

BOPU RESOLUTION NO. 2021 - 03

ENTITLED: "A RESOLUTION APPROVING REVISED WATER AND SEWER CONNECTION FEES, SYSTEM DEVELOPMENT FEES, PUMP STATION DEVELOPMENT FEES, AND RELATED FEES SET BY THE BOARD OF PUBLIC UTILITIES."

WHEREAS, the Board of Public Utilities ("BOARD") has exclusive authority to manage, operate, maintain and control the Cheyenne Municipal Waterworks, Sanitary Sewage System and Water Reclamation Facilities of the City and to make all rules and regulations necessary for the safe, economical and efficient operation and maintenance of the above facilities;

WHEREAS, the BOARD has determined that an increase in the fees is necessary to pay for costs associated with the new connectors' share of the water and sewer systems; water and sewer development; water and sewer debt service; over-sizing water and sewer mains; and for expansions to the water and sewer systems;

WHEREAS, the BOARD desires to set the fees to secure an income sufficient to:

- (a) Pay for costs associated with water and sewer installations;
- (b) Recover costs and reduce debt associated with water and sewer development and expansions to the City's water and sewer systems; and
- (c) Pay for costs associated with over-sizing water and sewer mains;

WHEREAS, the Governing Body of the City of Cheyenne, pursuant to Ordinance 4308, adopted June 8, 2020, requires that prior to the beginning of each fiscal year, the BOARD will calculate new rates for Water and Sewer services based on the "Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance" and the "Wyoming Cost of Living Index – Southeast Region," and prepare new rate schedules for Water and Sewer services that shall be presented in the form of an ordinance to the Governing Body;

WHEREAS, the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance for the calendar year 2020 was 3.3% and the Wyoming Cost of Living Index – Southeast Region for the second quarter of 2020 was 1.1%;

WHEREAS, , the 2020 Board of Public Utilities Water and Wastewater Rate Study recommends an adjustment of 5.0% for fiscal year 2022 to Connection and System Development Fees which includes a provision to adjust fees based upon changes to the "Engineering News Record Construction Cost Index" (ENR CCI) which, for calendar year 2020, was 1.7%; and

NOW, THEREFORE, BE IT RESOLVED that the Water and Sewer Connection Fees, System Development Fees, Pump Station Development Fees, and Related Fees rate schedule will be adjusted approximately 5%, for Water and 5% for Sewer except as otherwise noted.

BE IT FURTHER RESOLVED that the following Schedule of Water and Sewer Connection Fees, System Development Fees, Pump Station Development Fees, and Related Fees is adopted by the BOARD and that it shall be presented in the form of an ordinance to the Governing Body of the City of Cheyenne for approval, and upon approval will become effective on the dates indicated below:

I. Water Connection Fee Based on the Connection Size—Connection Not Installed by BOPU:

<u>Size</u>	<u>January 1, 2022</u>	<u>January 1, 2021</u>
3/4"	\$ 294.00	\$ 280.00
1"	300.30	286.00
1 1/2"	311.85	297.00
2" and Larger	322.35	307.00

II. Water Connection Fee Based upon the following Meter Size – If Connection installed by BOPU:

<u>Size</u>	<u>January 1, 2022</u>	<u>January 1, 2021</u>
3"	\$ 3,328.50	\$ 3,170.00
4"	3,475.50	3,310.00
6"	4,053.00	3,860.00
8"	4,924.50	4,690.00
10"	6,531.00	6,220.00
12"	8,127.00	7,740.00

III. Water System Development Fee-Single Family Residential Meter Size:

<u>Size</u>	<u>January 1, 2022</u>	<u>January 1, 2021</u>
3/4"	\$ 9,103.50	\$ 8,670.00
1"	17,430.00	16,600.00
1 1/2"	26,565.00	25,300.00
2"	47,386.50	45,130.00

IV. Water System Development Fee-Multi-Family or a Multi-Unit Complex per Meter Size:

<u># of Units</u>	<u>Fee per Unit January 1, 2022</u>	<u>Fee per Unit January 1, 2021</u>
First 4	\$ 3,213.00	\$ 3,060.00
Next 8	2,142.00	2,040.00
Next 52	1,317.50	1,255.00
Over 64	645.50	615.00

V. Water System Development Fee-Commercial/Industrial User per Meter Size:

<u>Size</u>	<u>January 1, 2022</u>	<u>January 1, 2021</u>
3/4"	\$ 8,011.50	\$ 7,630.00
1"	21,000.00	20,000.00
1 1/2"	41,884.50	39,890.00
2"	67,042.50	63,850.00
3"	182,385.00	173,700.00
4"	314,454.00	299,480.00
6"	670,813.50	638,870.00

VI. Water System Development Fee – Large Commercial/Industrial User:

<u>Factor</u>	<u>Amount GPD</u>	<u>January 1, 2022 Multiplier</u>	<u>January 1, 2021 Multiplier</u>
Base Demand =	_____	\$ 14.44*	\$13.75*
Maximum Day Demand =	_____	5.67**	5.40**
Peak Hour Demand =	_____	0.19***	.18***

*Per gallon per day average day demand

**Per gallon per day Maximum day demand (excess of Base Demand)

***Per gallon per day Maximum hour demand (excess of Maximum Day Demand)

VII. Water Pump Station Fee based upon the following Meter size:

<u>Size</u>	<u>January 1, 2022</u>	<u>January 1, 2021</u>
3/4"	\$ 1,732.50	\$ 1,650.00
1"	2,751.00	2,620.00
1 1/2"	5,313.00	5,060.00
2"	8,578.50	8,170.00
3"	19,540.50	18,610.00
4"	32,539.50	30,990.00
6"	77,133.00	73,460.00
8"	136,437.00	129,940.00
10"	216,415.50	206,110.00
12"	316,638.00	301,560.00

VIII. Sewer Connection Fee:

Water Meter Size

<u>Size</u>	<u>January 1, 2022</u>	<u>January 1, 2021</u>
All Sizes	\$ 134.00	\$ 128.00

The above fee is charged for each connection to the sewer system.

IX. Sewer System Development Fee-Single Family Residential:

Water Meter Size

<u>Size</u>	<u>January 1, 2022</u>	<u>January 1, 2021</u>
3/4"	\$ 2,278.50	\$ 2,170.00
1"	4,011.00	3,820.00
1 1/2"	8,452.50	8,050.00
2"	13,576.50	12,930.00

X. Sewer System Development Fee-Multi-Family or a Multi-Unit Complex:

<u># of Units</u>	<u>Fee per Unit January 1, 2022</u>	<u>Fee per Unit January 1, 2021</u>
First 4	\$ 898.50	\$ 856.00
Next 8	653.00	622.00
Next 52	392.50	374.00
Over 64	202.50	193.00

XI. Sewer System Development Fee-Commercial/Industrial User:

Water Meter Size

<u>Size</u>	<u>January 1, 2022</u>	<u>January 1, 2021</u>
3/4"	\$ 2,667.00	\$ 2,540.00
1"	4,788.00	4,560.00
1 1/2"	9,565.50	9,110.00
2"	15,319.50	14,590.00
3"	41,685.00	39,700.00
4"	71,883.00	68,460.00
6"	153,121.50	145,830.00

XII. Sewer System Development Fee-For Large Commercial/Industrial User:

<u>Factor</u>	<u>GPD or PPD</u>	<u>Amount</u>	<u>January 1, 2022</u>	<u>January 1, 2021</u>
		<u>Multiplier \$</u>	<u>Multiplier</u>	<u>Multiplier</u>
Wastewater Volume =			\$ 5.25*	\$ 5.00*
Biochemical Oxygen Demand =			\$ 1,113.00**	\$ 1,060.00**
Total Suspended Solids =			\$ 1,113.00**	\$ 1,060.00**

* Per gallon per day average day flow

** Per pounds per day average day demand

BE IT FURTHER RESOLVED that:

1. The applicant/contractor/developer shall comply with the following documents:
 - a. "Infrastructure Policy and Design Criteria" as amended from time to time, and
 - b. "City of Cheyenne & Board of Public Utilities Construction Specification Standard Drawings" as amended from time to time.
2. The applicant/contractor/developer shall submit a Utility Layout Plan identifying the water and / or sanitary sewer connection(s), service line size(s), curb stop and meter pit locations from the BOPU main line to the property. The Utility Layout Plan shall clearly show the property location (lot, block, subdivision), street names and addresses if available.
3. After approval of the Utility Layout Plan, the applicant/developer/contractor shall complete the connection permit application and pay all fees due prior to the issuance of a tap/connection permit ("PERMIT"), except for system development fees, which may be paid at either the time of issuance of a PERMIT or prior to the issuance of a building permit. The fees due shall be the amount of the fee in effect at the time payment is received.
4. Under no circumstance will the City of Cheyenne be allowed to issue a building permit prior to the payment of all fees due the BOARD, including system development fees. The applicant for a city building permit will be required to furnish proof to the City that all required fees have been paid to the BOARD, including the system development fees.
5. The applicant for the PERMIT shall remain liable to the BOARD for payment of all system development fees, without regard to subsequent assumption of payment responsibility by another party.
6. In no event shall water service be provided to the property before all fees, including system development fees, are paid in full.
7. If no building permit is required, then the applicant/contractor/developer shall pay all fees, including system development fees, before the issuance of a PERMIT.
8. **For All Connections to the BOPU Water and Sewer Systems, the applicant / contractor / developer shall be responsible for:**
 - a. Obtaining all necessary City Right of Way Permit(s), proper street cuts, excavation, trench boxes, OSHA approved safety setups, backfill, base course, compaction plus asphalt and concrete replacement and other construction costs. (Note: BOARD employees will not access areas that do not fully comply with OSHA approved safety standards. If complications arise during the tapping process and BOARD personnel are required to assist or re-inspect, the applicant will be billed for the additional expenses incurred.)
 - b. If required, the installation of wiring for a remote readout meter.
 - c. Notifying the BOARD prior to any type of irrigation. (The water tap fee does not include water for irrigation of lawns and or landscaping.)
 - d. Paying for any and all irrigation water.
 - e. Paying a penalty as described in the Schedule of Related Fees for failure to comply

with any of the requirements contained in this Resolution.

9. **For Water Meter Size Connections ¾", 1", 1½" and 2", the applicant / contractor / developer shall be responsible for:**
 - a. Providing all materials, labor and equipment necessary for the installation of the tap. Materials include, but are not limited to, the corporation, tapping saddle and if required the insulator coupling.
 - b. The proper installation of all material. These items must be installed at the address and location and in the manner specified on the Utility Layout Plan and permit. If the corporation and coupling are not properly installed or not in accordance with permit designation, then the applicant will be responsible for immediate removal and/or repair. (See most recent approved edition of City of Cheyenne & Board of Public Utilities Construction Specifications and Standard Drawings.)

10. **For Water Meter Size Connections 1½" and larger, the applicant / contractor / developer shall be responsible for:**
 - a. The installation of a manhole meter pit and/or vault, with ring and lid, pursuant to BOARD specifications.
 - b. All excavation and back filling.

11. **Water and Sewer Connection Fees:**
 - a. The water meter size connection fee for ¾ inch, 1 inch, 1½ inch, and 2-inch water connections include administrative fees (inspection fee, account fee, construction water fee and installation of the meter reading wireless interface).
 - b. The water meter size connection fee for water connections larger than 2 inch include the cost of material (tapping sleeve, tapping saddle, tapping valve, corporation stop, insulator coupling, valve box, valve box extension and adapter, one cubic yard concrete thrust block), labor and equipment to install the material, and the administrative fees (inspection fee, account fee, construction water fee and installation of the meter reading wireless interface).
 - c. The sewer connection fee includes the engineering fee for inspection and the sewer account fee.

12. **System Development Fees:**
 - a. Water connections for fire lines and main line extensions are exempt from system development fees.
 - b. Connections to the wastewater effluent system and/or the recycle water system are assessed system development fees based upon the water system development fee schedules.

13. **Water Pump Station Development Fees:**
 - a. For water connections issued within the designated Pump Station Water Service Area, the BOARD will collect the Water Pump Station Development Fee according to the fee schedule.
 - b. The applicant must pay the fee at the time the PERMIT is issued. Funds collected will be used to construct or enlarge various pump stations.
 - c. The Pump Station Development Fee will also be paid for undeveloped lands and lots currently annexed to the City of Cheyenne that have a restriction by the BOARD that the water pump station capacity must be enlarged. The PERMIT applicant, in lieu of having to enlarge the pump station capacity, will pay this fee.
 - d. The following lands and lots located inside the Pump Station Service Water Area are exempt from the pump station development fee:
 - i. Lands and lots already annexed to the City of Cheyenne with no pump station capacity enlargement restrictions by the BOARD.
 - ii. Lands and lots currently annexed or not annexed to the City of Cheyenne with a restriction by the BOARD stating that the pump station capacity must be enlarged by the owner and the pump station capacity has been enlarged to the BOARD's satisfaction.
 - e. For connections to the wastewater effluent and/or the recycle water systems that are served by a Pump Station, the BOARD will collect a Water Pump Station Development Fee according to the fee schedule. The PERMIT applicant, in lieu of having to enlarge the pump station capacity, will pay this fee.

BE IT FURTHER RESOLVED that all water and sewer connections and service connections within the boundaries of Warren Air Force Base will be charged the established in-city rates.

BE IT FURTHER RESOLVED that all taps and service connections outside the City limits will be charged 1.5 times for all the above fees, charges, and penalties.

BE IT FURTHER RESOLVED that the BOARD is authorized to negotiate contracts with water and sewer system users, based upon the above rates for water and sewer connections, system development fees, pump station development fees, and other related fees and that any revision of the above rates shall be subject to Governing Body review, modification and approval.

BE IT FURTHER RESOLVED that the foregoing fees, charges and penalties established by the BOARD be submitted to the City Council for approval and filing as provided by the Code of the City of Cheyenne.

ADOPTED THIS 26th DAY OF April, 2021.

BY Mary B Guthrie
Mary Guthrie, President

(SEAL)

Attest;

BY Matthew Pope
Matthew Pope, Secretary