ORDINANCE NO. 4267

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Section 7.05.090, entitled “System of charges,” to add an annual cost of living increase based on the regional consumer price index.

RECITALS

A. The city last established its storm and surface water system rate structure in 2012.

B. To accommodate ongoing storm and surface water system operational cost increases and in order to maintain and operate the city’s storm and surface water systems at existing levels of service, an annual cost of living increase has been added based on the regional consumer price index (CPI), with increases capped until January 2, 2023, at 2.4% or the CPI, whichever is less, with increases after that date to conform to the CPI without any cap.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

ORDINANCE

SECTION 1. - Amendment. Section 7.05.090 of the Kent City Code, entitled “System of charges,” is hereby amended as follows:

Amend KCC 7.05.090 – Re: Storm and Surface Water Utility
Sec. 7.05.090. System of charges.

A. There is hereby imposed a system of charges on each parcel of real property within the city served by or to which is available for service the storm and surface water utility established by this chapter. The charges are found to be reasonable and necessary to fund administration, planning, design, construction, operation, maintenance, repair, improvement, and replacement of all existing and future storm and surface water facilities, including the accumulation of reserves and the retirement of any associated debt.

B. The following charges are hereby established for all parcels of real property in the city:

1. Single-family residential parcels. The single-family residential rate shall be as follows:

   
   Charged in Dollars Per Month, Per Single-Family Residential Dwelling

<table>
<thead>
<tr>
<th>Effective January 1, 2013</th>
<th>Effective January 1, 2014</th>
<th>Effective January 1, 2015</th>
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<tr>
<td>$11.09</td>
<td>$11.64</td>
<td>$12.22</td>
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2. Agricultural and undeveloped parcels. Agricultural parcels shall be charged the monthly single-family residential parcel rate. Undeveloped parcels shall not be charged.
3. **Other parcels.**

   a. The charge for all other parcels except single-family residential parcels, agricultural parcels, and undeveloped parcels shall be based upon:

      i. The total amount of impervious surface as expressed in equivalent service units (an equivalent service unit (ESU) has been determined to be two thousand five hundred (2,500) square feet of impervious surface or any fraction thereof); and

      ii. The percentage of impervious surface area on each parcel.

   b. The charge for all such parcels shall be computed:

      i. By multiplying the total number of ESUs on each parcel by the parcel’s impervious multiplier established in subsection (B)(3)(c) of this section; and

      ii. Multiplying the results by the sum of the single-family residential rate, if any.

   c. Impervious multipliers are hereby established:

      i. **Percentage of impervious area per parcel**

         (impervious surface/total surface x 100)   Impervious multiplier

         1 to 40    1

      Amend KCC 7.05.090 – Re: Storm and Surface Water Utility
ii. Impervious multipliers correlate the hydraulic impact of a parcel to its percentage of impervious surface per parcel. The multiplier for the average single-family residence is established as one (1). The multiplier linearly increases as the percentage of impervious area increases. The final category has a multiplier of one and six-tenths (1.6) which reflects the hydraulic impact on the drainage system compared to the impact of an average single-family residence.

4. Road systems. The impervious surface area for city roads shall be assessed thirty (30) percent of the charge established in subsection (B)(3) of this section for impervious service areas.

5. Water quality charges.

a. The city hereby authorizes and declares its intent to establish a water quality charge which may be added to any or all of the above rates. The purposes of such a charge will be to finance monitoring, testing, treatment, and control of pollutant discharges into the storm and surface water system, including the exercise of all lawful enforcement powers of the city. A plan for developing such charges, and a schedule and budget for this project, shall be submitted to the city council for review and approval before enactment.

b. Such charges should be based upon appropriate indices of pollutant discharges which approximate each parcel’s contribution to the
problem of water quality within storm and surface water facilities including all receiving waters.

6. Undeveloped parcels shall be subject to all charges established under this section upon development. Development shall be determined by the date of issuance of a building permit or any other permit for development purposes or as otherwise established by the director of public works.

C. Beginning January 1, 2018, and on the first day of each calendar year thereafter, the total storm and surface water system of charges set forth in this section 7.05.090 will adjust by the Consumer Price Index (CPI), specifically the CPI-W Seattle-Tacoma-Bellevue, measured from June 1st through June 1st of the previous calendar year, if the CPI-W reflects an upward adjustment from the previous annual June to June period. For the years 2018 through 2022 the adjustment will not exceed 2.4 percent of the total water rate, but after that, beginning January 1, 2023, any increase in the CPI will not be subject to this 2.4 percent limit.

In order to simplify the rate-making structure, the finance director is authorized to amend the rate each year to reflect the CPI adjustment.

SECTION 2. – Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 3. – Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.

Amend KCC 7.05.090 – Re: Storm and Surface Water Utility
SECTION 4. – Effective Date. This ordinance shall take effect and be in force thirty days from and after its passage, as provided by law.

SUZETTE COOKE, MAYOR

12/12/17
Date Approved

ATTEST:

KIMBERLEY A. KOMOTO, CITY CLERK

12/12/17
Date Adopted

12/15/17
Date Published

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY
6 December
This Reporter
in authorizing $8,500.000:

The following is a summary of the ordinances and resolutions adopted by the Kent City Council on December 12, 2017:

ORDINANCE NO. 4262 - AN ORDINANCE of the City Council of the City of Kent, Washington, relating to land use, adopting design standards for the Meeker Street corridor titled the “Meeker Street Streetscape Design and Construction Standards.”

This ordinance shall take effect and be in force 30 days from and after its passage, as provided by law.

ORDINANCE NO. 4263 - AN ORDINANCE of the City Council of the City of Kent, Washington, amending the Kent Comprehensive Plan and its Capital Facilities Element to reflect a six-year plan for capital improvement projects (2018-2023)

This ordinance shall take effect and be in force 30 days from and after its passage, as provided by law.


This ordinance shall take effect and be in force 30 days from and after its passage, as provided by law.

ORDINANCE NO. 4265 - AN ORDINANCE of the City Council of the City of Kent, Washington, amending Section 12.13.160 of the Kent City Code to adjust the school impact fee schedules (CPA-2017-2).

This ordinance shall take effect and be in force 30 days from and after its passage, as provided by law.

ORDINANCE NO. 4266 - AN ORDINANCE of the City Council of the City of Kent, Washington, approving the consolidating budget adjustments made between October 1, 2017 and November 30, 2017, reflecting an overall budget increase of $13,027,264.

This ordinance shall take effect and be in force five days after publication, as provided by law.

ORDINANCE NO. 4267 - AN ORDINANCE of the City Council of the City of Kent, Washington, amending Section 7.05.090, entitled “System of charges,” to add an annual cost of living increase based on the regional consumer price index.

This ordinance shall take effect and be in force 30 days from and after its passage, as provided by law.

ORDINANCE NO. 4268 - AN ORDINANCE of the City of Kent, Washington, providing for the design and construction of a YMCA community center in the City’s Merrick Meadows/East Hill Park; approving the conveyance of a parcel within the park and the lease and lease-back of a portion of the park; approving a development agreement for the design and construction of a multi-purpose community facility and related park improvements; approving an agreement for the operation and maintenance of the constructed improvements; delegating authority to approve the final terms of the project agreements, including a lease with principal payments over the term of the lease not to exceed $8,500,000.00, and authorizing other matters related thereto.

This ordinance shall take effect 30 days after its passage as provided by law.

ORDINANCE NO. 4269 - AN ORDINANCE of the City Council of the City of Kent, Washington, levying 2017 property taxes for the 2018 biennial budget for the City of Kent.

This ordinance shall take effect and be in force January 1, 2018, which is more than five days after its publication, as provided by law.

ORDINANCE NO. 4270 - AN ORDINANCE of the City Council of the city of Kent, Washington, relating to the biennial review and modification of the 2017-2018 biennial budget as required by RCW 35A.34.130 and Ordinance No. 4230; adopting certain modifications to the 2018 budget, and establishing an effective date.

This ordinance shall take effect and be in force January 1, 2018, which is more than five days after its publication, as provided by law.

RESOLUTION NO. 1952 - A RESOLUTION of the City Council of the City of Kent, Washington, repealing Resolution 1882 and adopting financial policies intended to provide general guidance for the issuance and management of all City debt, and for the establishment and maintenance of fund balance reserves.

This resolution shall take effect and be in force immediately upon its passage.

RESOLUTION NO. 1953 - A RESOLUTION of the City Council of the City of Kent, Washington, approving the 2017 Update to the Lake Washington/Cedar/Sammamish Watershed or Water Resource Inventory Area (WRIA) 8 Chinook Salmon Conservation Plan.

This resolution shall take effect and be in force immediately upon its passage.

A copy of the complete text of any ordinance or resolution will be mailed upon request of the City Clerk.

Kimberley A Komoto,
City Clerk
Published in the Kent Reporter December 15, 2017. #2026476.