

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ESTABLISHING RATES AND CHARGES FOR WATER, WASTEWATER, AND SOLID WASTE SERVICES FOR FISCAL YEAR 2023/24 AND REPEALING ALL RESOLUTIONS OR PORTIONS THEREOF INCONSISTENT HEREWITH

WHEREAS, the City Council is empowered to impose reasonable rates and charges for municipal services;

WHEREAS, the rates and charges are for the purposes of (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment or materials; (3) meeting financial reserve needs and requirements; and (4) obtaining funds for capital projects necessary to maintain current service levels; and

WHEREAS, pursuant to Section 5473 of the Health and Safety Code and Section 12.16.020 of the Sunnyvale Municipal code, the city of Sunnyvale elects to have the sewer service charges for premises outside the City limits for fiscal year 2023/24 collected on the tax roll of the County of Santa Clara, State of California, in the manner provided pursuant to Sections 5473 through 5473.11 of the Health and Safety Code; and

WHEREAS, the City Council finds that the City Manager has caused a report to be prepared and filed with the Office of the City Clerk on June 27, 2023, pursuant to Section 5473 of the Health and Safety code; and

WHEREAS, on Tuesday, June 27, 2023, at 7:00 p.m., in the Council Chambers, located at 456 W. Olive Avenue, Sunnyvale, California, a public hearing was held on the report;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

SECTION 1. WATER, WASTEWATER, AND SOLID WASTE SERVICES WITHIN CITY LIMITS (Sunnyvale Municipal Code Chapters 12.16, 12.24, 8.16.) Water, wastewater, and solid waste services sold to consumers within the corporate limits of the City of Sunnyvale shall be sold at the rates specified in the attached Exhibit A.

SECTION 2. WATER OUTSIDE CITY LIMITS. The charges for all water delivered through water meters to consumers outside the corporate limits of the City shall be the same as the charges set forth in Section 1.

SECTION 3. WATER PASSTHROUGH CHARGES. In the event that the City of Sunnyvale's water suppliers adopt a mid-year rate increase, those costs will be passed on to customers by the following formula: total expected cost increase for wholesale water purchases through the fiscal year end divided by the total budgeted expenditures for the purchase of wholesale water for the remainder of the fiscal year. The percentage increase determined by this calculation will be applied to utility bills as a surcharge for each unit of water used for the balance of the fiscal year (ending June 30, 2023).

SECTION 4. WASTEWATER OUTSIDE CITY LIMITS. The charges for all wastewater service for property located outside the City limits shall be the same as the charges set forth in Section 1 plus a one percent administrative charge for placing the charges on the tax roll.

SECTION 5. UNPAID WASTEWATER SERVICE CHARGES. If the wastewater service charges for property located outside the City limits are unpaid and become delinquent on the dates specified in Sections 2617 and 2618 of the Revenue and Taxation Code, or as amended, delinquency penalties shall apply at the same rate and manner and be collected at the same time as are delinquency penalties on general taxes for the City of Sunnyvale.

SECTION 6. EFFECTIVE DATES. This resolution shall be effective upon adoption and all rates will become effective on July 1, 2023.

SECTION 7. ENVIRONMENTAL FINDINGS. The City Council finds that adoption of this resolution is exempt from the requirements of the California Environmental Quality Act pursuant to Public Resources Code Section 21080(b)(8) and further advises that the modifications of the rates contained herein are for the purposes of (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment or materials; (3) meeting financial reserve needs and requirements; (4) obtaining funds for capital projects necessary to maintain current service levels; and (5) obtaining funds necessary to maintain intra-city transfers.

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL
:

ATTEST:

APPROVED:

DAVID CARNAHAN
City Clerk
(SEAL)

LARRY KLEIN
Mayor

APPROVED AS TO FORM

JOHN A. NAGEL
City Attorney

EXHIBIT A

**CITY OF SUNNYVALE UTILITY FEE SCHEDULE
FISCAL YEAR 2023/24**

SECTION 1.01 - WATER SERVICE FEES

Service Charges: The service charges for each customer class who are billed monthly and bi-monthly shall be based on meter size. In mobile home developments where dwelling units are served by individual meters, and not by a master meter, the single family residential water service rate shall apply.

Meter Size	Single Family		Multi Family/Commercial		Mobile Home Park		Landscape		Recycled Water		Fire Line	
	Monthly	Bi-monthly	Monthly	Bi-monthly	Monthly	Bi-monthly	Monthly	Bi-monthly	Monthly	Bi-monthly	Monthly	Bi-monthly
5/8" x 3/4"	\$16.22	\$32.44	\$22.24	\$44.48			\$37.45	\$74.90				
3/4"	\$22.65	\$45.30	\$31.65	\$63.30			\$54.50	\$109.00				
1"	\$35.51	\$71.02	\$50.49	\$100.98			\$88.58	\$177.16	\$76.02	\$152.04	\$6.04	\$12.08
1-1/2"	\$67.63	\$135.26	\$97.58	\$195.16			\$173.78	\$347.56	\$152.05	\$304.10	\$8.73	\$17.46
2"	\$106.19	\$212.38	\$154.09	\$308.18			\$276.03	\$552.06	\$243.28	\$486.56	\$11.93	\$23.86
3"			\$304.77	\$609.54	\$304.77	\$609.54	\$548.67	\$1,097.34	\$486.55	\$973.10	\$22.09	\$44.18
4"			\$474.30	\$948.60	\$474.30	\$948.60	\$855.40	\$1,710.80	\$760.23	\$1,520.46	\$40.81	\$81.62
6"			\$945.20	\$1,890.40	\$945.20	\$1,890.40	\$1,707.43	\$3,414.86	\$1,520.47	\$3,040.94	\$88.93	\$177.86
8"			\$1,510.29	\$3,020.58	\$1,510.29	\$3,020.58	\$2,729.85	\$5,459.70	\$2,432.75	\$4,865.50	\$153.10	\$306.20
10"			\$3,958.99	\$7,917.98	\$3,958.99	\$7,917.98			\$6,385.96	\$12,771.92	\$238.66	\$477.32

SECTION 1.02 - WATER WITHIN CITY LIMITS

Water sold to consumers within the corporate limits of the City of Sunnyvale shall be sold at the rates specified. All users shall pay a water charge for each one-hundred cubic feet (equal to 748 gallons), or part thereof, of water as follows. In residential developments where two (2) or more dwelling units are served by a common meter, the upper limit (in cubic feet) of each rate block shall be multiplied by the dwelling units served by the common meter in calculating the rates to be applied to water usage monitored by the common meter. In such case, the lower limit of each rate block shall be one (1) cubic foot over the upper limit of the next lower rate block.

Single Family Residential/Mobile Home	Tiered Rate Thresholds (CCF)		Volume Rates by Tier (per CCF)	
	Tier 1	Tier 2	Tier 1	Tier 2
Monthly	0-5	6 +	\$5.09	\$5.93
Bi-Monthly	0-10	11 +	\$5.09	\$5.93

All Other Customer Classes	Rate/CCF
Multi- Family Residential	\$5.51
Commercial	\$5.51
Landscape	\$5.51
Institutional	\$5.51
Recycled Water Landscape	\$4.96
Recycled Water Institutional	\$4.96
Leak Adjustment*	\$4.78

*Water lost due to leaks will be charged at this reduced rate upon approved application for leak adjustment, including proof of repair. Limit one adjustment for one billing cycle per year.

SECTION 1.03 - WATER OUTSIDE CITY LIMITS

The charges for all water, except reclaimed water, delivered through water meters to consumers outside the corporate limits of the City shall be equal to the charges set forth in Sections 1.01 and 1.02.

SECTION 1.04 - TAMPERING WITH EQUIPMENT PROHIBITED

No person or persons shall, without a written permit from the city, open or in any way tamper with or make any addition or alteration whatever to any street main, service connection, meter, stopcock, valve or aircock connected with the water mains. A charge for associated costs of labor, materials for repair or replacement, as the case may be, plus a 15% administrative charge may be included with the water service bill and collected under the same rules and regulations.

**CITY OF SUNNYVALE UTILITY FEE SCHEDULE
FISCAL YEAR 2023/24**

SECTION 1.05 - RESIDENTIAL WASTEWATER FEES

The monthly rate for wastewater service for residential users shall be the following charge for each dwelling unit.

Customer Class	Monthly	Bi-monthly
Single Family	\$62.34	\$124.68
All other residential	\$43.15	\$86.30

SECTION 1.06 COMMERCIAL WASTEWATER FEES

The monthly rate for wastewater service for all significant industrial users for each one hundred (100) cubic feet or fraction thereof, of sanitary sewage and waste discharge from the premises shall be the annual total flow in hundred cubic feet divided into the sum of the following:

Customer Class	Per 100 Cubic Feet
Low Strength	\$6.00
Standard Strength	\$6.63
High Strength	\$11.45

SECTION 1.07 - SIGNIFICANT INDUSTRIAL USER SEWER CHARGES*

The charges for all water, except reclaimed water, delivered through water meters to consumers outside the corporate limits of the City shall be equal to the charges set forth in Sections 1.01 and 1.02.

Wastewater Characteristics	
Per 1,000,000 gallons of sewage discharged	\$6,225.40
Per 1,000 pounds of suspended solids discharged	\$2,243.51
Per 1,000 pounds of total organic carbon discharged	\$2,954.85
Per 1,000 pounds of ammonia nitrogen discharged	\$8,886.70

SECTION 1.08 - WASTEWATER OUTSIDE THE CITY LIMITS

The charges for all wastewater services provided to consumers outside the corporate limits of the City shall be equal to the charges set forth in Sections 1.04, 1.05 and 1.06.

* Minimum charge per 100 cubic feet for charges calculated in Section 1.07 is equivalent to the Standard Strength rate in Section 1.06

**CITY OF SUNNYVALE UTILITY FEE SCHEDULE
FISCAL YEAR 2023/24**

SECTION 1.09 COLLECTION AND DISPOSAL WITHIN THE CITY LIMITS

Single Family Residential Food Cycle Split Cart Service Rates

Monthly rate for each living unit for one day a week curbside collection service. Single-family rates apply to one to three units. Single-family property with an accessory dwelling unit (ADU) must subscribe to a minimum service level of one medium cart. Duplex or Triplex properties must maintain separate cart service for each unit even if the unit is vacant. FoodCycle split carts have two compartments; one for garbage and the other for food scraps. Rates are based on garbage capacity only. One no-charge cart exchange per calendar year. Single-family rear yard collection service available for qualifying disabled customers only. Limit of one cart for each living unit provided by franchise holder. Single-family rates include recycling, food scraps and yard waste services.

Cart Size	Single Family		Mobile Home	
	Monthly	Bi-monthly	Monthly	Bi-monthly
Minimum Charge per Unit	\$38.46	\$76.92	\$28.61	\$57.22
Small (27-gallon) Cart	\$38.46	\$76.92	\$28.61	\$57.22
Medium (43-gallon) Cart	\$44.64	\$89.28	\$34.79	\$69.58
Large (64-gallon) Cart	\$52.46	\$104.92	\$42.61	\$85.22

Extra Garbage Tag	\$ 6.00 (all customer classes)
Cart Exchange Fee	\$ 20.00 (all customer classes)

Multi Family Residential Garbage Cart and Food Cycle Split Cart Service Rates

Monthly rate for each living unit for one day a week curbside collection service. Multi-family rates applies to properties with 4 units or more. Food Cycle split carts have two compartments; one for garbage and the other for food scraps. Rates are based on garbage capacity only. One no-charge cart exchange per calendar year. Limit of one refuse/FoodCycle cart for each living unit provided by franchise holder. Fees include multi-family recycling and yard waste service. Multi-family dwellings with cart service must pay the minimum charge for each dwelling unit, even if a unit is vacant.

Cart Size	Curbside		Rear Yard	
	Monthly	Bi-monthly	Monthly	Bi-monthly
Minimum Charge per Unit (Garbage Cart)	\$55.33	\$110.66	\$73.68	\$147.36
65-gallon garbage cart	\$55.33	\$110.66	\$73.68	\$147.36
95-gallon garbage cart	\$67.30	\$134.60	\$85.65	\$171.30
Minimum Charge per Unit (Food Cycle Cart)	\$45.56	\$91.12	\$63.92	\$127.84
43-gallon garbage capacity Food Cycle cart	\$45.56	\$91.12	\$63.92	\$127.84
64-gallon garbage capacity Food Cycle cart	\$53.38	\$106.76	\$71.73	\$143.46

Commercial/Multi-Family Bin Service Rates

Monthly rate for customer or franchise holder provided containers. One no charge bin cleaning/repaint per calendar year for franchise holder provided containers upon request. Lock service fees monthly in addition to collection charges. Bin services available for:

General debris/refuse

Source-separated clean wood (available for 8 CY to 40 CY sizes only, charged at 75% of rates below)

Clean green waste (charged at 75% of rates below)

Bin Size	Monthly Rental	1x/week	2x/week	3x/week	4x/week	5x/week	6x/week	On-call
1 Cubic Yard	\$15.00	\$192.43	\$384.86	\$577.30	\$769.73	\$962.16	\$1,154.59	\$209.93
2 Cubic Yard	\$16.08	\$337.06	\$674.13	\$1,011.19	\$1,348.25	\$1,685.30	\$2,022.37	\$240.10
3 Cubic Yard	\$16.81	\$481.70	\$963.38	\$1,445.08	\$1,926.76	\$2,408.46	\$2,890.15	\$270.27
4 Cubic Yard	\$18.00	\$626.32	\$1,252.64	\$1,878.97	\$2,505.29	\$3,131.61	\$3,757.93	\$300.44
6 Cubic Yard	\$19.83	\$912.16	\$1,824.33	\$2,736.50	\$3,648.67	\$4,560.83	\$5,473.00	\$360.78
8 Cubic Yard	\$36.27	N/A	N/A	N/A	N/A	N/A	N/A	\$485.37
Credit for 8 Cubic Yard Bin containing only clean asphalt and concrete with no rebar								\$97.67
15 Cubic Yard	\$42.75	\$2,923.51	\$5,847.03	\$8,770.55	\$11,694.06	\$14,617.58	N/A	\$674.66
20 Cubic Yard	\$54.55	\$3,592.65	\$7,185.29	\$10,777.93	\$14,370.58	\$17,963.23	N/A	\$829.08
30 Cubic Yard	\$59.43	\$4,930.91	\$9,861.81	\$14,792.71	\$19,723.62	\$24,654.53	N/A	\$1,137.91
40 Cubic Yard	\$65.34	\$6,357.22	\$12,714.45	\$19,071.66	\$25,428.88	\$31,786.10	N/A	\$1,467.07
Lock Service Fees		\$7.11	\$14.24	\$21.35	\$28.46	\$35.57	\$42.70	
Lock Installation Fee (One-time charge per bin)		\$107.02						

Commercial Food Scraps Bin Service Rates

Monthly rate for customer or franchise holder provided containers. One no charge bin cleaning/repaint per calendar year for company provided containers upon request. Lock service fees monthly in addition to collection charges.

Bin Size	Monthly Rental	1x/week	2x/week	3x/week	4x/week	5x/week	6x/week	On-call
1 Cubic Yard	\$15.00	\$144.32	\$288.65	\$432.98	\$577.30	\$721.62	\$865.94	\$157.45
2 Cubic Yard	\$16.08	\$252.80	\$505.60	\$758.39	\$1,011.19	\$1,263.98	\$1,516.78	\$180.08
3 Cubic Yard	\$16.81	\$361.28	\$722.54	\$1,083.81	\$1,445.07	\$1,806.35	\$2,167.61	\$202.70
Lock Service Fees		\$7.11	\$14.24	\$21.35	\$28.46	\$35.57	\$42.70	
Lock Installation Fee (One-time charge per bin)		\$107.02						

Push Out Service Fees

Monthly rate for collection services requiring container push out of distances greater than 10 feet. Push out path must be smooth and level (slope ≤ 2%).

Bin Size	1x/week	2x/week	3x/week	4x/week	5x/week	6x/week
1 Cubic Yard	\$19.57	\$39.14	\$58.70	\$78.27	\$97.84	\$117.41
2 Cubic Yard	\$19.57	\$39.14	\$58.70	\$78.27	\$97.84	\$117.41
3 Cubic Yard	\$31.31	\$62.61	\$93.93	\$125.24	\$156.54	\$187.85

Compacted Garbage Service Fees

Monthly rates for collection services. Rates for unlisted sizes shall be calculated based on the cost of providing service.

Compactor Size	1x/week	2x/week	3x/week	4x/week	5x/week	6x/week	On-call
1.5 Cubic Yard	\$345.68	\$691.35	\$1,037.03	\$1,382.72	\$1,728.39	\$2,074.07	\$271.57
2 Cubic Yard	\$444.97	\$889.94	\$1,334.91	\$1,779.88	\$2,224.84	\$2,669.82	\$302.17
2.5 Cubic Yard	\$540.84	\$1,081.70	\$1,622.54	\$2,163.39	\$2,704.23	\$3,245.07	\$332.78
3 Cubic Yard	\$643.56	\$1,287.11	\$1,930.66	\$2,574.21	\$3,217.77	\$3,861.33	\$363.38
4 Cubic Yard	\$842.14	\$1,684.28	\$2,526.41	\$3,368.55	\$4,210.69	\$5,052.83	\$424.58
6 Cubic Yard	\$1,235.90	\$2,471.78	\$3,707.68	\$4,943.56	\$6,179.46	\$7,415.35	\$546.98
7 Cubic Yard	\$2,497.84	\$4,995.67	\$7,493.51	\$9,991.35	\$12,489.19	\$14,987.02	\$576.44
10 Cubic Yard	\$3,175.72	\$6,351.42	\$9,527.14	\$12,702.85	\$15,878.57	\$19,054.28	\$732.88
15 Cubic Yard	\$4,305.51	\$8,611.02	\$12,916.52	\$17,222.03	\$21,527.54	\$25,833.04	\$993.62
16 Cubic Yard	\$4,531.47	\$9,062.94	\$13,594.39	\$18,125.86	\$22,657.33	\$27,188.80	\$1,045.76
18 Cubic Yard	N/A	N/A	N/A	N/A	N/A	N/A	\$1,150.06
20 Cubic Yard	\$5,435.30	\$10,870.60	\$16,305.91	\$21,741.20	\$27,176.50	\$32,611.80	\$1,254.35
25 Cubic Yard	\$6,565.10	\$13,130.19	\$19,695.29	\$26,260.38	\$32,825.48	\$39,390.56	\$1,515.09
27 Cubic Yard	\$7,017.01	\$14,034.03	\$21,051.04	\$28,068.05	\$35,085.06	\$42,102.08	\$1,619.38
28 Cubic Yard	\$7,242.97	\$14,485.94	\$21,728.91	\$28,971.89	\$36,214.86	\$43,457.83	\$1,671.52
29 Cubic Yard	\$7,468.93	\$14,937.86	\$22,406.79	\$29,875.72	\$37,344.65	\$44,813.58	\$1,723.68
30 Cubic Yard	\$7,694.89	\$15,389.78	\$23,084.67	\$30,779.55	\$38,474.44	\$46,169.33	\$1,775.82
31 Cubic Yard	\$7,920.85	\$15,841.69	\$23,762.54	\$31,683.39	\$39,604.24	\$47,525.08	\$1,827.97
32 Cubic Yard	\$8,146.81	\$16,293.61	\$24,440.42	\$32,587.22	\$40,734.03	\$48,880.83	\$1,880.11
34 Cubic Yard	\$8,598.72	\$17,197.45	\$25,796.17	\$34,394.89	\$42,993.62	\$51,592.34	\$1,984.40
35 Cubic Yard	\$8,824.68	\$17,649.36	\$26,474.04	\$35,298.73	\$44,123.41	\$52,948.09	\$2,036.56
36 Cubic Yard	\$9,050.64	\$18,101.28	\$27,151.92	\$36,202.56	\$45,253.20	\$54,303.84	\$2,088.71
38 Cubic Yard	\$9,502.56	\$19,005.12	\$28,507.67	\$38,010.23	\$47,512.79	\$57,015.35	\$2,193.00
40 Cubic Yard	\$9,954.47	\$19,908.95	\$29,863.42	\$39,817.90	\$49,772.37	\$59,726.86	\$2,297.30
42 Cubic Yard	\$10,406.39	\$20,812.78	\$31,219.18	\$41,625.57	\$52,031.97	\$62,438.36	\$2,401.59
45 Cubic Yard	\$11,084.27	\$22,168.54	\$33,252.80	\$44,337.08	\$55,421.35	\$66,505.62	\$2,558.02

Special On-Call Service

Service available to any customer utilizing containers supplied by the user or franchise holder and applies to service in addition to regularly scheduled pick ups. Labor rates are per quarter hour on the job site.

	Per Quarter Hour
Truck and Driver	\$140.35
Each additional personnel unit	\$87.23
Fee per cubic yard or fraction thereof	\$34.63

Return Trip Fee Per Container

For truck and driver to return to location to provide service due to blocked access, overloaded bin, contamination, etc.

	Per Quarter Hour
Truck and Driver	\$140.35

Maintenance of Containers Supplied by Franchise Holder

Standard containers supplied by the franchise holder may require cleaning and/or painting at customer request, as ordered by the health department, or due to damage. If cleaning and/or painting is beyond the one no charge bin cleaning/repaint per calendar year, fee will be based on the actual cost of cleaning and/or painting provided.

Commercial Corrugated Cardboard Collection Monthly Fee for Service

Customers must meet market-based quantity and quality standards to qualify for service.

	Per Quarter Hour
3 Cubic Yard Bin Rental	\$16.81
6 Cubic Yard Bin Rental	\$19.83
15 Cubic Yard Bin Rental	\$42.75
20 Cubic Yard Bin Rental	\$54.55
30 Cubic Yard Bin Rental	\$59.43
40 Cubic Yard Bin Rental	\$65.34