

RESOLUTION NO. 23-098

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA DIRECTING THE CITY CLERK TO CORRECT CLERICAL ERRORS BY INSERTING REPLACEMENT PAGES INTO RESOLUTION 23-078 ADOPTED ON JUNE 13, 2023, WHICH BECAME EFFECTIVE ON JULY 1, 2023, OR AS PROVIDED THEREIN, AND AMEND THE CITY OF SANTA BARBARA SCHEDULE OF PENALTIES, FEES, AND SERVICE CHARGES

WHEREAS, the City Council adopted Resolution No. 23-078 Amending the City of Santa Barbara Schedule of Penalties, Fees, and Service Charges on June 13, 2023 as part of the Operating and Capital Budget for Fiscal Year 2024;

WHEREAS, the final adopted resolution contained clerical errors that Council directs the City Clerk to correct by inserting the replacement pages attached hereto as Attachment A; and

WHEREAS, the fee replacement page for Downtown Parking as corrected is consistent with the direction received from Council during budget deliberations.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT the Council hereby directs the City Clerk to insert the replacement pages attached hereto as Attachment A into Resolution No. 23-078, adopted on June 13, 2023, effective July 1, 2023, or as provided herein.

DOWNTOWN PARKING FEES

For all Downtown lots and streets except as noted:

1.	First 75 minutes	Subsidized
2.	After first 75 minutes, for each following hour or any portion thereof	\$3.00
3.	Maximum charge for parking in any Downtown Parking lot for one 24-hour period	\$33.00
4.	Failure to surrender entrance ticket upon exiting	\$20/Occurrence plus applicable service charge and applicable hourly parking fees
5.	Service charge – Request for late payment of parking fees made at lot exit	\$5 per request
6.	Failure to pay fees will result in the billing of a flat fee of \$33 plus service charge	\$33.00 plus service charge
7.	Monthly Parking in City Downtown Parking Lots Nos. 2, 3, 4, 5, 6 (Granada Garage), 7 (Library Garage), 8, 9 (Lobero Garage), 11, 12, and 13 (Depot Lot)	\$165/month
8.	Monthly Parking in Lobero Garage (Lot 9) Private Basement Level	\$180/month
9.	Monthly Parking in City Downtown Parking Lot No. 10	\$145/month
10.	Restricted Monthly Parking in City Downtown Parking Lot No. 10	\$85/month
11.	Restricted Monthly Parking in City Downtown Parking Lot No. 2	\$95/month
12.	Persons with Disabilities who display Disabled Parking Placard	First 2.5 hours free \$12 max per day
13.	Collection Surcharge for all charges unpaid after the second billing and upon assignment to a collection agency	45% of charge
14.	Refuse enclosure rental	\$40/month
15.	Refuse enclosure cleaning fee	\$200/incident
16.	Multi-day construction staging, per space occupied or reserved 24/7	\$30/day/space
17.	Returned check charge: See Delinquent Check Payment Fee under Finance Administrative Fees.	
18.	Permit Replacement fee	\$20 per occurrence
19.	Permit proximity card initiation fee	\$15
20.	Pre-paid card initiation fee	\$15
21.	Parking in City Carrillo Commuter Parking Lot	\$40/month

WATER AND WASTEWATER CAPACITY CHARGES AND POLICIES

1. CAPACITY CHARGES

Except as provided herein, the following water and wastewater capacity charges shall be collected prior to the Public Works Director’s approval to: 1) make a new connection to the City water or wastewater system, 2) commence a discharge into the City wastewater system from a newly permitted dwelling unit, or 3) increase the size of an existing water meter. Such capacity charges shall be in addition to fees assessed under other resolutions for the labor, materials, equipment, and other City costs necessary to construct the actual connection to the water or wastewater system.

Water capacity charges for: 1) non-residential uses, 2) newly created single family residential units, or 3) a multi-family residential dwelling unit served by a meter larger than 5/8”, are as follows, per meter*:

Meter Size	Effective July 1, 2022	Effective July 1, 2023	Effective July 1, 2024	Effective July 1, 2025	Effective July 1, 2026
5/8” meter:	\$10,248	\$10,555	***	***	***
¾” meter:	\$15,373	\$15,834	***	***	***
1” meter:	\$25,621	\$26,390	***	***	***
1 ½” meter:	\$51,242	\$52,779	***	***	***
2” meter:	\$81,988	\$84,448	***	***	***
3” meter:	\$153,727	\$158,339	***	***	***
4” meter:	\$256,212	\$263,898	***	***	***
6” meter:	\$512,423	\$527,796	***	***	***
8” meter:	\$819,877	\$844,473	***	***	***
10” meter:	\$1,178,574	\$1,213,931	***	***	***

* For multi-family residential properties in which a City-owned submeter is installed downstream of a City-owned master meter, the capacity charge shall be based on the size of the City submeter instead of the size of the City master meter.

*** See Future Year Charge Calculation subheading, below.

Wastewater capacity charges for: 1) non-residential uses, or 2) newly created single family dwelling units, are as follows**:

Meter Size	Effective July 1, 2022	Effective July 1, 2023	Effective July 1, 2024	Effective July 1, 2025	Effective July 1, 2026
Single Family	\$3,744	\$3,856	***	***	***
Non-Residential					
5/8” meter:	\$3,744	\$3,856	***	***	***

ATTACHMENT A

¾" meter:	\$5,616	\$5,784	***	***	***
1" meter:	\$9,361	\$9,642	***	***	***
1 ½" meter:	\$18,721	\$19,283	***	***	***
2" meter:	\$29,954	\$30,853	***	***	***
3" meter:	\$56,164	\$57,849	***	***	***
4" meter:	\$93,607	\$96,415	***	***	***
6" meter:	\$187,214	\$192,830	***	***	***
8" meter:	\$299,542	\$308,528	***	***	***
10" meter:	\$430,592	\$443,510	***	***	***

** Should a multi-family or single family residential property require a meter size larger than 5/8" to primarily serve indoor domestic capacity needs, wastewater capacity charges shall not be capped at the 5/8" meter charge and shall be determined by the Non-Residential meter sizes as reflected in the chart above. The property may be subject to a site inspection by City staff to verify water use.

*** See Future Year Charge Calculation subheading, below.

Capacity Charges for Multi-Family and Accessory Dwelling Unit Projects

Except as provided above, the water and wastewater capacity charges for newly permitted multi-family dwelling units and accessory dwelling units served by a separate and dedicated City water meter shall be calculated by multiplying the total number of newly proposed water supply Fixture Units times the applicable Fixture Unit cost as established in the tables below; provided, however, the wastewater capacity charge per dwelling unit for multi-family and accessory dwelling units shall not exceed the wastewater capacity charge for a 5/8" meter.

Fixture Unit Costs (\$/Fixture Unit)

System	Effective July 1, 2022	Effective July 1, 2023	Effective July 1, 2024	Effective July 1, 2025	Effective July 1, 2026
Water	\$341.60	\$351.85	***	***	***
Wastewater	\$124.81	\$128.59	***	***	***

*** See Future Year Charge Calculation subheading, below

Future Year Charge Calculation

Charges shall be escalated annually based on the change in the March Engineering News Record (ENR) Construction Cost Index (CCI) 20-City Average from the previous year. For example, if the March 2024 ENR CCI is 3% higher than the March 2023 ENR CCI, then capacity charges will increase by 3% in July 2024 (start of FY25).

2. REGULATIONS REGARDING ASSESSMENT OF CAPACITY CHARGES

The following regulations shall apply to the assessment of water and wastewater

capacity charges:

- A. The term “multi-family residential dwelling unit” as used herein shall mean any attached dwelling unit, including attached apartments, condominiums, and secondary dwelling units.
- B. Water and wastewater capacity charges shall not apply to:
 - 1. Water system connections for public fire hydrants, private fire hydrants, and private fire lines; and
 - 2. Common area meters to serve irrigation on multi-family residential properties.
- C. A wastewater capacity charge shall not apply to a water meter that is classified as “Irrigation” in the City billing system.
- D. Water and wastewater capacity charges shall not apply to a connection to the City’s recycled water distribution system to the extent that the connection offsets existing potable water capacity.
- E. In the case of an application for a water connection to serve a parcel where connections already exist, credit shall be given for existing connections such that the water capacity charges shall be based on the net increase in metered capacity. In the case of an application for a Wastewater connection to serve a parcel where connections already exist, capacity charges shall be based on the net increase in meter capacity for non-residential meters, or in the case of residential meters, the net increase in the number of dwelling units. The credit shall only be valid when the existing connections are abandoned within six months of the installation of new services.
- F. There shall be no capacity charge assessed for the installation of a meter to serve a legally existing residential dwelling unit that is already being legally served by another City water meter when such installation is done for the purpose of providing separate metering to such dwelling unit.
- G. There shall be no capacity charge assessed for the installation of a 5/8” irrigation meter to serve existing irrigated landscaping that is already being legally served by another City water meter when such installation is done for the purpose of providing separate metering of indoor uses and irrigation. Water use history for the property must show patterns of irrigation watering for at least two years. The property maybe subject to a site inspection by City staff to verify the landscaping is existing and irrigated. Should a customer request an irrigation meter size larger than 5/8”, the capacity charge will be calculated at the applicable fee based on the meter size as provided in Section 1, less the applicable fee for a 5/8” meter. All other applicable fees, charges, and costs shall apply.

- H. A reduction in meter size may be approved by the Public Works Director in accordance with applicable resolutions; however, there shall be no refund of capacity charges upon such reduction.
- I. When a customer voluntarily downsizes a meter, the original meter capacity will be reserved for the service connection for 12 months. If, before 12 months has elapsed from the time of the smaller meter being installed, the customer requests the original meter size to be re-installed at the same service connection, no capacity charge shall apply. If more than 12 months has elapsed, the customer will be charged the difference in capacity charge between the meter size currently installed and the size of the meter to be installed.
- J. In cases where an applicant asserts that the water or wastewater capacity charge imposed under this Resolution exceeds the reasonable cost of providing the service for which the charge is imposed, or does not reasonably reflect the proportionate benefit of existing public facilities using the methods contained herein, an applicant may appeal the determination of the capacity charge to the Public Works Director, and may subsequently appeal the Public Works Director's Decision to the City Council, for determination of a different capacity charge. Appeals under this section, shall be made as follows:
 - 1. Prior to installation of water meters, the applicant shall submit a written notice of appeal to the Public Works Director. The notice of appeal shall set forth the grounds upon which the appeal is based, a proposed alternate capacity charge calculation, and all relevant issues, facts, information, and analysis necessary to substantiate the appeal.
 - 2. Within 21 days of receiving the written notice of appeal, the Public Works Director shall provide a written decision on the appeal to the applicant.
 - 3. The Public Works Director shall have the authority to continue the determination on the appeal beyond 21 days to request additional information from the applicant, and consider new issues and facts raised by the applicant.
 - 4. The applicant may appeal the decision of the Public Works Director to the City Council by filing a written notice of appeal with the City Clerk within 10 days of the date of the Public Works Director's Decision. The notice of appeal shall set forth in detail the grounds upon which the appeal is based and provide all supplemental documents upon which the applicant intends to reply. The City Clerk shall require payment of a fee for such appeal as is provided by resolution of the City Council for the matter.

Prior to setting the appeal for hearing before the City Council, the Water Commission, at their soonest available meeting after the notice of

appeal is filed with the City Clerk, shall consider the Public Works Director's decision on the appeal and shall make a recommendation to City Council on the appeal. No new information, documents or evidence shall be filed or considered by the Water Commission.

5. Within 21 days of receiving the recommendation from the Water Commission, the City Clerk shall set a date for hearing on the appeal before the City Council.
6. At the time and place of the hearing, the City Council shall hear and receive any relevant information and document regarding the appeal. The City Council may continue the hearing from time to time as may be required, or may grant or deny the appeal, in whole or in part.
7. The decision of the City Council shall be final on the day of the decision.

K. The Public Works Director is authorized to establish Administrative Guidelines to determine eligibility criteria to pay capacity charges previously established in lieu of capacity charges established herein for development projects that have achieved specific milestones in the development review process.

3. **REGULATIONS REGARDING RESERVED CAPACITY CHARGES FOR INACTIVE ACCOUNTS**

A. As system capacity continues to be reserved for inactive accounts even when connections are not in use, accounts that have been inactive for more than 6 months shall be subject to reserved capacity charges before service can be reinstated. Charges shall be determined by the following formulas:

1. **WATER**

The current monthly service charge multiplied by the number of months that have passed since the expiration of the 6-month grace period.

2. **WASTEWATER**

For Residential Accounts: The current monthly basic charge per dwelling unit, multiplied by the number of dwelling units on the account, multiplied by the number of months that have passed since the expiration of the 6-month grace period.

For Commercial Class 1-4 Accounts: The minimum monthly service charge based on meter size, multiplied by the number of months that have passed since the expiration of the 6-month grace period.

3. The water monthly service charge and wastewater minimum monthly service charge shall be based on the meter size at the time of account termination.

B. If the above calculation exceeds the current capacity charge for the meter size in question, the charge is capped at the current capacity charge amount.

ATTACHMENT A

Accounts that are inactive due to catastrophic circumstances, such as fire or other natural disasters, may apply for a waiver of reserved capacity charges that have accrued within 5 years of the catastrophic circumstance, subject to approval by the Public Works Director. The Public Works Director may adopt an administrative policy for implementation of this section.

RESOLUTION NO. 23-098

STATE OF CALIFORNIA)
)
COUNTY OF SANTA BARBARA) ss.
)
CITY OF SANTA BARBARA)

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Santa Barbara at a meeting held on July 25, 2023, by the following roll call vote:

AYES: Councilmembers Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Randy Rowse

NOES: None

ABSENT: None

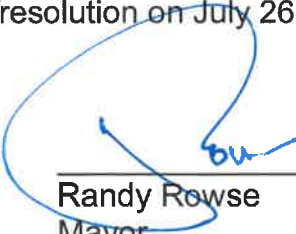
ABSTENTIONS: None

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on July 26, 2023.



Sarah Gorman, MMC
City Clerk Services Manager

I HEREBY APPROVE the foregoing resolution on July 26, 2023.



Randy Rowse
Mayor