

## **RESOLUTION NO. 2947-11**

### **A RESOLUTION OF THE TOWN OF YOUNTVILLE ("TOWN") ESTABLISHING A REVISED SCHEDULE OF WATER AND WASTEWATER RATES AND CHARGES AND MISCELLANEOUS WATER RELATED UTILITY SERVICE FEES**

**WHEREAS**, Title 13, Division 1, Chapter 13.08, Section 13.08.020 of the Yountville Municipal Code provides that the Council may adopt rules and regulations not in conflict with this division governing the operation of the water system and the supply of water to its customers by resolution, which would include establishing water rates, wastewater charges and miscellaneous water related utility service fees; and

**WHEREAS**, Title 13 Division 1, Chapter 13.40, Section 13.40.040 of the Yountville Municipal Code establishes water rates, charges and billings for water customers of the Town; and

**WHEREAS**, Title 13 Division 2, Chapter 13.64, Section 13.64.040 of the Yountville Municipal Code establishes sewer charges for all premises connected to the sanitation or sewage system of the Town; and

**WHEREAS**, Title 13, Division 2, Chapter 13.64, Sections 13.64.010 and 13.64.020 of the Yountville Municipal Code provides that connection charges and inspection charges to the sewer system of the Town can be established by resolution; and

**WHEREAS**, the Town retained the services of Bartle Wells Associates to review, analyze, evaluate and recommend proposed rates, fees and charges, which are set forth in the document entitled "Town of Yountville Water and Wastewater Financing Plan and Rate Study 2010" dated December 8, 2010 (hereinafter referred to as the "Rate Study" and incorporated herein by reference).

**WHEREAS**, the Town of Yountville Town Council desires and finds it necessary to adjust the water rates, wastewater and sewer rates, and proposed miscellaneous utility service fees in order to recover the actual costs of operating and maintaining its water and sewer system consistent with the findings in the Rate Study; and

**WHEREAS**, in accordance with Proposition 218 and Government Code Section 53755, public notice regarding the public hearing on the revised schedule for water service rates and charges, wastewater and sewer rates, and proposed miscellaneous utility service fees was distributed by U.S. Mail, forty-five (45) days prior to the public hearing, to all property owners of record;

**WHEREAS**, as an additional courtesy to the public, notice of the public hearing on the revised schedule for water service rates and charges, wastewater and sewer rates, and proposed miscellaneous utility service fees was published in the Yountville Sun on February 3 and 10, 2011, and posted at three (3) Town designated posting locations in Town, specifically at Town

Hall at 6550 Yount Street, Community Center at 6516 Washington Street and the Post Office Building at 6514 Washington Street.;

**WHEREAS**, a properly noticed public hearing concerning the proposed rates, charges and fees set forth in this Resolution was held on February 15, 2011, as required by law;

**WHEREAS**, written protests regarding the revised schedule for water service rates and charges, wastewater and sewer rates, and proposed miscellaneous utility service fees and charges were accepted from the public and considered before the close of the public hearing;

**WHEREAS**, a tally of the written protests against the revised schedule of water rates and charges, wastewater and sewer rates, and proposed miscellaneous utility service fees shows that less than a majority of the property owners have submitted written protests against the revised schedule of water rates and charges, wastewater and sewer rates, and proposed miscellaneous utility service fees;

**NOW, THEREFORE BE IT RESOLVED, BY THE TOWN OF YOUNTVILLE AS FOLLOWS:**

**SECTION 1.** Regarding the revised rates and charges for water service, wastewater and sewer rates, and miscellaneous utility service fees set forth and adopted by this Resolution, the Town of Yountville Town Council hereby accepts, approves and adopts the Rate Study and finds that:

- a. Revenue from the increase in water rates will not exceed the cost of providing water.
- b. Revenue from the increase in wastewater rates will not exceed the cost of providing sewer and wastewater service to the Town's customers.
- c. Revenue from the increased miscellaneous utility service fees will not exceed the cost of providing those services.
- d. The increased water rate and/or wastewater and sewer charges imposed will not exceed the proportional cost of water and/or wastewater or sewer services attributable to the parcel or customer.
- e. The increased miscellaneous utility service fees imposed will not exceed the proportional cost of providing such services.
- f. Revenues derived from the increased water rate, wastewater and sewer rates, and proposed miscellaneous utility service fees will be used only for the purpose for which the rate, charges or fees are imposed.
- g. The Town will impose the increased water rate, wastewater and sewer rates, and proposed miscellaneous utility service fees only if service(s) is/are actually used by, or immediately available to, the customer-of-record or property owner.
- h. The Town will not raise water rates, wastewater and sewer rates, and/or proposed miscellaneous utility service fees for the purpose of generating general governmental service revenues.

**SECTION 2.** Effective February 16, 2011, rates, charges and fees to be paid for the furnishing of water service, wastewater and sewer services and miscellaneous utility services are increased and established in the amounts as set forth in the "Town of Yountville Schedule of Bi-monthly Water Rates," the "Town of Yountville Schedule of Bi-monthly Wastewater Rates," and the "Town of Yountville Schedule of Miscellaneous Utility Service Fees" hereby set forth collectively in Exhibit A, attached hereto and incorporated by reference.

**SECTION 3.** The water rate and wastewater schedules consists of five (5) automatic increases which have been determined in the Rate Study to be consistent with the findings set forth in Section 1 of this Resolution. The water and wastewater rates shall be adjusted on January 1 of each year 2012 through 2016 as set forth in Exhibit A. The Town shall provide notice to property owners at least thirty (30) days prior to the effective date of the increase as required in Government Code Section 53756.

**SECTION 4.** The Town is a wholesale water purchaser which purchases its water from the State of California Veterans Home (CVDA) and the CVDA determines the rate charged to the Town annually. The water rate schedule consists of five (5) automatic increases which have factored in an increase of 7.5% annually for the cost to purchase water from the CVDA. Consistent with the provisions of Government Code Section 53756 the Town reserves the right to make use of the pass through provision whereby an agency that purchases wholesale water from a public agency may provide for automatic adjustments that pass through the adopted increases or decreases in the wholesale charges for water established by the other agency. The Town shall provide notice to property owners at least thirty (30) days prior to the effective date of the increase as required in Government Code Section 53756.

**SECTION 5.** The miscellaneous utility service fees schedule consists of five (5) potential increases in an amount equal to the increase of the consumer price index, but not to exceed five percent (5%) annually, which have been determined in the Rate Study to be consistent with the findings set forth in Section 1 of this Resolution. The miscellaneous utility service fees shall be adjusted on January 1<sup>st</sup> of each year 2012 through 2016. The Town shall provide notice to property owners at least thirty (30) days prior to the effective date of the increase as required in Government Code Section 53756.

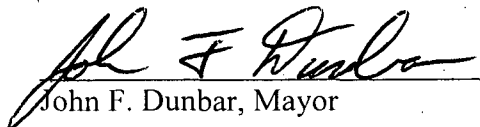
**SECTION 6.** The rates, charges and fees previously set by sections 13.40.040, 13.64.040 of the Town of Yountville Municipal Code and other related miscellaneous utility service fees as set forth in the Town of Yountville Municipal Code or previously adopted in Resolutions approved by the Town Council are hereby modified or rescinded and are superseded by the rates, charges and fees set forth in Exhibit A. Except for those increases established by Exhibit A as verified by the Rate Study, all future changes to the rates, charges and/or fees for water, wastewater and sewer services, and miscellaneous utility services shall be set by resolution approved by the Town Council. All other Sections of the Town of Yountville Municipal Code or resolutions of the Town not inconsistent with this Resolution shall remain in full force and effect.

**SECTION 7.** If any Section or any portion thereof of this Resolution is held to be unconstitutional, invalid or unenforceable by any court of competent jurisdiction, said ruling

shall negate only the applicable Section, or portion thereof, and the balance of this Resolution shall stand as written and shall remain in full force and effect.

**SECTION 8.** The Town Clerk shall attest and certify to the passage and adoption of this Resolution and it shall be come effective immediately upon its approval.


**APPROVED AND ADOPTED** this 15th day of February, 2011.

  
John F. Dunbar, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

  
Michelle Dahme, Town Clerk

  
Arnold M. Alvarez-Glasman,  
Town Attorney

STATE OF CALIFORNIA  
COUNTY OF NAPA  
TOWN OF YOUNTVILLE

I, MICHELLE DAHME, TOWN CLERK of the Town of Yountville, do hereby certify that the foregoing Resolution regarding the establishment of a revised schedule of water and wastewater and sewer rates and charges, and miscellaneous utility service fees was adopted at a regular meeting of the Town Council of the Town of Yountville held on the 15<sup>th</sup> day of February 2011, by the following roll call vote:

AYES: Hall, Mohler, Dorenbecher, Chilton and Dunbar  
NOES: None  
ABSENT: None  
ABSTAIN: None

  
Michelle Dahme, Town Clerk

EXHIBIT A

1 - The current commodity rates for Multi-Family Residential is based on a 4-tiered rate structure.

**TOWN OF YOUNTVILLE**  
**SCHEDULE OF BI-MONTHLY WASTEWATER RATES**

	Current 2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	
<b>RESIDENTIAL</b>							
<b><u>SEWER SERVICE CHARGE</u></b>							
Single Family	\$41.77	\$36.47	\$42.75	\$50.35	\$59.50	\$70.44	
Multi Family	\$30.58	\$23.44	\$27.57	\$32.67	\$38.90	\$46.44	
Mobile Home	\$30.58	\$23.44	\$27.57	\$32.67	\$38.90	\$46.44	
<b>NON-RESIDENTIAL</b>							
<b><u>SEWER SERVICE CHARGE (All Non-Residential Customers)</u></b>							
<b>Meter Size</b>							
3/4"	<div>varies</div>	\$52.58	\$61.52	\$72.22	\$84.98	\$100.12	
1"		\$89.39	\$104.58	\$122.77	\$144.45	\$170.21	
1.5"		\$173.52	\$203.00	\$238.31	\$280.40	\$330.39	
2"		\$278.68	\$326.03	\$382.74	\$450.33	\$530.61	
3"		\$525.81	\$615.16	\$722.14	\$849.68	\$1,001.14	
4"		\$878.10	\$1,027.31	\$1,205.98	\$1,418.96	\$1,671.91	
6"		\$1,750.93	\$2,048.48	\$2,404.75	\$2,829.43	\$3,333.80	
8"		\$2,802.54	\$3,278.80	\$3,849.05	\$4,528.79	\$5,336.08	
<b><u>VOLUME CHARGE</u></b>							
	<b>Load Factor</b>						
<b><u>Strength</u></b>	<b><u>(% of water use)</u></b>						
Low	51%	\$1.326	\$1.545	\$1.800	\$2.097	\$2.443	\$2.846
Medium	85%	\$1.872	\$2.181	\$2.541	\$2.960	\$3.448	\$4.017
High	85%	\$4.867	\$5.670	\$6.606	\$7.696	\$8.966	\$10.445
<b><u>WASTEWATER SYSTEM REPLACEMENT FEE (RESIDENTIAL &amp; NON-RESIDENTIAL)</u></b>							
<b>Meter Size</b>							
3/4"	n/a	\$12.19	\$13.94	\$15.69	\$17.44	\$19.20	
1"	n/a	\$20.72	\$23.70	\$26.67	\$29.65	\$32.64	
1.5"	n/a	\$40.23	\$46.00	\$51.78	\$57.55	\$63.36	
2"	n/a	\$64.61	\$73.88	\$83.16	\$92.43	\$101.76	
3"	n/a	\$121.90	\$139.40	\$156.90	\$174.40	\$192.00	
4"	n/a	\$203.57	\$232.80	\$262.02	\$291.25	\$320.64	
6"	n/a	\$405.93	\$464.20	\$522.48	\$580.75	\$639.36	
8"	n/a	\$649.73	\$743.00	\$836.28	\$929.55	\$1,023.36	

**TOWN OF YOUNTVILLE**  
**SCHEDULE OF MISCELLANEOUS UTILITY SERVICE FEES\***

Account Establishment Fee	\$35
24 Hour Shut-Off Notice	\$50
Water Service Initiation After Shut-Off for Nonpayment	\$75
After Hours Water Service Initiation After Shut-Off for Nonpayment	\$150
Meter Installation - Residential	\$200 Plus Cost of Meter
Sewer Line Inspection Fee	\$75 per hour
FOG Waste Discharge Permit Monitoring Fee	\$250 per year

\* Each fee will be adjusted annually on January 1 by CPI, no greater than 5%



cc: scan email Steve, Graham, Kathleen, Bill, Sandra;  
2/23/11 Celia, Barney, Doris, Building Cons, etc.