

AN ORDINANCE 100066

INCREASING THE MONTHLY STORM WATER FEE BY 19.5% ACROSS ALL CUSTOMER CLASSIFICATIONS AND TIERS AS FOLLOWS: FOR RESIDENTIAL CUSTOMERS – (TIER 1) LOT SIZE OF ZERO TO 4,999 SQUARE FEET FROM \$2.33 To \$2.78; AND (TIER 2) LOT SIZE OF 5,000 OR MORE SQUARE FEET FROM \$3.08 TO \$3.68. FOR MULTIFAMILY CUSTOMERS – (TIER 1) LOT SIZE OF ZERO TO 21,999 SQUARE FEET FROM \$5.18 TO \$6.19; AND (TIER 2) LOT SIZE OF 22,000 TO 43,999 SQUARE FEET FROM \$16.21 TO \$19.37; AND (TIER 3) LOT SIZE OF 44,000 TO 131,999 SQUARE FEET FROM \$49.15 TO \$58.73; AND (TEIR 4) LOT SIZE OF 132,000 OR MORE SQUARE FEET FROM \$233.88 TO \$279.49. FOR COMMERCIAL/GENERAL CUSTOMERS - (TIER 1) LOT SIZE OF ZERO TO 21,999 SQUARE FEET FROM \$13.26 TO \$15.85; AND (TIER 2) LOT SIZE OF 22,000 TO 43,999 SQUARE FEET FROM \$36.28 TO \$43.35; AND (TIER 3) LOT SIZE OF 44,000 TO 86,999 SQUARE FEET FROM \$65.02 TO \$77.70; AND (TEIR 4) LOT SIZE OF 87,000 TO 131,999 SQUARE FEET FROM \$112.06 TO \$133.91; AND (TIER 5) LOT SIZE OF 132,000 OR MORE SQUARE FEET FROM \$247.59 TO \$295.87. FOR PUBLIC CUSTOMERS - (TIER 1) LOT SIZE OF ZERO TO 21,999 SQUARE FEET FROM \$13.14 TO \$15.70; AND (TIER 2) LOT SIZE OF 22,000 TO 43,999 SQUARE FEET FROM \$35.93 TO \$42.94; AND (TIER 3) LOT SIZE OF 44,000 TO 86,999 SQUARE FEET FROM \$64.90 TO \$77.56; AND (TIER 4) LOT SIZE OF 87,000 OR MORE SQUARE FEET FROM \$109.72 TO \$131.12; AND MODIFYING THE FY 2005 STORM WATER OPERATING FUND BUDGET ACCORDINGLY.

* * * * *

WHEREAS, Ordinance No. 77949, passed and approved by the City Council on May 13, 1993, established and implemented the initial monthly storm water fees and rate schedules to protect the health, safety, and welfare of the community and in response to the requirements of the Federal Water Quality Act of 1987; and

WHEREAS, Ordinance No. 90499, passed and approved on September 16, 1999, authorized an increase of fifteen percent (15%) in the monthly storm water fees across all customer classifications; and

WHEREAS, Ordinance No. 96515, passed and approved on October 3, 2002, authorized an increase of thirty percent (30%) in the monthly storm water fees across all customer classifications; and

WHEREAS, Ordinance No. 98635, passed and approved on December 18, 2003, authorized an increase of three and thirty-six hundredths of a percent (3.36%) in the monthly storm water fees across all customer classifications; and

WHEREAS, after public hearing on this day and due consideration, City Council finds it necessary to adjust storm water fees and rate schedules as part of the overall Fiscal Year 2005 budget development process, which will be accomplished by increasing the monthly storm water fees by nineteen and fifty hundredths of a percent (19.5%) across all customer classifications; and

WHEREAS, this is the fourth increase since the storm water fee was enacted in 1993; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The nineteen and fifty hundredths percent (19.5%) increase in the monthly storm water fee for all customer classifications is hereby approved. Chapter 34, Article III (entitled "Rates and Charges"), Section 34-235(b) of the City Code of the City of San Antonio is hereby amended as follows, deleted language identified by ~~strike~~ and added language underlined:

(b) *Schedules of rates.* The following schedule of storm water rates shall be effective with billings on or about ~~December 18, 2003~~ January 1, 2004, and shall be applied to all billing units, except as provided by section 34-235(d), herein below. These rates may be included on other utility bills or may appear on a separate bill including only storm water or drainage charges. Each billing unit ("unit") shall be assessed each month or fraction thereof in accordance with the following schedule:

	Billing Unit (SF)	Billing Unit Per Month Charge	
Residential Stormwater Rate Schedule			
Tier 1	0-4,999	\$2.33	<u>\$2.78</u>
Tier 2	5,000 or more	\$3.08	<u>\$3.68</u>
Multifamily Stormwater Rate Schedule			
Tier 1	0 - 21,999	\$5.18	<u>\$6.19</u>
Tier 2	22,000 - 43,999	\$16.21	<u>\$19.37</u>
Tier 3	44,000 - 131,999	\$49.15	<u>\$58.73</u>
Tier 4	132,000 or more	\$233.88	<u>\$279.49</u>
Commercial/General Stormwater Rate Schedule			
Tier 1	0 - 21,999	\$13.26	<u>\$15.85</u>
Tier 2	22,000 - 43,999	\$36.28	<u>\$43.35</u>
Tier 3	44,000 - 86,999	\$65.02	<u>\$77.70</u>
Tier 4	87,000 - 131,999	\$112.06	<u>\$133.91</u>
Tier 5	132,000 or more	\$247.59	<u>\$295.87</u>
Public Stormwater Rate Schedule			
Tier 1	0 - 21,999	\$13.14	<u>\$15.70</u>
Tier 2	22,000 - 43,999	\$35.93	<u>\$42.94</u>
Tier 3	44,000 - 86,999	\$64.90	<u>\$77.56</u>
Tier 4	87,000 or more	\$109.72	<u>\$131.12</u>

SECTION 2. Should any article, section, part, paragraph, sentence, phrase, clause, or word of this Ordinance, or any appendix hereof, for any reason, be held illegal, or invalid, or any exception to or limitation upon any general provision contained in this Ordinance or its attachments or held to be unconstitutional or invalid, the remainder shall, nevertheless stand as effective and as valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid.

SECTION 3. All other provisions of Chapter 34, Article III of the City Code of the City of San Antonio entitled "Rates and Charges" shall remain unchanged and in full force and effect.

SECTION 4. The proceeds from this fee may be used to pay for regional flood control improvement projects or to pay debt service for revenue bonds to fund regional flood control improvement projects.

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SECTION 5. The FY 2005 Adopted Storm Water Operating Fund Budget Ordinance is amended to increase the storm water fee revenue by an estimated \$3,254,271.00 for nine months in FY 2004-2005, with an estimated \$4,339,027.00 annual increase thereafter. The FY 2005 appropriations in the Storm Water Operating Fund up to an amount of \$3,254,271.00 are hereby approved if debt service payments are required in FY 2005 as a result of the sale of the related revenue bonds.

SECTION 6. This Ordinance shall become effective on the tenth (10th) day after the date of passage hereof.

PASSED AND APPROVED this 9th day of December 2004.

ATTEST:

Lucia M. Meit
City Clerk

[Signature]
MAYOR
EDWARD D. GARZA

APPROVED AS TO FORM:

[Signature]
for City Attorney

Agenda Voting Results

Name: 5. Amendment 1 as presented by Councilmember Segovia *to include*

Date: 12/09/04

Project 11

Time: 04:55:20 PM

Vote Type: Multiple selection

Description:

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES ✓	DISTRICT 1		x		
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		