

ORDINANCE NO. O-1472

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY ADOPTING SAN ANTONIO RIVER AUTHORITY MARTINEZ-SALITRILLO CREEKS WASTEWATER SYSTEMS SCHEDULE OF UTILITY CONNECTION FEES, IMPACT FEES, INDUSTRIAL CONNECTION AND SERVICE FEES, REGULATORY ASSESSMENT FEE AND DEVELOPMENT FEES

Preamble

WHEREAS, the San Antonio River Authority (SARA) operates Martinez-Salitrillo Creeks Wastewater Systems; and

WHEREAS, a review of all fees and other charges has been completed for the Martinez-Salitrillo Creeks Wastewater Systems and fees and other charges beginning July 1, 2020, have been determined; and

WHEREAS, “connection fee” means a charge or fee that is imposed by San Antonio River Authority for construction, installation, or inspection of a tap or connection to San Antonio River Authority water, sanitary sewer, or drainage facilities, including all necessary service lines and meters, for capacity in stormwater detention or retention facilities and related stormwater conveyances, or for wholesale facilities that serve such water, sanitary sewer, drainage, or stormwater detention or retention facilities if the charge of fee does not exceed three times the actual cost to San Antonio River Authority for such tap or connection; or if made to a nontaxable entity for retail or wholesale service, does not exceed the actual costs to San Antonio River Authority for such work and for all facilities that are necessary to provide services to such entity and that are financed or are to be financed in whole or in part by tax-supported or revenue bonds of San Antonio River Authority; or is made by San Antonio River Authority for retail or wholesale service on land that at the time of platting was not being provided with water, wastewater, drainage, or storm water detention or retention service by San Antonio River Authority; and

WHEREAS, “impact fee” means a charge or assessment imposed by San Antonio River Authority against new development to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development, and does not include any fee or charge that is a Connection Fee; and

WHEREAS, wholesale and retail charges for residential and commercial customers shall be reviewed and established by separate ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY:

1. Impact Fees –Impact Fees are authorized by the Board of Directors and are incorporated into the “San Antonio River Authority – Schedule of Utilities Operations Fees” attached as Exhibit A.
2. Connection Fees –Connection Fees are authorized by the Board of Directors and are incorporated into the “San Antonio River Authority – Schedule of Utilities Operations Fees” attached as Exhibit A.
3. Industrial Connection and Service Fees – The Industrial Connection and Service Fees established by Ordinance No. O-805, passed and approved May 15, 1985, are hereby ratified, confirmed and carried forward. Industrial Connection and Service Fees are incorporated into the “San Antonio River Authority – Schedule of Utilities Operations Fees” attached as Exhibit A.
4. Regulatory Assessment Fee – The Texas Regulatory Assessment Fee of one-half of one percent as established by Ordinance No. O-955, passed and approved September 18, 1991, is hereby ratified, confirmed and carried forward. The Regulatory Assessment Fee is incorporated into the “San Antonio River Authority – Schedule of Utilities Operations Fees” attached as Exhibit A.
5. The fees established by this Ordinance will remain in full force and effect until replaced and superseded by action of the San Antonio River Authority Board of Directors.

PASSED AND APPROVED this 17th day of June, 2020.



DARRELL T. BROWNLOW, Ph.D., Chairman

ATTEST:



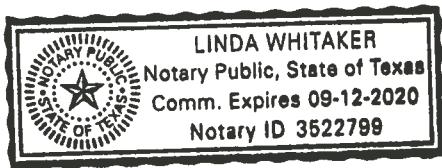
LOURDES GALVAN, Secretary

ACKNOWLEDGEMENT OF CHAIRMAN

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

BEFORE ME, the undersigned authority, on this day personally appeared DARRELL T. BROWNLOW, Ph.D., Chairman of the Board of Directors of the SAN ANTONIO RIVER AUTHORITY, a political subdivision of the State of Texas, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said political subdivision.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 17th day of June 2020



Linda Kay Whitaker
LINDA KAY WHITAKER, Notary Public
In and for the State of Texas
My commission expires: 9/12/2020

EXHIBIT A

San Antonio River Authority – Schedule of Utilities Operation Fees

1. Connection and Impact Fees:

- a. Connection Fee – a charge or fee that is imposed by the River Authority for construction, installation, or inspection of a tap or connection to the River Authority’s water or Wastewater facilities, including all necessary service lines and meters, or for wholesale facilities that serve such water or Wastewater facilities if the charge or fee does not exceed three times the actual cost to the River Authority for such tap or connection; or if made to a nontaxable entity for retail or wholesale service, does not exceed the actual costs to the River Authority for such work and for all facilities that are necessary to provide Services to such entity and that are financed or are to be financed in whole or in part by rates or revenue bonds of the River Authority; or is made by the River Authority for retail or wholesale service on land that at the time of platting was not being provided with Wastewater service by the River Authority. (Water Code Chapter 49.212)

Connection Fees for the San Antonio River Authority Wastewater System are hereby established in the following multiples of one (1) Equivalent Dwelling Unit (EDU). One (1) EDU is 240 gallons per day for each single-family residential dwelling unit. The required fee shall be computed by multiplying the value of one (1) EDU by the appropriate multiplier from Table 3 - Impact and Connection Fee Multipliers. Where the list is ambiguous or otherwise fails to properly cover a request for sewer connection, a connection fee consistent with those listed shall be established by mutual agreement of the River Authority and the wholesale Customer, and thereafter disclosed to the applicant.

Table 1 – Connection Fees

<u>Wastewater Treatment Plan Description</u>	<u>Connection Fee per EDU</u>
SARA Wastewater System – Upper Martinez and Martinez II	\$3,250
SARA Wastewater System - Martinez IV	\$3,250
Salitrillo Wholesale System	\$2,700
Salitrillo Retail System	\$3,250

- b. Impact Fee – a charge or assessment imposed by the River Authority against new Development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to such new Development and does not include any fee or charge that is a Connection Fee. (30 TAC 293.171(1))

Impact Fees authorized by the Texas Commission on Environmental Quality for the San Antonio River Authority Martinez and Salitrillo Systems are hereby established in

the following multiples of one (1) EDU. The required fee shall be computed by multiplying the value of one (1) EDU by the appropriate multiplier from Table 3 Impact and Connection Fee Multipliers. Where the list is ambiguous or otherwise fails to properly cover a request for sewer connection, an impact fee consistent with those listed shall be established by mutual agreement of the River Authority and the wholesale Customer, and thereafter disclosed to the applicant.

Table 2 – Impact Fees

Wastewater Treatment Plan Description	Impact Fee per EDU
SARA Wastewater System – Upper Martinez and Martinez II	\$0
SARA Wastewater System - Martinez IV	\$0
Salitrillo Wholesale System	\$0
Salitrillo Retail System	\$0

Table 3 – Impact and Connection Fee Multipliers

Multiplier Description	Multiplier Factor		
Single family residence	1.00		
Multi-family residential, including townhouses, condominiums, duplexes, etc. (per dwelling unit)	1.00		
Apartments	0.60		
Hotels/motels with cooking facilities in room (per dwelling unit)	0.60		
Hotels/motels without cooking facilities in room (per dwelling unit)	0.33		
Trailer/mobile home parks (per trailer lot/space)	1.00		
Camper campgrounds (per camper site)	0.33		
Hospital (per design bed)	0.66		
Nursing/rest home (per design bed)	0.33		
School with showers (per design student)	0.066		
School without showers (per design student)	0.05		
Diameter of Service Line (commercial connections) – Multiplier			
	4 inch	6 inch	8 inch
Service station	1X	2X	4X
Swimming pool (commercial)	1X	2X	4X
Office bldg. retail & convenience stores	1X	2X	4X
Bowling alley	1X	2X	4X
Theater, drive-in theater	1X	2X	4X

Factory, industry – see also paragraph 1(b) hereof	1X	2X	4X
Spectator stadium	1X	2X	4X
Church	1X	2X	4X
Restaurant	2X	4X	8X

2. Policy for Payment of Connection and Impact Fees:

- (a) Connection and Impact Fees will be collected in accordance with the San Antonio River Authority Utility Service Regulations.

3. Remedy for Failure to Pay Connection and Impact Fees:

In the event that the Customer should permit a service line of any classification to be connected to its local wastewater facilities without payment of the appropriate fee(s) to the River Authority, the River Authority shall be entitled to liquidated damages in the amount of One Hundred Dollars (\$100) for any such unpaid fee in addition to the appropriate fee itself.

4. Balance Due Policy:

Balances will be collected in accordance with the San Antonio River Authority Utility Service Regulations.

5. Industrial Connection Fee and Service Charges:

The provisions of SAN ANTONIO RIVER AUTHORITY Ordinance No. O-805, passed and approved May 15, 1985, which is by reference included herein and made a part hereof, shall govern all aspects of industrial wastes discharged to the San Antonio River Authority Martinez - Salitrillo Creeks Sewage Transportation and Treatment System, specifically including fees and charges therefore. It is understood and agreed by the parties that when governing rules, regulations, orders, ordinances or other such requirements by the wholesale Customers are more stringent with respect to such industrial wastes, such wholesale Customer requirements shall prevail.

Table 4 – Industrial Connection Fee and Service Charges

<u>Description</u>	<u>Fee</u>
Permit Fee – fee charged for each completed application for an industrial sewer connection.	\$25
Sampling Fee – fee charged to the permit holder for each on-site visit conducted by SARA personnel for the purpose of gathering samples, in accordance with Section 6.4 of the Industrial Waste Ordinance.	\$25
Analysis Fee – fee charged to permit holder in cases where sample analysis requirements exceed the testing capabilities of SARA's	Cost to SARA

laboratory (e.g. heavy metals content). SARA will arrange for samples to be collected by a contract laboratory for analysis.	
Over-strength Surcharge – On a case-by-case basis, SARA may waive the requirement for pretreatment prior to discharge of over-strength sewage (BOD and/or TSS greater than 200 MG/L) into the wastewater system. To the applicable user such Over-strength Surcharge will be billed quarterly by and payable directly to SARA.	50% of permit holder's monthly retail sewer service charge

6. Regulatory Assessment Fee – The Texas Regulatory Assessment Fee of one-half of one percent as established by Ordinance No. O-955, passed and approved September 18, 1991, is hereby ratified, confirmed and carried forward.
7. Development Fees – The River Authority will assess fees related to development as described in Table 5.

Table 5 – Development Fees

Description	Fee
Expedited Service Application Fee - This fee will be assessed to cover the charges of the expediting the planning meetings, initial review of development, and engineering capacity investigation of the existing connecting infrastructure. This will guarantee the River Authority's processing of the Service Application will take half of the time as stated within the "New Development Service Application Process" document available on the Utilities Development Resources website or by contacting staff.	\$5,000
Expedited Plan Review Fee – This fee will be assessed to cover the charges of expediting the review of the sealed plans to check for compliance with the River Authority's Technical Specifications, Wastewater Design Standards, and the Texas Commission on Environmental Quality Rules. This will guarantee the River Authority's processing of the Plan Review as stated within the "New Development Service Application Process" document available on the Utilities Development Resources website or by contacting staff.	\$1,000
ProRata Fee – This fee will be assessed for special conditions that are negotiated between the developer and the River Authority to offset costs for developer specific needs or River Authority oversizing.	Varies
Lift Station Operations and Maintenance Fee – This fee will be assessed to offset life cycle operations and maintenance costs of a development's site-specific lift station.	\$150,390