 19 shall be assessed a fee of \$2,500 per year per permit. All other industrial users shall be assessed a fee of \$100 per year per permit. In addition to the permit fee, new applicants for a permit shall be assessed a one time new application processing fee of \$100.

G. Billing Procedure for Monthly Service Charge for Use of City Wastewater System

Bills shall be computed according to the rates then in effect and the number of days in the service period at each rate.

H. Automatic Inflation Adjustment. Pursuant to Government Code section 53756, the rates adopted herein shall automatically adjust for inflation in the cost of operating the city wastewater system. The inflation adjustment shall be the same percentage as the percentage change in the rates that the city pays to power providers that supply electricity and natural gas sources to power the wastewater collection, treatment and disposal systems, as those rates are applied in the Rate Model. Such adjustments shall be effective concurrent with the date of any adjustments in rates that the city pays to power providers that supply electricity and natural gas sources to power the wastewater collection, treatment and disposal systems.

Part 2. The provisions of this ordinance shall be applicable to all service provided or charges incurred on and after December 3, 2009. Ordinance No. 2748 is repealed by this ordinance effective December 3, 2009.

Part 3. If for any reason this ordinance is held invalid or unenforceable, the City Council intends that the ordinance provisions which would have been repealed by this ordinance shall remain in effect as if this ordinance had not been adopted.

Part 4. If for any reason any part of this ordinance is held invalid or unenforceable, the City Council intends that the remaining parts of this ordinance remain in effect.

Part 5. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation, published and circulated in the City. Ordinance No. _____ was first read on October 27, 2009, finally adopted on November 3, 2009, to become effective thirty (30) days thereafter.

APPROVED AND ADOPTED this 3rd day of November, 2009, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. _____

(UNCODIFIED)

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD
READOPTING AND ESTABLISHING SOLID WASTE SYSTEM USER FEES
AND CHARGES

WHEREAS, the City Council has adopted Chapter 19 of the Code of the City of Oxnard to regulate solid waste collection and disposal of the City's solid waste; and

WHEREAS, the Solid Waste Fund (Environmental Resources Division) is a self-supporting enterprise fund that depends on the revenues derived from services rendered for solid waste collection, processing, disposal and street sweeping; and

WHEREAS, on September 18, 2007, the City Council approved Ordinance No. 2749, establishing solid waste system user fees and charges; and

WHEREAS, the Public Works Department prepared an Environmental Resources Division Budget for fiscal years 2009-2010 through 2010-2011, dated July 7, 2009 (Budget) on file with the City Clerk, which establishes the basis for new and increased fees and charges set forth herein; and

WHEREAS, the City's Public Works Department – Environmental Resources Division has developed a computerized cost and revenue allocation model (Rate Model). The Rate Model is based upon the Budget and the proportional cost of providing solid waste system service to the City's various customer classes. The Rate Model provides a further basis for the rates and charges set forth herein; and

WHEREAS, the City's Public Works Department – Environmental Resources Division has updated its cost of service analysis and this ordinance reflects updated supplemental fees and charges for certain special collection services available upon request throughout the City; and

WHEREAS, this ordinance includes provision for the automatic adjustment of rates based on changes in certain third party costs. The proposed rates displayed as effective beginning July 1, 2010, show the pre-authorized percentage rate increase applicable at the beginning of fiscal year 2010-2011. However, the actual rates effective July 1, 2010 may vary based on the implementation of any automatic rate adjustment resulting from changes in third party costs; and

WHEREAS, Public Resources Code Section 21080(b)(8) and Section 15273 of the California Environmental Quality Act (CEQA) Guidelines provide that CEQA does not apply to the modification of public agency rates and other charges which the public agency finds are intended for certain purposes.

NOW, THEREFORE, the City Council of the City of Oxnard does hereby find as follows:

1. The adoption of this ordinance is exempt from the California Environmental Quality Act because the fees adopted herein are for the following purposes:
 - a. Meeting operating expenses, including the increased cost of solid waste disposal, and Public Works Department – Environmental Resources Section employee wages and fringe benefits; and
 - b. Purchasing and leasing supplies, equipment, and materials associated with the provision of solid waste system service; and
 - c. Meeting financial reserve needs and requirements; and
 - d. Obtaining funds for capital projects necessary to maintain solid waste system service within the City service area, including repair and replacement of aging facilities, equipment and trucks, and retrofitting trucks with diesel exhaust particulate filters to meet increased regulatory emissions requirements, none of which expand the solid waste system.
2. The basis for the foregoing claim of exemption is found in the Budget and the Rate Model.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. Monthly Rates

The fees, charges and rates set forth below shall be charged and collected for the use of and for the privileges and services relating to the Solid Waste System of the City of Oxnard.

A. Residential dwellings

Weekly residential service in dwellings not using mechanical front-end loaded containers:

Customer	Effective December 3, 2009	Effective July 1, 2010
Single family variable service (individually billed single and multiple unit dwellings that generate lesser amounts of waste, recyclables, and green waste or have medical disabilities that limit ability to maneuver larger containers (65 gallon refuse, 65 gallon recycle and 65 gallon green waste containers))	\$22.80	\$23.60
Single family standard service (individually billed single and multiple unit dwellings (65 or 95 gallon refuse, 95 gallon recycle, and 95 gallon green waste containers))	\$28.50	\$29.50
Jointly billed multiple-unit dwellings (such as apartments, duplexes, triplexes, boarding houses, mobile home parks, hotels or motels):		
First Unit	\$28.50	\$29.50
Second Unit	\$25.65	\$26.55
Third Unit	\$24.23	\$25.08
Each Unit in excess of three	\$22.80	\$23.60

B. Commercial and Industrial Users; Not Using Mechanical Front-End Loaded Containers

1. Weekly collection service for commercial and industrial businesses not using mechanical front-end loaded containers:

Customer	Effective December 3, 2009	Effective July 1, 2010
One 95-gallon refuse container	\$40.00	\$41.40
Two 95-gallon refuse containers	\$70.00	\$72.45
Three 95-gallon refuse containers	\$90.00	\$93.15
Four 95-gallon refuse containers	\$110.00	\$113.85
Five 95-gallon refuse containers	\$130.00	\$134.55
Five 95-gallon refuse containers (2 collections per week)	\$227.50	\$235.46

2. Weekly recyclables and green waste collection service for commercial and industrial businesses not using mechanical front-end loaded containers:

Customer	Effective December 3, 2009	Effective July 1, 2010
One 95-gallon refuse container	\$20.00	\$20.70

3. Weekly and daily refuse collection service for multiple unit dwellings and commercial and industrial businesses using mechanical front-end loaded containers:

Effective December 3, 2009 Container Size	Rates / Collections Per Week					
	1	2	3	4	5	6
2-cubic yard	\$119.00	\$208.25	\$267.75	\$327.25	\$386.75	\$446.25
2-cubic yard shared	\$59.50	\$104.13	\$133.88	\$163.63	\$193.38	\$223.13
2-cubic yard compactor	\$255.00	\$446.25	\$573.75	\$701.25	\$828.75	\$956.25
4-cubic yard	\$207.00	\$362.25	\$465.75	\$569.25	\$672.75	\$776.25
4-cubic yard shared	\$103.50	\$181.13	\$232.88	\$284.63	\$336.38	\$388.13
4-cubic yard compactor	\$417.00	\$729.75	\$938.25	\$1,146.75	\$1,355.25	\$1,563.75

Effective July 1, 2010 Container Size	Rates / Collections Per Week					
	1	2	3	4	5	6
2-cubic yard	\$123.17	\$215.54	\$277.12	\$338.70	\$400.29	\$461.87
2-cubic yard shared	\$61.58	\$107.77	\$138.57	\$169.36	\$200.15	\$230.94
2-cubic yard compactor	\$263.93	\$461.87	\$593.83	\$725.79	\$857.76	\$989.72
4-cubic yard	\$214.25	\$374.93	\$482.05	\$589.17	\$696.30	\$803.42
4-cubic yard shared	\$107.12	\$187.47	\$241.03	\$294.59	\$348.15	\$401.71
4-cubic yard compactor	\$431.60	\$755.29	\$971.09	\$1,186.89	\$1,402.68	\$1,618.48

Each container in excess of the regular service level on an established account	Solid Waste	Recyclables or Green Waste
	2-cubic yard	\$52.00
4-cubic yard	\$96.00	\$48.00

4. Weekly and daily recyclables and green waste collection service for multiple unit dwellings and commercial and industrial businesses using mechanical front-end loaded containers:

Effective December 3, 2009

Container Size	Rates / Collections Per Week					
	1	2	3	4	5	6
2-cubic yard	\$59.50	\$104.13	\$133.88	\$163.63	\$193.38	\$223.13
2-cubic yard shared	\$29.75	\$52.06	\$66.94	\$81.81	\$96.69	\$111.56
2-cubic yard compactor	\$127.50	\$223.13	\$286.88	\$350.63	\$414.38	\$478.13
4-cubic yard	\$103.50	\$181.13	\$232.88	\$284.63	\$336.38	\$388.13
4-cubic yard shared	\$51.75	\$90.56	\$116.44	\$142.31	\$168.19	\$194.06
4-cubic yard compactor	\$208.50	\$364.88	\$469.13	\$573.38	\$677.63	\$781.88

Effective July 1, 2010

Container Size	Rates / Collections Per Week					
	1	2	3	4	5	6
2-cubic yard	\$61.58	\$107.77	\$138.57	\$169.36	\$200.15	\$230.94
2-cubic yard shared	\$30.79	\$53.88	\$69.28	\$84.67	\$100.07	\$115.46
2-cubic yard compactor	\$131.96	\$230.94	\$296.92	\$362.90	\$428.88	\$494.86
4-cubic yard	\$107.12	\$187.47	\$241.03	\$294.59	\$348.15	\$401.71
4-cubic yard shared	\$53.56	\$93.73	\$120.52	\$147.29	\$174.08	\$200.85
4-cubic yard compactor	\$215.80	\$377.65	\$485.55	\$593.45	\$701.35	\$809.25

5. Per pickup charge for businesses regularly using roll-off containers. In addition to the fees for use of the container(s) presented below, the user shall pay all disposal fees. Minimum pickup is twice per month. If use is for less than one month, user shall pay a container rental fee of \$12.40 per day, plus all disposal fees:

Effective December 3, 2009

Container Size	Charge per Refuse Pickup	Charge per Recyclables Or Green Waste Pickup
10-cubic yard	\$145.00	\$72.50
13.4-cubic yard	\$145.00	\$72.50
30-cubic yard	\$190.00	\$95.00
30-cubic yard compactor	\$215.00	\$107.50
(2) 30-cubic yard single pickup	\$365.00	\$182.50
40-cubic yard compactor	\$265.00	\$132.50

Effective July 1, 2010

Container Size	Charge per Refuse Pickup	Charge per Recyclables Or Green Waste Pickup
10-cubic yard	\$150.08	\$75.04
13.4-cubic yard	\$150.08	\$75.04
30-cubic yard	\$196.65	\$98.33
30-cubic yard compactor	\$222.53	\$111.26
(2) 30-cubic yard single pickup	\$377.78	\$188.89
40-cubic yard compactor	\$274.28	\$137.14

6. **Monthly Security and Contamination Fee:** In addition to any other applicable charges, each customer shall pay a monthly security and contamination prevention fee, per container in use, as follows:

Service	Effective December 3, 2009	Effective July 1, 2010
Security and Contamination Fee	\$0.00	\$0.12

7. **Walking Floor Transfer Trailer.** Each customer making use of a walking floor transfer trailer shall pay the following per pickup fee, along with all disposal charges:

Container Size	Effective December 3, 2009	Effective July 1, 2010
Walking Floor Transfer Trailer	\$365.00	\$377.78

Part 2. Special Collection Services and Fees

Special collection services are available for each class of user or type of service upon request and dependent upon the availability of containers for service.

A. Special Collection Services

The minimum charge for special collection is \$31.50. If the special collection service requires more than fifteen minutes for the operation crew to clean up debris, the user will be charged a fee of \$2.10 per minute. For example, the fee for a special collection taking 20 minutes would be \$42.00. Special collection debris includes refrigerators, sofas, washing machines, water heaters, furniture, accumulated materials, and other bulky items except for large commercial-type items.

B. Mechanical Loading Special Services

1. Commercial Size Special Service (2 and 4 cubic yards)

Commercial containers are available for special collection service. A delivery fee of \$13.00 shall be charged per container. Commercial container special services shall be provided at the following rates, not including the disposal fee, for a maximum of fourteen days, for an established account.

Container Size	Charge Per Refuse Pickup
2-cubic yard	\$50.00
4-cubic yard	\$75.00

2. Industrial Size Special Service (10 - 40 Yards)

Industrial-type containers are available for special collection service. A delivery fee of \$13.00 shall be charged per container. Industrial container special services shall be provided at the following rates for a maximum of seven days, for an established account. In addition, the user shall pay all disposal fees.

Container Size	Per Pickup Charge
10-yard	\$102.30
13.4-yard	\$102.30
30-yard	\$137.88
40-yard	\$172.35
(2) 30-yard	\$275.76

C. Freon Extraction Fee

Service	Per Unit
Residential Type Size (refrigerators and air conditioners)	\$20.00
Commercial Type Large Size	\$35.00

D. Lost or Damaged (Burned) Container

Service	Per Unit
Residential 95-gallon container	\$51.25
Residential 65-gallon container	\$47.35
Commercial 2-cubic yard	\$445.12
Commercial 4-cubic yard	\$542.80
Industrial 1-cubic yard	\$585.00
Industrial 13.4 cubic yard	\$635.00
Industrial 30-cubic yard	\$700.00
Industrial 4-cubic yard	\$750.00

E. Tire Collection – Size

Service	Per Unit Tire Charge
36-inches and under	\$5.00
36 to 60 inches	\$30.00
Over 60 inches	\$200.00

F. Commercial Container Cleaning

At the user’s request, the City will steam clean commercial containers of 2-cubic yard and 4-cubic yard sizes. The City will also steam clean commercial compactors. The City will pick up the container or compactor, steam clean the container or compactor at the City Yard, and return the container or compactor to the user location. The charge shall be:

Container Type & Size	Per Unit
Commercial 2-cubic yard	\$36.25
Commercial 4-cubic yard	\$46.50
Commercial Compactor	\$103.50

G. Commercial Container Security-Locking Device

At the user’s request, the City will provide a security locking device for 2-cubic yard and 4-cubic yard containers. The fee shall be \$57.00 for each locking device per container, covering materials and installation.

H. Commercial Container Casters

A fee of \$18.75 per caster shall be charged to the user for a damaged caster on a 2-cubic yard container or a 4-cubic yard container.

I. Industrial Container Casters

A fee of \$28.25 per caster shall be charged to the user for a damaged caster on a 13.4-cubic yard container or a 30-cubic yard container.

J. Change of Service Level

A fee of \$5.00 shall be charged to the user for each request of a change of service level.

K. Overweight Container

A surcharge of 40% to the user's regular service shall be charged to the user for an overweight container in excess of the posted rate on the container.

L. Return Truck Trip

A fee of \$20.75 shall be charged to the user for each return trip due to a commercial or industrial container relocation, blocked access to the container, improper filling, contamination, or other causes that prevent the safe pickup of the container due to customer error or misuse.

Part 3. Service Levels for Residential Automated Collections

A. Basic Levels

Single-family dwelling units with individual curbside refuse pickup shall each receive a 95-gallon automated refuse container, a 95-gallon automated recycle container, and a 95-gallon automated green waste container that will be serviced weekly. Minimum service level shall be one 65-gallon automated refuse container, a 65-gallon automated recycle container, and a 65-gallon automated green waste container once per week.

B. Service Above Basic Levels

1. Single-family and multifamily dwelling units with weekly individual curbside service may obtain and use an additional 95-gallon automated container at a cost of \$10.85 per month, in addition to the basic service charge.
2. A special service collection fee of \$10.85 shall be charged for collection when requested by a resident for reasons not the fault of the collection personnel, including but not limited to: late set-out of container, overfilling of container, refuse in recycle container, refuse or recycled in green waste container, green waste in recycle container, or blocked access or other causes that prevent safe pickup.

Part 4A. Del Norte Regional Recycling and Transfer Charges for Regular Materials

Except as otherwise provided by the City Council, the fees set forth below shall be charged and collected for the use of and for the privileges and services relating to use of the Del Norte Regional Recycling and Transfer Station (DNRRTS) to process regular materials.

A. By Weight

Material	Per Ton Charge
Refuse	\$42.00 to \$52.00
Green waste	\$42.00 to \$52.00
Mixed recyclables	\$0.00 to \$30.00
Construction and demolition debris	\$49.00 to \$57.00

B. By Load - Self-Haul Vehicle

Material	Per Ton Charge
Refuse	\$22.00 to \$26.00 up to 1/2 ton
Refuse	Percentage of \$42.00 to \$52.00 per 1/2 ton or more

Part 4B. DNRRTS Charges for Special Materials

Except as otherwise provided by the City Council, the fees set forth below shall be charged and collected for the use of and for the privileges and services relating to use of the DNRRTS to process special materials.

Material	Charge
Hard to handle or bulky items	\$100.00 per ton
Special handling	\$65.00 per ton
Special pull-offs	\$75.00 each plus disposal fee
Uncovered loads capable of producing litter	\$5.00/ton surcharge in addition to applicable charge for material disposal
Tires: less than 36-inches	\$5.00 each or \$100.00/ton
Tires: 36 inches to 60 inches	\$30.00 each
Tires: over 60 inches	\$200.00 each
Freon extraction (refrigerators and air conditioners)	\$20.00 each, plus disposal fee
Appliances	\$15.00 each

Part 4C. DNRRTS Charges for Other Special Materials

The actual cost shall be charged and collected for the use of and for the privileges and services relating to the use of the DNRRTS to process other special materials not listed in Part 4B. Except as otherwise provided by the City Council, such actual cost shall be based on the rate of \$60.00 per hour.

Part 4D. In addition to charges for regular materials in subsection A and B of Part 4A, the DNRRTS shall charge a host fee of \$2.00 per ton of solid waste collected outside Oxnard city limits and delivered to DNRRTS.

Part 4E. Administration Regulations

The City Manager or designee may adopt administrative regulations to implement this ordinance.

Part 5. Billing Procedure for Monthly Service Charge for Use of City Solid Waste System.

Bills for solid waste services shall be computed according to the rates then in effect and the number of days in the service period at each rate.

Part 6. Automatic Inflation Adjustment. Pursuant to Government Code section 53756, the rates adopted herein shall automatically adjust for inflation in the cost of operating the City's Solid Waste System. The inflation adjustment shall be the same percentage as the percentage change in the rates that the City pays to landfill operators for disposal of solid waste collected through the City's Solid Waste Disposal System, as those rates are applied in the Rate Model. Such adjustments shall be effective concurrent with the date of any adjustments in rates the City pays to landfill operators for disposal of solid waste collected through the City's Solid Waste Disposal System.

Part 7. The provisions of this ordinance shall be applicable to all solid waste services provided or charges incurred on and after December 3, 2009. Ordinance No. 2749 is repealed by this ordinance, effective December 3, 2009.

Part 8. If any term, condition or provision of this ordinance is held to be invalid, void or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired or invalidated thereby.

Part 9. If for any reason this ordinance is held invalid or unable to be implemented according to its terms, the City Council intends that Ordinance No. 2749, which would have been repealed by this ordinance, shall remain in effect as if this ordinance had not been adopted.

Part 10. This ordinance shall be uncodified.

Part 11. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation, published and circulated within the city. Ordinance No. _____ was first read on October 27, 2009, and finally adopted on November 3, 2009, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED on this 3rd day of November, 2009, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney

CITY OF OXNARD
REQUEST FOR SPECIAL BUDGET APPROPRIATION

To the City Manager:

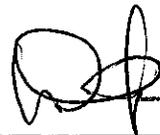
October 27, 2009

Request is hereby made for an appropriation of total

\$ 509,600

Reason for appropriation: To recognize revenue increases from rate adjustments to water system user fees and charges

<u>FUND</u>	<u>DESCRIPTION/ACCOUNT</u>	<u>AMOUNT</u>
Water (601)	Single Family Residential 601-6010-611-7601	(182,900)
	Multi-Family Residential 601-6010-611-7602	(238,800)
	Commercial/Institutional 601-6010-611-7603	6,216,100
	Industrial 601-6010-611-xxxx	(2,293,800)
	Irrigation 601-6010-611-xxxx	(3,192,900)
	Ocean View Agricultural 601-6010-611-xxxx	(258,000)
	Fireline Service 601-6010-611-7604	(559,300)
	Other Supplies 601-6001-843-8109	209,600
	Electricity 601-6001-844-8261	300,000
	Net Estimated Change to Water Fund Balance	<u><u>0</u></u>



 Manager

DIRECTOR OF FINANCE

REQUIRES CITY COUNCIL APPROVAL



Disposition	Approved _____
	Rejected _____
Transfer by Journal Voucher	_____ City Manager

CITY OF OXNARD
REQUEST FOR SPECIAL BUDGET APPROPRIATION

To the City Manager:

October 27, 2009

Request is hereby made for an appropriation of total

\$ 1,814,700

Reason for appropriation: To recognize revenue increases from rate adjustments to wastewater system user fees and charges

<u>FUND</u>	<u>DESCRIPTION/ACCOUNT</u>	<u>AMOUNT</u>
Wastewater (611)	Sewer Charge - Residential Single 611-6106-612-7651	(1,611,100)
	Sewer Charge - Residential Multi 611-6106-612-7652	(377,200)
	Sewer Charge - Industrial 611-6106-612-7653	(248,500)
	Sewer Charge - Commercial Laundry 611-6106-612-7656	(800)
	Interest Income - Investment 611-6106-691-7481	(4,500)
	Sewer Charge - WWTP Transfer 611-6106-612-7661	489,800
	Refuse and Disposal 611-6107-844-8268	200,000
	Net Estimated Change to Wastewater Collections Fund Balance	<u><u>(1,552,300)</u></u>
Wastewater (621)	Wastewater Services - Port Hueneme 621-6202-613-7682	(62,400)
	Refuse and Disposal 621-6202-844-8268	62,400
	Net Estimated Change to Wastewater Treatment Fund Balance	<u><u>0</u></u>



 Manager

DIRECTOR OF FINANCE

REQUIRES CITY COUNCIL APPROVAL



Disposition	Approved _____
	Rejected _____
	City Manager _____

Transfer by Journal Voucher

CITY OF OXNARD
REQUEST FOR SPECIAL BUDGET APPROPRIATION

To the City Manager:

October 27, 2009

Request is hereby made for an appropriation of total \$ 1,175,000

Reason for appropriation: To recognize revenue increases from rate adjustments to solid waste system user fees and charges

<u>FUND</u>	<u>DESCRIPTION/ACCOUNT</u>	<u>AMOUNT</u>
Solid Waste (631)	Solid Waste Processing & Disposal Waste Tipping Fees 631-6304-614-7734	(165,000)
	Solid Waste Residential Pickup 631-6307-614-7726	(420,000)
	Solid Waste Commercial Front End Loading 2-Cubic Yard 631-6308-614-7701	(95,000)
	Solid Waste Commercial Front End Loading 4-Cubic Yard 631-6308-614-7702	(230,000)
	Solid Waste Commercial without Front-End Loading Bin 631-6308-614-7704	(15,000)
	Solid Waste Industrial Rolloff 30 Cubic Yard 631-6309-614-7706	(95,000)
	Solid Waste Industrial Rolloff 13 Cubic Yard 631-6309-614-7707	(35,000)
	Solid Waste Industrial 30 Cubic Yard Pass-Thru 631-6309-614-7708	(22,750)
	Solid Waste Industrial Special Pickup Pass-Thru 631-6309-614-7724	(9,000)
	Solid Waste Industrial Walking Floor Trailer 631-6309-614-7739	(25,000)
	Solid Waste Planning Professional Services 631-6301-842-8209	300,000
	Solid Waste Waste Education Professional Services 631-6302-842-8209	130,000
	Solid Waste Processing & Disposal Maint and Repair 631-6304-847-8305	125,000
	Solid Waste Processing & Disposal Shop and Field 631-6307-843-8104	107,000
	Solid Waste Processing & Disposal Minor Equipment 631-6308-843-8134	135,000
	Solid Waste Processing & Disposal Minor Equipment 631-6309-843-8134	150,000
	Solid Waste Asset Management 631-xxxx-xxx-xxxx (Project No. xxxxxx)	164,750
	Net Estimated Change to Solid Waste Fund Balance	<u><u>0</u></u>



 Manager

DIRECTOR OF FINANCE

REQUIRES CITY COUNCIL APPROVAL



Disposition	Approved _____
	Rejected _____
Transfer by Journal Voucher	_____
	City Manager

FINANCIAL AGREEMENT

This Financial Agreement is entered into as of this 1st day of November 2009, by and between the City of Oxnard, a municipal corporation duly organized and validly existing under the laws of the State of California through its Water Enterprise Fund (the "Water Fund") on the one hand, and the City of Oxnard through its Wastewater Enterprise Fund, duly established under the laws of the State of California (the "Wastewater Fund") on the other hand.

RECITALS

WHEREAS, the Water Fund has available funds in unreserved, undesignated fund balances to loan to the Wastewater Fund the sum of Four Million Dollars for the purpose of providing the Wastewater Fund with working capital; and

WHEREAS, such available funds are currently invested earning interest at amounts comparable to the Local Agency Investment Fund ("LAIF") rate of interest; and

WHEREAS, as of September 2009, LAIF earned an average monthly effective yield of 0.75 percent (0.75%) per annum; and

WHEREAS, such available funds are projected to remain available for the next fiscal year; and

WHEREAS, the Wastewater Fund has agreed to pay an interest rate of 3 percent (3%) per annum during the term that such funds are used by the Wastewater Fund; and

WHEREAS, the Water Fund benefits from the loan by being able to earn a reasonable interest rate on idle funds; and

WHEREAS, the Wastewater Fund benefits from the loan because the funds will allow adequate working capital over the term of the loan to cover the Wastewater Fund's projected operating expenditures and avoid a negative cash position.

AGREEMENT

NOW THEREFORE, the Water Fund and the Wastewater Fund hereby agree as follows:

Section 1 Water Fund Loan to Wastewater Fund

The Water Fund agrees to loan the Wastewater Fund Four Million Dollars (\$4,000,000).

Section 2 Wastewater Fund Repayment of Loan

The Wastewater Fund hereby agrees to repay the Water Fund at the rate 3 percent (3%) per annum, fully amortized over a 5 year term, with payments due annually in arrears. The

Wastewater Fund shall make five (5) annual payments in the amount of \$873,418.29 on November 1st of each year, commencing on November 1, 2010 and ending on November 1, 2014.

Section 3 Prepayment of Loan

Without Penalty, the Wastewater Fund may prepay all or a portion of the principal and interest at any time.

Section 4 Term

The term of this Financial Agreement shall be from November 1, 2009 to November 1, 2014, Upon mutual written agreement of the Wastewater Fund and the Water Fund, the term of this loan may be extended.

Section 5 Execution in Counterparts

This Financial Agreement may be executed in several counterparts, each of which shall be an original, and all of which shall constitute but one and the same instrument.

Section 6 Governing Law

This Financial Agreement shall be interpreted in accordance with the laws of the State of California.

Section 7 Integration

This Financial Agreement constitutes the whole agreement between the parties hereto with respect to the subject matter hereof, and neither party nor any of its agents or employees has made any representation except as specifically provided herein.

Section 8 Amendment

This Financial Agreement may be modified in writing when agreed to by both the Wastewater Fund and Water Fund.

IN WITNESS WHEREOF, the parties hereto have executed and attested the execution of this Financial Agreement as of the date set forth above.

CITY OF OXNARD, through its
Water Fund

CITY OF OXNARD, through its
Wastewater Fund

Dr. Thomas E. Holden, Mayor

Dr. Thomas E. Holden, Mayor

ATTEST:

ATTEST:

Daniel Martinez, City Clerk

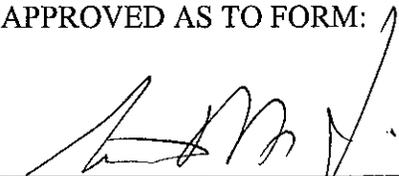
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:



Alan Holmberg, City Attorney



Alan Holmberg, City Attorney

APPROVED AS TO CONTENT:

APPROVED AS TO CONTENT:



James Cameron, Chief Financial Officer



James Cameron, Chief Financial Officer

FINANCIAL AGREEMENT

This Financial Agreement is entered into as of this 1st day of November 2009, by and between the City of Oxnard, a municipal corporation duly organized and validly existing under the laws of the State of California through its Water Enterprise Fund (the "Water Fund") on the one hand, and the City of Oxnard through its Environmental Resources Enterprise Fund, duly established under the laws of the State of California (the "Environmental Resources Fund") on the other hand.

RECITALS

WHEREAS, the Water Fund has available funds in unreserved, undesignated fund balances to loan to the Environmental Resources Fund the sum of Nine Million Three Hundred Thousand Dollars for the purpose of providing the Environmental Resources Fund with working capital; and

WHEREAS, such available funds are currently invested earning interest at amounts comparable to the Local Agency Investment Fund ("LAIF") rate of interest; and

WHEREAS, as of September 2009, LAIF earned an average monthly effective yield of 0.75 percent (0.75%) per annum; and

WHEREAS, such available funds are projected to remain available for the next fiscal year; and

WHEREAS, the Environmental Resources Fund has agreed to pay an interest rate of 3 percent (3%) per annum during the term that such funds are used by the Environmental Resources Fund; and

WHEREAS, the Water Fund benefits from the loan by being able to earn a reasonable interest rate on idle funds; and

WHEREAS, the Environmental Resources Fund benefits from the loan because the funds will allow adequate working capital over the term of the loan to cover the Environmental Resources Fund's projected operating expenditures and avoid a negative cash position.

AGREEMENT

NOW THEREFORE, the Water Fund and the Environmental Resources Fund hereby agree as follows:

Section 1 Water Fund Loan to Environmental Resources Fund

The Water Fund agrees to loan the Environmental Resources Fund Nine Million Three Hundred Thousand Dollars (\$9,300,000).

Section 2 Environmental Resources Fund Repayment of Loan

The Environmental Resources Fund hereby agrees to repay the Water Fund at the rate 3 percent (3%) per annum. The loan shall be repaid over 10 years as follows: interest only due in the first year and then fully amortized over the remaining 9 years, with payments due annually in arrears. The Environmental Resources Fund shall make one (1) payment of \$279,000 on November 1, 2010, and then shall make nine (9) annual payments in the amount of \$1,194,434.87 on November 1st of each of the remaining years, commencing on November 1, 2011 and ending on November 1, 2019.

Section 3 Prepayment of Loan

Without Penalty, the Environmental Resources Fund may prepay all or a portion of the principal and interest at any time.

Section 4 Term

The term of this Financial Agreement shall be from November 1, 2009 to November 1, 2019, Upon mutual written agreement of the Environmental Resources Fund and the Water Fund, the term of this loan may be extended.

Section 5 Execution in Counterparts

This Financial Agreement may be executed in several counterparts, each of which shall be an original, and all of which shall constitute but one and the same instrument.

Section 6 Governing Law

This Financial Agreement shall be interpreted in accordance with the laws of the State of California.

Section 7 Integration

This Financial Agreement constitutes the whole agreement between the parties hereto with respect to the subject matter hereof, and neither party nor any of its agents or employees has made any representation except as specifically provided herein.

Section 8 Amendment

This Financial Agreement may be modified in writing when agreed to by both the Environmental Resources Fund and Water Fund.

IN WITNESS WHEREOF, the parties hereto have executed and attested the execution of this Financial Agreement as of the date set forth above.

CITY OF OXNARD, through its
Water Fund

CITY OF OXNARD, through its
Environmental Resources Fund

Dr. Thomas E. Holden, Mayor

Dr. Thomas E. Holden, Mayor

ATTEST:

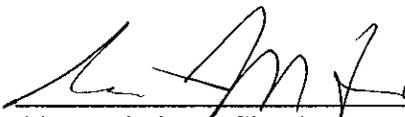
ATTEST:

Daniel Martinez, City Clerk

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:



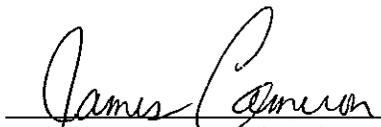
Alan Holmberg, City Attorney



Alan Holmberg, City Attorney

APPROVED AS TO CONTENT:

APPROVED AS TO CONTENT:



James Cameron, Chief Financial Officer



James Cameron, Chief Financial Officer