

Council Bill/General Ordinance No. 3042-2023

Sponsor: _____

AN ORDINANCE

AMENDING Chapter 34, "WATER AND SEWERS," of the Moline Code of Ordinances, Section 34-3200, "SEWERAGE RATE SYSTEM," by repealing said section in its entirety and enacting in lieu thereof one new Section 34-3200, dealing with the same subject matter.

WHEREAS, the City of Moline ("City") is a home rule municipal corporation organized and operating in accordance with the Constitution and laws of the State of Illinois; and

WHEREAS, as a result of regulatory requirements included in the National Pollution Discharge Elimination System (NPDES) Permit for Moline's South Slope Wastewater Treatment Plant, a thorough cost of service analysis of the WPC fund was performed in 2022; and

WHEREAS, the analysis revealed that a series of rate adjustments are necessary to fund treatment plant improvements estimated at \$68,000,000; and

WHEREAS, staff's analysis of the 2022 recommendations, including updating the financial records and studying the expected WPC enterprise fund cash flows for years 2024-2029, confirms the recommendation made in 2022; and

WHEREAS, at a roundtable meeting on September 19, 2023, Council approved staff's recommendation for rate increases, effective upon the first billing after January 1, 2024, for Moline and wholesale customers; and

WHEREAS, the rate increase for Moline customers is 9 percent, and the rate increase for wholesale customers (East Moline and Coal Valley) to the Rock River Valley Regional Sewer System (RRVRSS) is 25 percent, with a 90-day notification to be provided to regional customers as required by the RRVRSS Intergovernmental Agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

Section 1. The foregoing recitals are hereby incorporated into this Ordinance as though fully set forth in this Section 1.

Section 2. That Chapter 34, "WATER AND SEWERS," of the Moline Code of Ordinances, Section 34-3200, "SEWERAGE RATE SYSTEM," is hereby amended by repealing said section in its entirety and enacting in lieu thereof one new Section 34-3200, dealing with the same subject matter, effective upon the first billing after January 1, 2024, which shall read as follows (additions in **bold and underlined** and deletions in **~~bold and strikethrough~~**):

"SEC. 34-3200. SEWERAGE RATE SYSTEM.

(a) Definitions. As used in this section, the following words and terms shall be defined as follows:

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(1) **Local capital financing charge:** A charge levied on users of a treatment works for the local capital financing costs of such works in proportion to total treatment works loading.

(2) **Local capital financing costs:** Expenditures for debt service and reserve funds on long-term financing of major capital improvements plus normal capital requirements for minor extensions, but not replacement, to the treatment works which are financed from current revenues.

(3) **Operation and maintenance costs:** Those costs associated with the annual needs of operating and maintaining the treatment works and includes such costs as supervision, operation and maintenance labor, supplies, utilities, chemicals, billing and accounting, administrative and general expenses, and replacement, as defined hereafter.

(4) **Replacement:** Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

(5) **Treatment works:** The water pollution control system of the City of Moline consisting of interceptor and trunk sewers, pumping stations, pressure pipe transmission mains, and wastewater treatment facilities.

(6) **User charge:** A charge levied on users of a treatment works for the operation and maintenance costs of such works in proportion to total treatment works loading.

(7) **Use class:** A group, or category, of users having similar flows and wastewater content characteristics, such as similar levels of BOD and suspended solids.

(b) Quarterly unit rates for service will be assessed to the City of East Moline, Village of Coal Valley for waste water discharged to the Rock River Valley Regional Sewerage System on the following basis:

(1) Reserved.

(2) User charges: (treatment plant and transportation sewers operation, maintenance and depreciation).

a. The unit rate shall remain as follows, until modified by Council:

1. For discharges measured through December 31, ~~2022~~2023, the unit rate shall be ~~\$2.02~~\$2.53 per 1,000 gallons.

2. For discharges measured after January 1, ~~2023~~2024, the unit rate shall be ~~\$2.53~~\$3.16 per 1,000 gallons.

b. The fixed charge per quarterly bill shall be charged the following:

1. Fixed charges accrued through December 31, ~~2022~~2023: ~~\$31.23~~\$39.04.

2. Fixed charges accrued after January 1, ~~2023~~2024: ~~\$39.04~~\$48.80.

(c) Sewerage rates. The quarterly sewerage rates for Moline contributors shall be as follows:

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(1) The schedule of charges for all bills shall be a fixed quarterly bill charge of ~~\$31.23~~\$34.04 per connection with a unit rate of ~~\$6.42~~\$7.00 per 1,000 gallons.

(d) Wastewater Strength Surcharges. Moline contributors that contribute wastewater that exceeds the strength of domestic water, in terms of total suspended solids (TSS) and biological oxygen demand (BOD), shall pay surcharges in accordance with the following schedule, in addition to the established fixed and volume charges:

Surcharge Rate	
TSS (\$/lb)	\$0.18 <u>\$0.20</u>
BOD (\$/lb)	\$0.62 <u>\$0.68</u>

(1) The following table establishes the strength class contributor classification system. Each strength class contributor shall be charged the assigned TSS and BOD strength values, as applied to the contributor's quarterly billable flow:

Strength Class Contributor	BOD (mg/l)	TSS (mg/L)
Bakery	1,000	750
Creamery	7,000	1,600
Grocery Store	1,000	350
Laundry Services	450	550
Restaurant	1,000	550

(2) In the event that a contributor does not agree with the strength class classification, the contributor may request that a point specific sampling program be conducted at their expense. The ongoing sampling program shall be conducted by the department of utilities, water pollution control division, and all aspects of the sampling program must be approved by the director. The laboratory methods used in analyzing samples of said wastewaters shall be in accordance with federal law, regulations, or guidelines, if any; otherwise, by generally accepted scientific procedures. If sampling results are still not agreeable or the sites are not satisfactory to the director for reasons not limited to but including non-representative sampling points located at the contributing site in question, the two (2) parties shall agree on a qualified third party arbitrator to conduct an independent analysis and to be bound by the results obtained thereby. Cost of arbitration shall be borne by the contributor. Such arbitrator shall be qualified in laboratory analysis. The location and design of sampling sites must be approved by the director. Samples shall be collected in such a manner as to be satisfactory to the director. The laboratory methods used in analyzing samples of said wastewaters shall be in accordance with federal law, regulations, or guideline, if any; otherwise, by generally accepted scientific procedures.

(3) Other Moline contributors, which are not identified in the strength class contributor classification system, shall be subject to the wastewater strength surcharges should laboratory analysis reveal that the contributors' wastewater strength exceed the strength of domestic wastewater.

(e) Quarterly unit rates for service will be assessed for wastewater discharged to the sewerage system from the Moline Water Treatment Plant on the following basis:

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(1) The schedule of charges for all bills issued shall be:

Fixed charge per quarterly bill: ~~\$31.23~~\$34.04 per connection

Volume charge: \$1.01 per 1,000 gallons

TSS rate: \$0.10 per lb

(f) In General.

(1) The monthly sewerage charges specified in paragraphs (c) and (d), but not (b), hereof shall be increased by one hundred percent (100%) for all contributors to the treatment works who are located outside of the corporate limits of the City and who have been granted permission by the City to connect to the treatment works.

(2) Where, in the opinion of the City Council a contributor assumes a substantial portion of the treatment works capacity, a contract may be required between the City and the major user. Such a contract will be governed entirely by the provisions of this section which are applicable, establish a maximum contribution for each waste characteristic (i.e., volume, BOD, suspended solids, etc.), provide for penalties when the maximum is exceeded, and indicate the means of measuring and sampling the wastewater.

(3) The director shall make periodic determination of the concentration of wastes as may be deemed necessary by the director. The location and design of sampling sites must be approved by the director. Samples shall be collected in such a manner as to be satisfactory to the director. In the event that results of analysis of samples by the director do not substantially agree with the analysis performed by the City of East Moline or the Village of Coal Valley, the two (2) parties shall agree on a qualified third party expert to conduct an independent analysis and to be bound by the results obtained thereby. Costs of the independent analysis shall be borne by the party in error to the greatest degree as determined by the third party expert. The laboratory methods used in analyzing samples of said wastewaters shall be in accordance with federal law, regulations, or guideline, if any; otherwise, by generally accepted scientific procedures.

(4) The City will maintain such records as are necessary to permit an annual review of the adequacy of the user charges to properly reflect the actual operation, maintenance, replacement, depreciation, administrative, and legal costs of the treatment plants and collection system.

Section 3. All ordinances, resolutions, and parts thereof in conflict with this Ordinance are hereby repealed to the extent necessary to give effect to the provisions of this Ordinance.

Section 4. This Ordinance and every provision thereof shall be considered severable. If any word, phrase, clause, sentence, paragraph, provision, section, or part of this Ordinance is found to be void, unconstitutional, or otherwise unenforceable, all remaining portions of this Ordinance not so declared void, unconstitutional, or unenforceable shall remain in full force and effect.

Section 5. That this Ordinance shall be in full force and effect from and after passage, approval, and if required by law, publication in the manner provided for by law.

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CITY OF MOLINE, ILLINOIS

DocuSigned by:

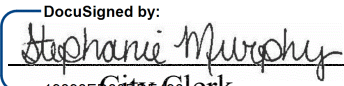

Mayor

October 10, 2023

Date

Passed: October 10, 2023

Approved: October 24, 2023

Attest: 

City Clerk