

September 12, 1996

Introduced By:

LARRY PHILLIPS

Proposed No.:

96-768

MOTION NO.

**9974**

A MOTION advising the Metropolitan King County Council, the City of Seattle and the Suburban Cities Association of needed changes in state legislation relating to the assessment and collection of the capacity charge for the water quality management program.

WHEREAS, the capacity charge program was established in King County in 1990 in accordance with RCW 35.58.570, and

WHEREAS, the capacity charge program has generated \$8.5 million for capital improvements to King County's regional water quality program since it was implemented, and an additional \$25.0 million will be generated by the program through the year 2000 at current assessment rates, and

WHEREAS, supported by the unanimous recommendation of the Regional Water Quality Committee, the Metropolitan King County Council assessed the 1994 and 1995 capacity charge with approval of Ordinance 94-390, and approved the 1996 capacity charge with enactment of Ordinance 96-492, and

WHEREAS, the adopted financial policies for the water quality program approved by the Metropolitan King County Council on May 16, 1996 in Substitute Motion No. 96-351 on the advice of the Regional Water Quality Committee state that "King County should periodically review the sewage treatment capacity charge to ensure that the true costs of system expansion are reflected in the assessed charge" and "customers of the Metro sewer system shall pay their pro rata share of the cost of the system which serves them, and that a capacity charge is levied against new connections, reconnections, or establishment of a new service to pay for the capital cost of excess capacity that has already been built to serve future customers," and

WHEREAS, at its December 15, 1995 meeting the Regional Water Quality Committee asked the Metropolitan King County Council to

1 conduct a comprehensive audit of the capacity charge program,  
2 and

3 WHEREAS, the January 18, 1996 capacity charge audit led the  
4 Regional Water Quality Committee membership to conclude that  
5 certain changes to RCW 35.58.570 (Sewage facilities--Capacity  
6 charge) would be needed to support water quality capital  
7 improvements over the next decade to ensure that new sewer system  
8 customers will equitably pay their fair share of system expansion  
9 costs:

10 NOW, THEREFORE, BE IT MOVED by the Council of King County:  
11 The Regional Water Quality Committee recommends to the  
12 Metropolitan King County Council, the city of Seattle and the  
13 Suburban Cities Association that changes to RCW 35.58.570 be  
14 sought in the 1997 session of the Legislature; with the specific  
15 intent to:

- 16 1. Revise statute provisions (RCW 35.58.570 (5)) that limit
- 17 allocable costs of excess capacity to those capital
- 18 projects identified since January 1, 1982, to July 23,
- 19 1989 in the metropolitan municipal corporation's
- 20 comprehensive water pollution abatement plan; to instead
- 21 allow those capital costs identified in the most recent
- 22 comprehensive plan.
- 23 2. Revise provisions (RCW RCW 35.58.570 (2)) which limit the
- 24 amount of the charge; allowing the regional wastewater
- 25 authority discretion to assess charges based on actual
- 26 costs or on project estimates identified in the most
- 27 current adopted comprehensive plan.
- 28 3. Add a provision (RCW 35.58.570 (2)) to explicitly allow
- 29 the collection of the capacity charge at the time of
- 30 connection or reconnection.

31 PASSED by a vote of 11 to 1 on this 7<sup>th</sup>  
32 day of October, 1996.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Rene Hague  
Chair

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38  
39 ATTEST:  
40 Jane Masmo  
41 Clerk of the Council