

RESOLUTION NO. 23-04

**INTRODUCED BY:
Council Member DeVries
Council Member Arner**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FEDERAL HEIGHTS, COLORADO, INCREASING SEWER FEES AND CHARGES

WHEREAS, Section 62-76 of the Federal Heights Municipal Code (“Code”) provides that the owner of each property served by the City of Federal Heights ("Federal Heights") sewer system shall pay a sewer service charge based upon a fixed fee and volume charge as set forth by resolution in accordance with Section 1-16 of the Code; and

WHEREAS, Section 14.2 of Federal Heights Home Rule Charter provides that Council shall from time to time by resolution fix, establish, maintain and provide for the collection of rates, fees and charges for water, sewer, storm water and drainage and other utilities and services furnished by the City; and

WHEREAS, such rates, fees, and charges may be sufficient in Council's judgment to provide services to customers to pay all bonded indebtedness, refunds, cover the costs of operations, maintenance, additions, extensions, betterments and improvements and provide a reasonable return on the City's investment in utility properties and capital investments; and

WHEREAS, Section 1-16 of the Code provides that fees shall be established upon the City Manager’s analysis and recommendation with the objective of defraying the City’s costs of providing such goods and services; and

WHEREAS, sewer fees and charges were last increased by Resolution No. 20-06 adopted January 2020; and

WHEREAS, the City's sanitary sewer services are provided exclusively by the City of Thornton ("Thornton") pursuant to an Intergovernmental Sanitary Sewer Service Agreement; and

WHEREAS, the Agreement, which runs in perpetuity specifically provides that any rate increase imposed by Thornton upon its residents shall upon its enactment immediately become effective upon Federal Heights pursuant to the contractual rate structure set forth in the Agreement ; and

WHEREAS, since Federal Heights last rate increase, which incurred in February 2020, Thornton has raised its sewer rates; and

WHEREAS, Federal Heights to fulfill its duty of fiscal responsibility as set forth in the Charter must raise its rates to cover Federal Heights increased costs of providing sewer services; and

WHEREAS, the Finance Director at the direction of the City Manager has analyzed the sewer fees and charges and current operational and maintenance costs and recommends that the sewer fees and charges be increased as set forth in this resolution to match the rate of increase imposed by Thornton; and

WHEREAS, City Council finds that the proposed fees and charges are reasonably related to the City's costs of providing sewer services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FEDERAL HEIGHTS, COLORADO THAT:

Section 1. The fixed fees which include sewer meter, sewer system efficiency, minimum sewer usage and unmetered service fees are established as set forth in Exhibit A, which is attached hereto and made a part of this resolution. All such fees shall take effect commencing with the February 2023 monthly billing.

Section 2. The sewer volume charges based upon a per 1,000-gallon usage are established as set forth in this section with such charges to take effect commencing with the February 2023 monthly billing.

Single Family Residential Users	\$4.09
Mobile Home Park Residential Users	\$4.09
Multi-Family Residential Users	\$4.28
Metered Commercial and Industrial	\$4.94
Commercial Recreational Users	\$5.27

Section 3. The number of residential gallons used shall be calculated as an average of the winter water (December – March bills) usage. Winter averaging shall apply to single family residential users, multi-family residential users and mobile home park residential users. The usage shall be recalculated on an annual basis. In the event that a winter water average cannot be established for a particular user, or is not representative of actual use, then the usage shall be calculated as the average winter usage for users in the same user class.


Section 4. The volume charge for mobile home parks and multi-family residential user will be adjusted throughout the year based upon the number of occupied units.

Section 5. Commercial industrial and commercial recreational users' volume charges are based upon the billing cycle water usage unless such establishment has a separate operational sewer or irrigation meter.

Section 6. A minimum volume charge for commercial industrial and commercial recreational users shall be established at five thousand gallons.

Section 7. Upon the effective date of the sewer rate increases set forth in this resolution all other sewer rates as set forth by resolution of City Council shall be repealed in their entirety.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF FEDERAL HEIGHTS, COLORADO, this 17th day of January 2023.


Linda S. Montoya, Mayor

ATTEST:


Patti K. Lowell, CMC/CPM
City Clerk

APPROVED AS TO FORM:



William P. Hayashi
City Attorney

EXHIBIT “A” – FIXED SEWER FEES

Section 1. Meter, sewer meter and system efficiency fees:

Table 1. Meter Fees per Billing Cycle for all Classes of Users:

A.	Water Meter Size	Charge
	¾”	\$ 3.48
	1”	\$ 4.28
	1½”	\$ 20.11
	2”	\$ 62.09
	3”	\$111.49
	4”	\$309.09
	6”	\$345.44
	Greater than 6”	To be determined by administrative review
B.	Sewer Meter	\$183.84

Table 2. Sewer System Efficiency Fees:

User Class	Charge
Metered Commercial and Industrial	\$2.54
Single Family Residential Users	\$2.54
Multi-Family Residential Users	\$3.40
Mobile Home Park Residential Users	\$4.97
Commercial Recreational Users	\$2.54

Section 2. Minimum sewer usage fees for commercial industrial, and commercial recreational users shall be established at five times the established sewer volume charge per 1,000 gallons.

Section 3. Unmetered sewer service fees shall be established at the established sewer volume charge per 1,000 gallons multiplied by the average usage for users in the same user class.