

# ARCH CAPE SANITARY DISTRICT MINUTES

17 August 2018

A quorum was present.

Sanitary Board:      Ron Schiffman, President  
                             Debra Birkby, Treasurer  
                             Darr Tindall  
                             Casey Short

Excused Absent:      Virginia Birkby, Vice-President

Public:                      David and Jeannie Stockton (prior to the executive session)

Staff:                        Phil Chick, District Manager  
                                 Steve Hill, Secretary

Mr. Ron Schiffman called the meeting to order at 7:58 pm.

**Public Comment:** None.

**Agenda:** Mr. Short moved acceptance of the agenda which was seconded by Ms. Tindall. All in favor. Motion carried.

**Consent Agenda:** Pull July 20<sup>th</sup> minutes. Mr. Short moved acceptance of the consent agenda as amended which was seconded by Ms. Tindall. All in favor. Motion carried.

**July 20<sup>th</sup> Minutes:** (Action) Ms. Tindall moves acceptance of the July 20<sup>th</sup> minutes which was seconded by Ms. Debra Birkby. No vote was taken. Moved to next month.

**Old Business:**

**Sewer Ordinance 18-01 SD:** (Information) No action taken on Ordinance 18-01 SD Sewer Systems (attached). Moved to next month. Mr. Short pointed out some typo errors and questioned the language on page five (5) in section 5.4 for clarification of meaning. The district may wish to consider a requirement to have a property owner whose property is within a certain distance of a collection system line pay a base rate quarterly fee.

**Headworks Screen:** (Information) Mr. Chick said he was still on the search to obtain numbers on a headworks screen replacement at the time new membranes would be installed..

**Master Plan Insert:** (Information/Action) Mr. Chick reported adding the Curran-McLeod memo addressing the master plan, the long range financial plan and current SDC documents to the master plan. He will update them as they change.

**New Business:**

**Illegal Camping and Sanitation:** (Information) Mr. Schiffman indicated that more and more people were camping in areas of Arch Cape where there was no thought given to proper sanitation. He believes this to be a real problem. It was suggested that Oregon State Parks add a toilet near their property line where most of the camping activity was taking place which might be linked to the district's collection system for treatment. Camping was reported to be allowed on the beach in the 'gap 6' area while it was otherwise illegal on other beaches in Clatsop County.

**Odette Billing Appeal Request:** (Action) The Odettes on Carnahan were reported to have used over 30,000 gallons in May of this year incurring a \$1,913.75 excess usage charge in their most recent quarterly billing. They had not filed a recent required irrigation report and the leak was believed to have occurred with a malfunction in their irrigation system.

It was expressed that if a customer did not file a current irrigation report where a residence had such a system there were no grounds for filing for relief of excess usage charges due to system failure.

Ms. Tindall moved to wave the fifth (5) tier of excess usage charges generated in May of this year which was seconded by Ms. Debra Birkby. All in favor. Motion carried.

Mr. David Stockton recommended enactment of an ordinance that provided for a \$200.00 fine for all properties with an irrigation system which did not file an annual system report and that no billing relief would be provided in the event of an irrigation system water leak to a residence not making a timely filing of such a report.

**Executive Session - ORS 192.660 (2) (h):** The regular meeting was suspended at 8:37pm and public asked to leave. It was convened to consult with an attorney regarding legal rights and duties in regard to current litigation or litigation that is more likely than not to be filed. The executive session ended at 8:56pm and the regular meeting re-convened.

**Reports:**

**Accounts Receivable:** Mr. Hill reported that accounts receivable remain unchanged.

**District Manager's Report:** (attached) Mr. Chick said he would be taking the following week off for vacation.

**Treasurer's Report:** None.

**Board Comments:** Ms. Debra Birkby offered her thanks to Mr. Schiffman for keeping up with all this detail.

**September Agenda Items:** Pump update, ORD 18-01 sewer, establishing a \$200 charge for non-filing of an irrigation report and establishing a base charge for properties within a certain distance of the collection system not otherwise connected.

**Public Comment:** None.


The meeting was adjourned by Mr. Ron Schiffman at 9:00 pm.

Respectfully submitted,



Steve Hill

Attest



Mr. Ron Schiffman, President

## Arch Cape Sanitary District ORDINANCE 18-01 SD

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM(S); PROVIDING PENALTIES FOR VIOLATIONS THEREOF; AND AMENDING AND SUPERSEDING PRIOR RULES AND REGULATIONS RELATING THERETO.

Be it ordained and enacted by the Board of Directors of the Arch Cape Sanitary District, State of Oregon, as follows:

ORDINANCE 07-01-SD (2007) is hereby amended as follows (deletions are show in in ~~strike through~~ format; new text is shown in **bold-face type**):

### SECTION 1. DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- 1.1. Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees centigrade expressed in terms of weight and concentration [milligrams per liter (mg/l)].
- 1.2. Board. The Board of Directors of the Arch Cape Sanitary District.
- 1.3. Building Drain. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
- 1.4. Building Sewer. The extension from the building drain to the public sewer or other place of disposal.
- 1.5. Cooling Water. The water discharged from any use (such as air-conditioning, cooling, or refrigeration) to which the pollutant added is heat.
- 1.6. District. The Arch Cape Sanitary District.
- 1.7. Engineer. The Engineer of the district or his/her authorized deputy, agent, or representative.
- 1.8. Garbage. Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- 1.9. Industrial Wastes. The liquid wastes from industrial manufacturing processes, trade, or

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business as distinct from sanitary sewage.

- 1.10. Infiltration. That water other than sewage which enters the sewer system from the surrounding soil, typically from broken pipes, or defective joints in pipe and manhole walls.
- 1.11. Inflow. Water from stormwater runoff which directly enters the sewerage system only during or immediately after rainfall. Typical points of entry include connections with roof and area drains, storm drain connections, and holes in manhole covers in flooded streets.
- 1.12. Interference. A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:
  - a. Inhibits or disrupts the municipal wastewater system, its treatment processes or operations, or its sludge processes, use or disposal; and
  - b. Therefore is a cause of a violation of any requirement of the NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) [including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA], the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection Research and Sanctuaries Act.
- 1.13. Natural Outlet. Any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- 1.14. Pass Through. A discharge which exits the treatment plant effluent into waters of the State of Oregon in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the District's NPDES permit (including an increase in the magnitude or duration of a violation).
- 1.15. Person. Any individual, firm, company, association, society, corporation, group, or any other legal entity, including all Federal, State, or local governmental entities.
- 1.16. pH. The logarithm of the reciprocal of the hydrogen ion concentration (grams/liter)
- 1.17. Properly Shredded Garbage. The wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (½) inch (1.27 centimeters) in any dimension.
- 1.18. Public Sewer. A sewer controlled by the District to which all owners of abutting properties shall have equal rights to make connection and to use, subject to rules, regulations, code provisions and ordinances of the District.
- 1.19. Sanitary Sewer. A sewer which carries sewage and to which storm, surface and ground water are not intentionally admitted.

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- 1.20. Service Connection. A public sewer which has been to the property line or right-of-way from a public sewer lateral or main for the sole purpose of providing a connection for the building sewer.
- 1.21. Sewage. A combination of water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and stormwater as may be present. The term "sewage" means wastewater.
- 1.22. Sewage Treatment Plant. Any arrangement of devices and structures used for treating sewage.
- 1.23. Sewerage Works. All District facilities for collecting, pumping, treating, irrigating, and discharging District sewage.
- 1.24. Storm Sewer or Storm Drain. A sewer which carries storm and surface waters and drainage but excludes sewage and polluted industrial wastes.
- 1.25. Suspended Solids. Solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- 1.26. User. Any person who contributes, or causes or allows the contribution of, sewage or industrial wastewater into the municipal treatment works, including persons who contribute such wastes from mobile sources.
- 1.27. Watercourse or Waterway. A channel in which a flow of water occurs, either continuously or intermittently.

## SECTION 2. USE OF PUBLIC SEWERS REQUIRED

- 2.1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the District or in any area under the jurisdiction of the District, any human or animal excrement, garbage, or other objectionable waste.
- 2.2. It shall be unlawful to discharge to any natural outlet within the District or in any area under the jurisdiction of the District, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
- 2.3. Except as provided in Section 3, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal and treatment of sewage.
- 2.4. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the District and abutting on any street, alley, or right-of-way in which there is now located, or may in the future be

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located, a public sanitary sewer, is required at his/her expense to connect such facilities with District sewers, **in compliance with paragraph 3.4 of this Ordinance.**

**Unless otherwise agreed in writing by the Board pursuant to paragraph 2.5 below,** connection shall be made directly with the proper public sewer in accordance with the provisions of this ordinance within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line.

- 2.5. Upon written petition to the Board objecting to the imposition of Section 2.4, the Board may consider such objection at a regular meeting; may rescind, revise, or uphold the decision; and **shall** notify the petitioner in writing within 14 days **of its decision.**

### SECTION 3. PRIVATE SEWAGE DISPOSAL

- 3.1** Where a public sanitary sewer is not available under the provisions of Section 2, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this section and the Oregon Plumbing Specialty Code.
- 3.2** Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit from the Oregon Department of Environmental Quality (DEQ) or its authorized agent.
- 3.3** **The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the District.**
- 3.4** At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in Section 2, a direct connection shall be made to the public sewer, and any septic tanks, cesspools, and similar private sewage disposal facility shall be abandoned in accordance with State law at no expense to the District. ~~Reference Arch Cape Sanitary District Resolution No. 04-6SD; 12/10/04.~~
- a. The connection shall comply with all construction standards for tying into the District's infrastructure. A copy of the applicable standards may be obtained upon request to the District Engineer.
  - b. All District system development charges, improvement fees and infrastructure development charges then in effect shall be due and payable upon District approval of the connection.
- ~~3.4 The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the District.~~
- 3.5** No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by DEQ.

**Comment [EE1]:** Moved this from 3.5 to 3.3 because it relates to the private disposal system. Provisions relating to connection requirements are now in Section 3.4.

### SECTION 4. SEPTIC TANK WASTE

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- 4.1 Septic tank waste (septage) shall not be received into the District treatment works or collection system.

#### SECTION 5. BUILDING SEWERS AND CONNECTIONS

- 5.1 No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the District.
- 5.2 The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the District. A permit and inspection fee (which will be set by resolution) shall be paid to the District at the time the application is filed.
- 5.3 All costs and expense incident to the installation of the building sewer shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation.
- 5.4 A separate and independent building sewer shall be provided for every building served by the District unless otherwise approved by the District servicing a remodel or building upgrade. New structures shall be served with new building sewers. Existing building sewers shall be replaced by a licensed installer who shall submit evidence of code compliance to the district.
- 5.5 The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the District. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials (ASTM) and/or the Water Pollution Control Federation (WPCF), Manual of Practice No. 9, shall apply.
- 5.6 The building sewer shall be brought to the building at an elevation below the basement floor whenever possible. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- 5.7 No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which, in turn, is connected directly or indirectly to a public sanitary sewer.
- 5.8 The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the District before installation.
- 5.9 The applicant for the building sewer permit shall notify the District when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the District or authorized representative.

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- 5.10 All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District.

## SECTION 6. USE OF THE PUBLIC SEWERS

### 6.1 Prohibited Discharges

No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will cause interference or pass through. These general prohibitions apply to all users of the municipal treatment system whether or not the user is subject to categorical pretreatment standards or any other National, State or local pretreatment standards or requirements. Furthermore, no user may contribute the following substances to the system:

- a. Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the municipal treatment system. Included in this prohibition are waste streams with a closed cup flashpoint of less than 140EF (60EC) using the test methods prescribed in 40 CFR 261.21.
- b. Solid or viscous substances in amounts or characteristics which will interfere with pumps, piping or valves.
- c. Any fat, oils or greases, including but not limited to petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.
- d. Any wastewater having a pH less than 6.0 or more than 9.0.
- e. Any wastewater containing pollutants or toxic substances in sufficient quantity (flow or concentration), either singly or by interaction with other pollutants, to pass through or interfere with the municipal treatment system, any wastewater treatment or sludge process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- f. Any noxious or malodorous liquids, gases, or solids or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
- g. Any substance which may cause the treatment plant effluent or any other residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the system cause the District to be in noncompliance with sludge use or disposal regulations or permits issued under section 405 of the Clean Water Act; the Solid Waste Disposal Act, the

Clean Air Act, the Toxic Substances Control Act, or other State requirements applicable to sludge use and land application practices.

- h. Any wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes, laundry wastes, and vegetable tanning solutions, which consequently imparts color to the treatment plant effluent thereby violating the District's NPDES permit.
- l. Any wastewater having a temperature greater than 150EF (55EC), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 77EF (25EC).
- J. Any wastewater containing any radioactive waste or isotopes except as specifically approved by the District in compliance with applicable State or Federal regulations.
- k. Any pollutants which result in the presence of toxic gases, vapor or fumes within the system in a quantity that may cause worker health and safety problems.
- l. Any trucked or hauled pollutants.
- m. Storm water, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, cooling water and unpolluted industrial wastewater, unless specifically authorized by the District. (NOTE: Certain of these waters may require an NPDES permit from DEQ if discharged to a storm sewer or natural outlet.)
- n. Any sludges, screenings, or other residues from the pretreatment of industrial wastes.
- o. Any medical wastes, except as specifically authorized by the District in a wastewater permit.
- p. Any material containing ammonia, ammonia salts, or other chelating agents which will produce metallic complexes that interfere with the municipal treatment system.
- q. Any wastewater causing the treatment plant effluent to demonstrate toxicity to test species during a biomonitoring evaluation.
- r. Recognizable portions of the human or animal anatomy.
- s. Any wastes containing detergents, surface active agents, or other substances which may cause excessive foaming in the municipal treatment system.
- t. Water or wastes exceeding a five-day Biochemical Oxygen Demand of 300 milligrams per liter or suspended solids exceeding 300 milligrams per liter.
- u. Wastes prohibited by this section shall not be processed or stored in such a manner they could be discharged to the municipal treatment system.

6.2 Federal Categorical Pretreatment Standards

Users subject to categorical pretreatment standards are required to comply with applicable standards as set out in 40 CFR Chapter I, Subchapter N, Parts 405-471 and incorporated herein.

6.3 State Requirements

Users are required to comply with applicable State pretreatment standards and requirements set out in OAR Chapter 340. These standards and requirements are incorporated herein.

6.4 Specific Pollutant Limitations

No non-residential user shall discharge wastewater containing restricted substances into the municipal treatment system in excess of limitations specified in its Wastewater Discharge Permit. The District may revise from time to time standards for specific restricted substances.

At its discretion, the District may impose mass limitations in addition to or in place of the concentration-based limitations referenced above.

6.5 If any wastewater is discharged or is proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated above and which in the judgment of the District may have a deleterious effect upon the treatment works, processes, equipment, or receiving waters, or which may otherwise create a hazard to life or constitute a public nuisance, the District may:

- a. Reject the wastes,
- b. Require pretreatment to all acceptable condition for discharge to the public sewers,
- c. Require control over the quantities and rates of discharge, and/or
- d. Require payment to cover the added cost of handling and treating the wastes not covered by existing sewer charges.

If the District permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the District, and subject to the requirements of all applicable codes, ordinances, and laws.

6.6 Where preliminary treatment or flow-equalizing facilities are provided for any wastewater, they shall be maintained continuously in satisfactory and effective operation by the owner at his/her expense.

6.7 Grease, oil, and sand interceptors shall be provided when, in the opinion of the District, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients. However, such interceptors shall not be required for private residences. All interceptors shall be of a type and capacity approved by the District and shall be located so as to be readily and easily accessible for cleaning and inspection.

- 6.8 All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with 40 CFR Part 136 or, if 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, in accordance with procedures approved by the Environmental Protection Agency (EPA), DEQ and the District.

Except as indicated below, wastewater samples collected for purposes of determining compliance with standards and requirements of this ordinance must be obtained using flow proportional composite collection techniques. In the event that flow proportional sampling is infeasible, the District may authorize the use of time proportional or grab sampling.

Samples for fats, oil and grease (FOG), temperature, pH, cyanide, phenols, sulfides, and volatile organic chemicals must be obtained using grab collection techniques.

- 6.9 No statement contained in this Article shall be construed to prohibit an agreement between the District and any person whereby a discharge of unusual strength or character may be accepted by the District for treatment. Such an agreement may be made when, in the opinion of the District, special circumstances justify such agreement, provided that no interference or pass through result from the discharge and no additional costs are incurred by the District without recompense by the person. Federal and State pretreatment standards and requirements shall not be waived by any special agreement of the parties.

#### SECTION 7. INFILTRATION AND INFLOW

- 7.1 All property owners identified by the District as contributors to excessive or improper infiltration or inflow into the treatment works shall be advised of their infiltration and inflow problems.
- 7.2 All such situation properties shall be provided a 60-day grace period in which to correct the infiltration and inflow problems as identified, said 60-day grace period to extend from the date of notification.
- 7.3 By the end of the 60-day grace period, each property owner shall notify the District that corrective actions have been taken or are in progress, which actions shall be specified in the notification to the District.
- 7.4 A property owner failing to notify the District of corrective actions prior to the end of the 60-day grace period shall be subject to termination of service, without further notice, until the violation shall have been corrected in accordance with Federal, State and District regulations.
- 7.5 In the event any instance of excessive or improper infiltration or inflow into the treatment works of the District shall continue beyond the 60-day grace period, it is hereby declared that such continuing infiltration or inflow is a public nuisance, that the District shall have the right to abate such public nuisance, and to enter upon any private property within the District for such purpose and shall assess the cost of such abatement as a lien against the property upon which such continuing infiltration and inflow occurs and shall assess the cost of such abatement to the property upon or from which infiltration and inflow occurs.



## SECTION 8. PROTECTION FROM DAMAGE

- 8.1 No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewerage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

## SECTION 9. POWERS AND AUTHORITY OF INSPECTORS

- 9.1 The District employees displaying proper credentials and identification shall have the right to enter the facilities of any industrial user to ascertain whether the purpose of this Ordinance is being met and all requirements are being complied with. Industrial users shall allow the authorized District representatives ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.
- a. Where a user has security measures in force which require proper identification and clearance before entry into their premises, the industrial user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, personnel from the District, state, and federal government will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

## SECTION 10. ENFORCEMENT

- 10.1** Any person found to be in violation of Section 8 of this ordinance, shall be guilty of disorderly conduct and upon conviction shall be subject to a fine not to exceed \$500.00 for each day of violation for a period not to exceed 100 days. This notice shall be in addition to, and in no way limit, any additional enforcement actions which the District deems necessary and the recovery of reasonable costs of litigation through appeal.
- 10.2** Any person found to be in violation of Section 2 or Section 3 of this Ordinance shall be subject to a penalty not to exceed the sum of \$500.00 for each day or portion thereof that the violation continues, beginning on the first day after the date of the written notice to comply through the date of written District approval of both the connection to the sanitary system and decommissioning of the private disposal system. This penalty amount shall be in addition to any other fees and costs incurred by the District to enforce compliance; any costs incurred by the District which are deemed necessary to remedy a public health hazard created or threatened by the failure to comply; and any other criminal or civil penalties imposed upon the owner or the property by the District or by any other regulatory body. Any unpaid penalties or other costs incurred by the District under this paragraph shall create a lien upon the real property, which may be recorded in the property records and collected in any manner permitted by law.
- 10.3** The District may suspend the wastewater treatment service and/or a wastewater permit when such suspension is necessary, in the opinion of the District, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, or causes the District to violate any condition of its NPDES permit.

SECTION 11. VALIDITY; **EFFECT ON PRIOR ORDINANCES AND RULES**

11.1 All **earlier adopted** ordinances or parts of ordinances, **rules, policies, or resolutions, which are** inconsistent or conflicting with any part of this ordinance are hereby repealed ~~and superseded by this Ordinance as of its Effective Date.~~ ~~and such invalidity shall not affect the validity of all other ordinances.~~

SECTION 12. ~~ORDINANCE IN FORCE~~ **Effective Date**

12.1 This ordinance shall be in full force and effect ~~from and after its passage, approval, recording, and publication~~ **thirty (30) days after final adoption** as provided by law of the state of Oregon.

12.2 Passed and adopted by the Board of the Arch Cape Sanitary District this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Board President

ATTEST:

\_\_\_\_\_  
Board Secretary

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

FINALLY APPROVED AND ADOPTED: \_\_\_\_\_

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_



**Arch Cape Sanitary District**

32065 East Shingle Mill Lane  
Arch Cape, OR 97102 • 503.436.2790

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# WASTEWATER MASTER PLAN

## INSERT July 2018

The attached memo was produced by Curran-McLeod Engineering with respect to the Districts' 2005 Water Master Plan and 2006 Wastewater Master Plan.

Supporting documentation addressed may be found in the Sanitary District's Long Range Financial Plan and the District's current SDC document, available at the office or on [archcape.com](http://archcape.com)

**MEMORANDUM**

**CURRAN-McLEOD, INC.  
CONSULTING ENGINEERS**

6655 S.W. HAMPTON STREET, SUITE 210  
PORTLAND, OREGON 97223

DATE: July 11, 2018

TO: Mr. Phil Chick, Manager  
Arch Cape Water District  
Arch Cape Sanitary District

FROM: Curt McLeod, PE  
CURRAN-McLEOD, INC



**RE: WATER & WASTEWATER MASTER PLANNING**

We have discussed updating the water and wastewater master plans several times over the past year, so I wanted to provide you an overview of what would benefit by an update.

The State requirements are that you have current plans, although, that requirement is generally for facility planning in anticipation of a construction project. One of the primary purposes of master planning is to define alternatives and recommend sustainable infrastructure choices to operate efficiently over the life of the improvements. Although the regulations say plans need to be current, neither OHA nor DEQ mandate the preparation of updates in the absence of planned facility improvements.

Once a master plan has been completed, as yours were in 2005 and 2006, the regulatory agencies generally just require an 'engineering planning document' be prepared before undertaking any construction projects that would require regulatory approval. A large part of a master plan is identification and evaluation of alternatives for the most cost effective and efficient operations before undertaking major improvements. The ACWD and ACSD both have made commitments on the technology employed at the water and wastewater facilities. As a result, the identification and evaluation of alternatives would not be a component of a master plan update for your Districts.

Prior to any construction, the District would need a planning document. An engineering planning document can be a master plan, facility plan, or just a feasibility or pre-design report. These documents would provide more specific detail about the proposed construction project, and with less general information about the District in whole.

Of course, the other benefit of a current master plan is to have good current numbers on growth, demands and capacities in order to plan for the future. You are very familiar with this information, so the plan would not provide any revelations, but would provide good documentation.



## **WATER SYSTEM PLANNING:**

The Water System Master Plan was prepared in 2005, prior to construction of the more recent membrane water treatment facility and distribution system improvements. The District also prepared the Water Management & Conservation Plan in 2015, which provides a solid foundation for future growth.

An update to the 2005 Water System Master Plan would generally reuse section **I. Introduction**, with modifications to include the improvements completed since 2005. The service area has not changed and the service area characteristics would be the same.

**II. Planning Criteria** would be modified to acknowledge the reduced buildout numbers permitted by Clatsop County. The criteria might also take a more detailed look at incorporating Cannon View Park in a long-term plan. Growth projections and demands were based on buildout of 700 connections in the Master Plan, so if anything, the demand projections would be reduced just to look ahead 20 years. This information is also contained in the Water Management & Conservation Plan you prepared recently.

**III. Regulatory Requirements** would remain relatively unchanged in a plan update.

**IV. Facilities Evaluation** would be updated to include the revised demand projections and an evaluation of all current water system components with the revised demands.

**V. Water System Improvements.** This is an evaluation of alternative improvements for each component of the system. The 2005 Plan included an analysis of alternative treatment processes and recommended improvements. That effort for treatment alternatives would not be included in any updated documents. Redundant source development would remain important, as it was in the 2005 Plan.

**VI. Capital Improvements** is simply a summary of recommended improvements generated by the alternative evaluations. Source development remains as it was identified in 2005, with a need for redundancy. Treatment, storage, and distribution capital improvements are essentially complete. Long range storage in the south end remains in the discussion, but is still likely outside of the 20 year planning window.

**VII. Project Funding** will be determined by the magnitude of needed Capital Improvements. The discussion of available funding sources remains relatively unchanged from the 2005 Plan. User rates could be re-evaluated to assure the District is operating in the black, with an updated Capital Improvement Plan.

**VIII. Conclusions and Recommendation** would include any deficiencies identified in the update. We would anticipate this would be a relatively small Capital Improvement Plan and should correlate with the SDC capital improvements. The existing Water System Master Plan did not have an executive summary, which would be added new.

## **WASTEWATER SYSTEM PLANNING**

The Wastewater Facilities Plan was prepared in 2006 and similarly to the water system, the major of the improvements identified in the plan have been completed with construction of the membrane treatment plant, Sally's Alley Pump Station and I/I repairs on much of the collection system.

**I. Executive Summary** would be updated depending upon the results of the plan update.

An update would reuse most of the information in the **II. Introduction** and **III. Study Area Characteristics**, with minor updates to reflect any current revisions.

**IV. Existing Facilities** would have new summaries of the membrane treatment facility, and document the improvements to Sally's Alley and Webb Avenue Pump Stations along with generally the same information from 2006 for the remaining system components.

**V. Wastewater Characteristics** would be updated to use more current flow and loadings information to generate loading projections, including generating new data for ADWF, AWWF, Rainfall vs. Flow, Ammonia, BOD, TSS, DO and Bacteria.

**VI. Basis of Planning.** The projected loadings in the Facilities Plan were based on 750 connections at buildout. The pre-design report prepared in September 2006, immediately prior to the plant construction, reduced the projected buildout number to 485 connections. An update to the Facilities Plan would result in reducing the projected loading requirements. The treatment goals for BOD, TSS, Ammonia, DO, temperature, Chlorine residuals, Turbidity and in-stream dilution are still applicable from the 2006 Plan.

**VII. Development and Evaluation of Alternatives** is the most significant section of the 2006 Plan. This section would not be needed in any update since the District has implemented the membrane treatment technology. A smaller-scoped alternative analysis may be needed for any other capital improvement needs identified in an update.

**VIII. Rate Study** update could be beneficial for the District to better define the operating costs, current debt service and revenues. The summary of revenue sources would remain essentially unchanged from the 2006 Plan.

**IX. Recommended Plan** would reflect any new projects identified in the update evaluation. This listing should be compatible with the SDC capital improvements, or the SDC should be updated concurrently.

The last section of the 2006 Plan, **X. Environmental Effects**, could be unchanged from the 2006 Plan; however, this would be a good format to demonstrate the treatment effectiveness of the membrane system.

**SUMMARY:**

There is no mandate to update either the 2005 Water System Master Plan or the 2006 Wastewater Facilities Plan unless the District is anticipating a substantial capital improvement requiring funding agency assistance. Both plans were based on a larger buildout population than Clatsop County currently permits, so the projected loadings at buildout in each plan would be reduced.

The fact that both the ACWD and ACSD have minimal improvements needed makes updating the planning documents provide less of a benefit. There is a subjective benefit to having plans current, with all cost figures updated and the capital project lists current, but there is no agency that would be looking for that information in the foreseeable future.

Cost to update each document is relatively modest versus development of new plans. Each document is estimated to cost \$10,000 to \$15,000 to update and republish. This effort would require your input to evaluate the performance of each of your systems with our staff.



ARCH CAPE SANITARY DISTRICT  
LONG RANGE FINANCIAL PLAN

KEY ASSUMPTIONS:

- 2 Hookups per year
- Expense allocation: Blended 53.0% Sanitary
- Expense growth: 2% growing to 4%
- Contingency set at 15% of Operating Expenses
- Payoff of Irrigation loan : 2023-24 & reduction of debt service from \$41 to \$32 per quarter in the billing rate
- Elimination of 15% contingency spent in 2019-20 & 2020-21
- Transfer from Gen Fund to Capital Fund:
  - \$225K : 2020-21
  - \$85K : 2024-25
- Imposition of Tax : 2018-19 : \$142K : retention of \$9K balance
- User rates adjusted for Op Ex needs and Capital Expenses
  - Rate increased to \$220 : 2021-22
  - Rate increased to \$225 : 2022-23
  - Rate increased to \$240 : 2023-24

EXPECTED FUTURE CAPITAL FUND EXPENDITURES:

- \$16K SCADA Upgrade : 2019-20
- \$365K Membrane Replacement : 2020-21
- \$150K Web Lift Station Upgrade : 2024-25
- \$400K Membrane Replacement : 2030-31



**ARCH CAPE SANITARY DISTRICT  
LONG RANGE FINANCIAL PLAN**

SANITARY DISTRICT - GENERAL FUND												
ASSUMPTIONS	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
		2.0%	2.5%	2.5%	2.5%	2.5%	3.0%	3.0%	3.0%	4.0%	4.0%	4.0%
GENERAL INFLATION												
CONTINGENCY												
HOOKUPS	336	341	343	345	347	349	351	353	355	357	359	361
Change in Hookups	2	2	2	2	2	2	2	2	2	2	2	2
System Development Charge	7,596	7,968	8,175	8,175	8,175	8,175	8,175	8,175	8,175	8,175	8,175	8,175
Excess usage Charge % of User Fees	8.5%	6.4%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	6.0%
<b>SD Quarterly User Rates</b>	<b>215</b>	<b>215</b>	<b>215</b>	<b>215</b>	<b>215</b>	<b>220</b>	<b>225</b>	<b>240</b>	<b>240</b>	<b>240</b>	<b>248</b>	<b>248</b>
Usage charges	174	174	174	174	174	174	193	208	208	208	216	216
Debt service surcharges	41	41	41	41	41	41	32	32	32	32	32	32
Annual Increase - Total						2%	2%	7%			3%	3%
Annual Increase - Usage chg. Only						3%	8%	8%			4%	
	Act	EOY PROJ	PROJECTED									
RESOURCES	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
BEGINNING BALANCE	292,350	305,219	342,567	353,548	383,507	167,836	173,970	194,967	232,357	178,150	199,212	222,489
<b>REVENUE</b>												
USER FEES	221,486	226,229	234,963	240,120	241,512	249,884	270,972	293,696	295,360	297,024	310,176	311,904
EXCESS USAGE CHARGES	18,925	34,356	18,000	19,210	19,321	19,991	21,678	23,496	23,629	23,762	24,814	18,714
FEE SURCHARGE FOR DEBT	52,365	53,259	55,365	54,587	54,587	54,587	38,703	38,703	38,703	38,703	19,383	19,383
PROPERTY TAX RECEIPTS	132,164	154,243	141,436	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600
OTHER	7,048	9,148	6,100	6,253	6,409	6,569	6,766	6,969	7,178	7,465	7,764	8,074
<b>TOTAL REVENUE</b>	<b>431,988</b>	<b>477,236</b>	<b>455,863</b>	<b>464,769</b>	<b>466,429</b>	<b>475,631</b>	<b>482,719</b>	<b>507,464</b>	<b>509,470</b>	<b>511,554</b>	<b>506,737</b>	<b>502,676</b>
<b>ADDITIONAL DEBT/GRANTS</b>												
SCADA Upgrade												
16,000												
<b>TOTAL ADDITIONAL DEBT</b>												
16,000												
<b>TOTAL RESOURCES</b>	<b>724,338</b>	<b>782,455</b>	<b>798,430</b>	<b>834,317</b>	<b>849,936</b>	<b>643,466</b>	<b>656,689</b>	<b>702,431</b>	<b>741,827</b>	<b>689,704</b>	<b>705,949</b>	<b>725,165</b>



**ARCH CAPE SANITARY DISTRICT  
LONG RANGE FINANCIAL PLAN**

REQUIREMENTS	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
<b>EXPENDITURES</b>												
MATERIALS & SVCS												
WD IGA CHARGES	122,641	126,458	124,722	127,557	130,746	134,014	138,035	142,176	146,441	152,299	158,391	164,726
MAINTENANCE & CHEMICALS	33,324	38,152	40,500	41,513	42,550	43,614	44,922	46,270	47,658	49,555	51,547	53,609
UTILITIES	46,875	43,934	46,000	47,150	48,329	49,537	51,023	52,554	54,130	56,296	58,547	60,889
GEN'L & ADMINISTRATIVE	22,733	32,157	34,540	35,404	36,289	37,196	38,312	39,461	40,645	42,271	43,961	45,720
TOTAL M&S	225,573	240,701	245,762	251,623	257,913	264,361	272,292	280,461	288,875	300,430	312,447	324,945
DEBT SERVICE	54,650	54,587	54,521	54,587	54,587	54,587	54,587	54,587	54,587	54,587	54,587	54,587
USDA PLANT UPGRADE - GO BONDS	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600
CONTINGENCY		37,000		39,000		39,743		39,654		40,844		42,069
CONTINGENCY (amt. spent @ 15%/yr)								5,948		6,127		6,310
<b>TOTAL OPERATING EXPENDITURES</b>	<b>424,823</b>	<b>439,888</b>	<b>444,883</b>	<b>450,810</b>	<b>457,100</b>	<b>469,496</b>	<b>461,722</b>	<b>470,074</b>	<b>478,677</b>	<b>490,492</b>	<b>483,460</b>	<b>496,239</b>
<b>TRANSFER TO CAPITAL FUND</b>					<b>225,000</b>				<b>85,000</b>			
CONTINGENCY		37,000	39,000	37,743	38,687	39,654	40,844	42,069	43,331	45,064	46,867	48,742
DESIGNATED RESERVES		70,756	70,256	20,256	20,256	20,256	20,256	5,000	5,000	5,000	5,000	5,000
UNDESIGNATED		299,515	234,811	244,292	325,508	108,893	114,060	133,868	185,288	129,819	149,147	170,622
CONTING. + ENDING BALANCE	<b>299,515</b>	<b>342,567</b>	<b>353,548</b>	<b>383,507</b>	<b>167,836</b>	<b>173,970</b>	<b>194,967</b>	<b>232,357</b>	<b>178,150</b>	<b>199,212</b>	<b>222,489</b>	<b>228,926</b>
<b>TOTAL REQUIREMENTS</b>	<b>724,338</b>	<b>782,455</b>	<b>798,430</b>	<b>834,317</b>	<b>849,936</b>	<b>643,466</b>	<b>656,689</b>	<b>702,431</b>	<b>741,827</b>	<b>689,704</b>	<b>705,949</b>	<b>725,165</b>
END BAL OVER/(UNDER) BEG BAL	7,165	37,348	10,981	29,959	(215,672)	6,134	20,997	37,390	(54,207)	21,062	23,277	6,437
RESOURCES OVER/(UNDER) REQ.												
<b>LIQUIDITY REQ'MENT: 1/6 OP EXP</b>	<b>70,804</b>	<b>73,315</b>	<b>74,147</b>	<b>75,135</b>	<b>76,183</b>	<b>78,249</b>	<b>76,954</b>	<b>78,346</b>	<b>79,780</b>	<b>81,749</b>	<b>80,577</b>	<b>82,706</b>
ENDING BALANCE MINUS LIQUIDITY F	228,711	269,252	279,401	308,372	91,652	95,721	118,014	154,011	98,370	117,463	141,912	146,219
<b>CAPITAL ENDING BALANCE</b>	<b>76,280</b>	<b>107,780</b>	<b>124,130</b>	<b>124,480</b>	<b>830</b>	<b>17,180</b>	<b>33,530</b>	<b>49,880</b>	<b>1,230</b>	<b>17,580</b>	<b>33,930</b>	<b>50,280</b>

**LRFP Blended Rates :**

	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
Water Qtrly Rate	140	140	160	162	172	172	172	174	174	174	174	174
Sanitary Qtrly Rate	215	215	215	215	215	220	225	240	240	240	248	248
Water Rate % Chg			14%	1%	6%	2%	2%	1%				
Sanitary Rate % Chg						2%	2%	7%			3%	
Water Qtrly Rate : Annual \$	\$ 560	\$ 560	\$ 640	\$ 648	\$ 688	\$ 688	\$ 688	\$ 696	\$ 696	\$ 696	\$ 696	\$ 696
Sanitary Qtrly Rate : Annual \$	\$ 860	\$ 860	\$ 860	\$ 860	\$ 860	\$ 880	\$ 900	\$ 960	\$ 960	\$ 960	\$ 992	\$ 992
Total Yearly Utility Cost	\$ 1,420	\$ 1,420	\$ 1,500	\$ 1,508	\$ 1,548	\$ 1,568	\$ 1,588	\$ 1,656	\$ 1,656	\$ 1,656	\$ 1,688	\$ 1,688
Total Annual % Chg			6%	1%	3%	1%	1%	4%			2%	



**ARCH CAPE SANITARY DISTRICT  
LONG RANGE FINANCIAL PLAN**

SANITARY DISTRICT - CAPITAL FUND													
	ACTUAL						PROJECTED						
	Act	Act	EOY PROJ	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
<b>RESOURCES</b>	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
<b>BEGINNING BALANCE</b>	38,630	61,088	76,280	107,780	124,130	124,480	830	17,180	33,530	49,880	1,230	17,580	33,930
<b>REVENUE</b>													
SDC REVENUE	22,458	15,192	31,500	16,350	16,350	16,350	16,350	16,350	16,350	16,350	16,350	16,350	16,350
<b>TOTAL REVENUE</b>	22,458	15,192	31,500	16,350	16,350	16,350	16,350	16,350	16,350	16,350	16,350	16,350	16,350
<b>TRANSFER FROM GENERAL FUND</b>						225,000				85,000			
<b>TOTAL RESOURCES</b>	61,088	76,280	107,780	124,130	140,480	365,830	17,180	33,530	49,880	151,230	17,580	33,930	50,280
<b>REQUIREMENTS</b>													
<b>EXPENDITURES</b>													
Membrane Replacement						365,000							
Screening Upgrade													
SCADA Upgrade						16,000							
Webb Station Upgrade										150,000			
<b>TOTAL EXPENDITURES</b>						16,000				150,000			
<b>ENDING BALANCE</b>	61,088	76,280	107,780	124,130	124,480	830	17,180	33,530	49,880	1,230	17,580	33,930	50,280
<b>TOTAL REQUIREMENTS</b>	61,088	76,280	107,780	124,130	140,480	365,830	17,180	33,530	49,880	151,230	17,580	33,930	50,280
<b>REVENUE OVER/(UNDER) EXPENDS</b>	22,458	15,192	31,500	16,350	350	(348,650)	16,350	16,350	16,350	(133,650)	16,350	16,350	16,350

SANITARY DISTRICT - G.O. DEBT SVC													
	ACTUAL						PROJECTED						
	Act	Act	EOY PROJ	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
<b>RESOURCES</b>	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
<b>BEGINNING BALANCE</b>	22,824	21,199	9,284	11,884	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000
<b>TAX IMPOSED</b>	144,818	134,600	147,551	142,000	142,000	142,000	142,000	142,000	142,000	142,000	142,000	142,000	142,000
<b>REVENUE</b>													
PROPERTY TAX RECEIPTS	142,975	132,685	147,200	141,716	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600
<b>TOTAL REVENUE</b>	142,975	132,685	147,200	141,716	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600
<b>TOTAL RESOURCES</b>	165,799	153,884	156,484	153,600	153,600	153,600	153,600	153,600	153,600	153,600	153,600	153,600	153,600
<b>REQUIREMENTS</b>													
<b>EXPENDITURES</b>	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600
<b>ENDING BALANCE</b>	21,199	9,284	11,884	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000
<b>TOTAL REQUIREMENTS</b>	165,799	153,884	156,484	153,600	153,600	153,600	153,600	153,600	153,600	153,600	153,600	153,600	153,600

SANITARY CAPITAL FUND													
	ACTUAL						PROJECTED						
	Act	Act	EOY PROJ	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
<b>RESOURCES</b>	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
<b>BEGINNING BALANCE</b>	22,824	21,199	9,284	11,884	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000
<b>TAX IMPOSED</b>	144,818	134,600	147,551	142,000	142,000	142,000	142,000	142,000	142,000	142,000	142,000	142,000	142,000
<b>REVENUE</b>													
PROPERTY TAX RECEIPTS	142,975	132,685	147,200	141,716	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600
<b>TOTAL REVENUE</b>	142,975	132,685	147,200	141,716	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600
<b>TOTAL RESOURCES</b>	165,799	153,884	156,484	153,600	153,600	153,600	153,600	153,600	153,600	153,600	153,600	153,600	153,600
<b>REQUIREMENTS</b>													
<b>EXPENDITURES</b>	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600	144,600
<b>ENDING BALANCE</b>	21,199	9,284	11,884	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000
<b>TOTAL REQUIREMENTS</b>	165,799	153,884	156,484	153,600	153,600	153,600	153,600	153,600	153,600	153,600	153,600	153,600	153,600

ENGINEERING REPORT

# Arch Cape Sanitary District

## SYSTEM DEVELOPMENT CHARGE (SDC) METHODOLOGY & CAPITAL IMPROVEMENT PLAN UPDATE

Clatsop County, Oregon



March 2015

Adopted April 10, 2015

CURRAN-McLEOD, INC., CONSULTING ENGINEERS  
6655 SW Hampton Street, Suite 210  
Portland, Oregon 97223



Arch Cape Sanitary District  
**SYSTEM DEVELOPMENT CHARGE METHODOLOGY &  
CAPITAL IMPROVEMENT PLAN UPDATE**

March 2015

**INTRODUCTION & BACKGROUND**

The first SDC Methodology was prepared for the Arch Cape Sanitary District (ACSD) in 1998 and resulted in a fee of \$4,650 per new residential connection. Subsequently, the SDC Methodology and fees were updated in 2004, 2008 and 2012, to the current fee of \$14,160 per Equivalent Dwelling Unit (EDU).

Through the process of multiple updates, the SDC document has been amended many times but never compiled in a concise document addressing all components of the SDC requirements. This current update is intended to reevaluate the SDC analysis, update financial information and document current system needs into a single stand-alone document.

The Capital Improvement Plan (CIP) summarized in this document lists the remaining projects from the 2005 Wastewater Facilities Plan and all previous SDC Updates. Over the past few years the District has accomplished essentially all of the specific projects contained in the past Capital Improvement Plans and only has a very minor amount of needed capital improvements.

This text also identifies the value and capacity of existing facilities, which comprise the majority of the SDC fee. As a component of this update, new estimates are listed which consider the value of original improvements integrated into the new Wastewater Treatment Facility, and the current remaining debt service. Consideration of remaining value, grants and loans result in a substantial reduction of the current replacement value of the District's facilities and a corresponding substantial reduction of the SDC fee.

The build-out population of the District has evolved over the past two decades to be constrained by County planning limitations. The treatment facility pre-design report in 2006 sized the improvements to accommodate 485 service connections. The previous SDC update in 2012 concluded the build-out capacity was limited to 480 service connections. For this current update, the build-out capacity is defined as 485 service connections, which corresponds to the capacity incorporated into the treatment facilities.

The goal of this update effort is to provide an understandable, equitable and defensible framework of charges that represent the proportionate cost of providing service for each benefitted user.

## SDC METHODOLOGY OVERVIEW

Oregon Revised Statute 223.297 through 223.314 provides the statutory basis for application of System Development Charges. This statute is intended to provide a uniform framework for development of equitable funding to support orderly growth.

According to the statute, SDCs may be composed of:

- Reimbursement Fees to address the value of existing improvements,
- Improvement Fees to address the cost of needed future improvements, or
- Combination of both Reimbursement and Improvement Fees.

Similar to the previous SDC Updates, the District's methodology will identify current "replacement value" for all existing improvements to establish the basis of the Reimbursement Fee, and use an "estimated cost" of needed improvements not yet constructed as a basis for the Improvement Fee.

Existing improvements typically have surplus capacity for future users as well as deficiencies in serving the existing users. Similarly, projects on the Capital Improvement Plan listing are required to provide capacity for future users but also frequently resolve deficiencies in service to the existing users. To account for the available capacity in the District's infrastructure and the concurrent need to undertake capital improvements to resolve deficiencies, the ACSD SDC Methodology includes a combination of both Reimbursement Fees and Improvement Fees.

To assure an equitable allocation of costs between existing and future users, the value of all existing facilities and the estimated cost of all future improvements are allocated to all users, current and future equally. This method of allocating costs to all users assures that the charge to future connections is equitable and that it is no more than the proportionate cost allocated to each existing user. This methodology avoids double charging for capacity and is also independent of current population. With this approach there is no need to identify percentage of remaining capacity to serve future users, nor to estimate future population growth. This allocation is dependent only upon the ultimate capacity of the facility and the value or cost of the facility.

Where debt is used to finance needed improvements, an evaluation is necessary to determine who benefits from the improvement to determine the equity of including or excluding the debt. Where debt is used to finance improvements the debt service is paid through monthly user rates or property taxes, and are paid by both existing and future users as they connect to the system. This creates a potential to double charge future users depending upon the benefits.

If the financed capital improvement is solely necessary to serve future users, than the full cost of the improvement should be included in calculating the SDC rates. If the capital improvements equally benefits existing users, then debt funded projects should be deducted from the value of the capital improvements.



Although all SDCs are primarily related to population, the rate of population growth has no impact on calculation of the fee. The fee is based on funding needed improvements to support growth, independent of when that population growth is realized. In periods of high growth, SDC revenues will accrue more quickly to allow undertaking needed improvements earlier to support the accelerated growth. In periods of low growth, revenues will accrue more slowly, but the need for infrastructure improvements to support this growth is also protracted.

SDCs are typically collected with building permits which are not based on population. As a result, the unit of measure for allocating SDC costs is defined in various unique forms for each utility, but is generally based on the impact of one single family residential unit which is adopted to be one Equivalent Dwelling Unit (EDU). A wastewater EDU is based on the Maximum Monthly Dry Weather Flow (MMDWF) measured at the treatment facility per single family residential unit.

The SDC fees are intended to include only that portion of the connection charge that is greater than the amount necessary to reimburse the District for the actual cost of inspecting and/or connecting to the system.

## **ANNUAL ADJUSTMENTS**

As permitted by the state statutes, the SDC should be reviewed annually and the cost of maintaining the SDC program recovered from the SDC improvement fees as part of the system administration. Annual adjustments should include updating the Improvement Fee CIP cost estimates, the value of existing facilities listed in the Reimbursement Fee schedules, the values of credits for eligible public works projects, and the resulting Reimbursement and Improvement Fees, all in accordance with an adopted cost index.

The statutes require an adopted cost index to be:

- (A) A relevant measurement of the average change in prices or costs over an identified time period for materials, labor, real property, or a combination of the three;
- (B) Published by a recognized organization or agency that produces the index or data source for reasons that are independent of the system development charge methodology; and
- (C) Incorporated as part of the established methodology or identified and adopted in a separate ordinance, resolution or order.

The Engineering News Record (ENR) publishes a nationwide 20-city average cost escalation factor called the Construction Cost Index (CCI) that satisfies the criteria in this statute. The use of this 20-city average provides a well established and well known industry standard for the average change in construction costs. For reference, this current SDC update is based on an ENR CCI for March 2015 of 9,961.

In accordance with ORS 223.309(2), the District may adjust the capital improvement plan, project cost estimates, or values of existing improvements, by resolution or ordinance at any time. However, if the SDC is increased as a result of the addition of a new “capacity increasing capital improvement” project, the District must provide a written notice, a minimum of 30 days prior to adoption of the modifications, to persons who have requested notice under ORS 223.304(6). Subsequently, the District must hold a public hearing for adoption only if within seven days of the proposed adoption the District receives a written request for a hearing.

If the District elects to modify the cost allocation methodology as opposed to only adjusting the project values or CIP inventories, written notice is required to be mailed 90 days prior to any adoption hearings to all persons who have requested notification. Additionally, the revised methodology must subsequently be made available for public review a minimum of 60 days prior to the hearing for adoption.

If no one has requested to be on the list of interested persons, then no special notification is required for any adjustments.

## **CREDITS FOR ELIGIBLE CONSTRUCTION**

ORS 223.304(4) requires that a method of credits be available for the construction of qualified public improvements. The statute further defines qualified public improvements as those required as a condition of development approval, identified in the plan and list adopted pursuant to ORS 223.309 and either:

- (a) Not located on or contiguous to property that is the subject of development approval; or
- (b) Located in whole or in part on or contiguous to property that is the subject of development approval and required to be built larger or with greater capacity than is necessary for the particular development project to which the improvement fee is related.

As a result of ORS 223.304(4)(a), credits must be provided for 100% of the cost of eligible off-site public improvements; and in accordance with ORS 223.2304(4)(b), a credit must be provided for on-site development only for the component of an eligible improvement which has capacity greater than the local government's minimum standard facility size or capacity. Under each infrastructure section below, minimum standard facility size and values for credits are summarized.

The value of the credits granted in accordance with ORS 223.304(4)(a) are ultimately collected from the adjacent benefitted property owners as an SDC Overlay for the minimum standard facility size as each intervening benefitted property develops. All credits granted as a result of ORS 223.304(4)(b) for on-site over-sizing are ultimately funded by the regional SDC revenues.

The minimum line size under DEQ standards for a public sewer is 8” diameter. SDC credits are required for the oversized component of any on-site improvements, and for 100% of off-site improvements. To receive a credit, the project must be a qualified public improvement contained in the Capital Improvement Plan.



The following table summarizes estimated construction costs for 2015, including engineering, which will be used as the basis for any SDC credits for eligible collection system improvements:

**ARCH CAPE SANITARY DISTRICT  
SANITARY SEWER COLLECTION SYSTEM  
VALUE OF CONSTRUCTION CREDITS  
March 2015**

<b>LINE SIZE</b>	<b>8"</b>	<b>10"</b>	<b>12"</b>
<b>CONSTRUCTION COST</b>	\$66/lf	\$76/lf	\$86/lf
<b>OFF-SITE CREDIT</b>	\$66/lf	\$76/lf	\$86/lf
<b>OVERSIZE CREDIT</b>	\$0	\$10/lf	\$20/lf

**SITE SPECIFIC SDC OVERLAY**

If a credit is provided under ORS 223.304(4)(a) for the entire cost of an off-site public improvement, a site-specific SDC Overlay allocation (as opposed to regional) should also be adopted by resolution specific to the improvement project. A site specific SDC Overlay is intended to collect the value of the 'minimum standard facility size' that will exclusively serve any undeveloped, off-site benefitting properties, such as the 8" sanitary sewer which would serve intervening properties.

A resolution defining a site specific SDC Overlay should be adopted at the time any off-site credits are provided to a developer. The resolution must contain a description of the benefitted properties and the allocation of cost based on the benefitted area. SDC Overlay fees are due and payable concurrently with the regional SDC, at the time of issuing of a building permit or change in use of the benefitted property.

The methodology of adopting an SDC Overlay is defined within this SDC document, so the process of the Overlay adoption is simplified. Technically no special notice is required as long as the project was on the CIP list, however, to be conservative a 30-day notice should be provided to impacted parties prior to adoption of the Overlay allocation.

Where there is no potential for additional development of off-site properties abutting a development, the credit can be issued for the entire cost of the off-site improvements without establishing a site specific SDC Overlay.

Additionally, when growth pressures mandate the improvement of infrastructure within fully developed areas or unrelated to any specific development, the entire cost of the improvement may be funded with SDC revenues. Improvement Fee revenues may be used if the project is listed in the CIP and Reimbursement Fee revenues may always be used for any capital improvement for the utility for which the fee was collected.

## **SDC CREDIT PAYMENTS**

Credits are typically used to offset the SDC fees due from the developing property. In the event the credit exceeds the fees due from the development, the District has the option of reimbursing the developer with cash from current SDC reserves, cash receipts from future SDC revenues, and/or providing a credit against future development. Technically, the statutes limit the application of a credit for future development to a maximum of 10 years, but do not prevent the District from adopting any method of credits that are greater than the minimum stated.

In the interests of equity, cash payments should be made to the developer for any excess credit value if financially feasible for the SDC accounts. This eliminates the need to account for long term repayment agreements. Additionally, if a project from the CIP is undertaken by a developer, a credit should be made available for the entire cost incurred, which may exceed the Improvement Fee component of the SDC fees due from a specific development.

It is significant to note that reimbursements to private developers from SDC funds are not required to comply with prevailing wage or public bid laws if the District is not a party to the actual construction contract. This provides an opportunity to have needed capital improvements constructed at lower costs as a component of development by private developers.

## **CREDIT FOR PRE-EXISTING USE**

A system development charge is imposed on all new construction or when a change of use on a parcel increases the demand on the utility. In the event of a change of use, the system development charge for the new use shall be offset by a credit in the amount of the calculated system development charge for the pre-existing use.

Infrastructure services must be in-service to receive a credit against a changed use. Service discontinued for more than 24 months will be considered abandoned and no offsetting credits shall be provided against any SDC fees due for development.

## **SDC ADMINISTRATION REQUIREMENTS**

Per ORS 223.311, System Development Charge revenues must be deposited in dedicated accounts and an annual accounting prepared identifying amounts collected, amounts spent on each qualified project, and the annual cost of complying with these requirements.

The statute mandates that Reimbursement Fees may be expended on any capital improvements or associated debt service within the subject infrastructure. Improvement Fees may only be spent on projects that are included in the Capital Improvement Plan for each infrastructure, including associated debt service. Accordingly, it is important to account for reimbursement and improvement fees separately.



The District needs to establish administrative procedures to contest the methodology or calculations of the SDC fees. The SDC Methodology may only be contested within 60 days of adoption. Expenditures may only be contested within two years of the date of expenditure. The District must also advise a person making any written objection to the calculation of SDC fees of their right to petition for review pursuant to ORS 34.010 to 34.100.

Oregon Revised Statutes 223.307(5) allows SDC revenues to be expended for costs of complying with the provisions of ORS 223.297 to 223.314, including the costs of administration and providing annual accounting of development charge expenditures. Accordingly, annual costs are estimated to be 1% of the annual revenues derived from SDCs and a 1% surcharge is added to each identified fee.

Annually, a transfer from the SDC fund in the amount of 1% of the current annual collections should be made to the District's general fund to cover the costs of administration for calculations, collections, accounting and annual fee adjustments. This expenditure should be identified in each annual summary.

## **SANITARY SEWER CAPITAL IMPROVEMENT PLAN**

The capacity of the wastewater collection, treatment and disposal system is defined as its ability to convey and treat the Maximum Monthly Dry Weather Flow (MMDWF). The current collection and treatment facilities are designed to accommodate 485 single family connections with a design MMDWF of 116,000 gallons per day (MGD). Each EDU contributes an average of 240 gallons per day at MMDWF.

The District has recently completed construction of major treatment facility improvements and collection system repairs. As a result, the remaining CIP is very modest and only contains an entry for potential line oversizing and for system Planning, both of which have been reduced from the escalated values contained in the previous SDC. The following table identifies the recommended Capital Improvement Plan for the District:

**ARCH CAPE SANITARY DISTRICT  
SANITARY SEWER CAPITAL IMPROVEMENT PLAN  
March 2015**

<b>No.</b>	<b>PROJECT DESCRIPTION</b>	<b>PROJECT PRIORITY</b>	<b>ELIGIBLE COST</b>	<b>CAPACITY EDU</b>	<b>SDC COST PER EDU</b>
1	Misc Upsizing and Oversizing	1-20 yrs	\$20,000	485	\$40
2	Planning & SDC Update	1-20 yrs	\$20,000	485	\$40
<b>TOTAL</b>			<b>\$40,000</b>	<b>TOTAL</b>	<b>\$80</b>

## SANITARY SEWER SDC IMPROVEMENT FEE CALCULATION

The Improvement Fee is the total of the per EDU cost of each CIP project listed above and is intended to quantify the cost of needed improvements to serve future users. The Improvement Fee component of the Wastewater SDC is thus:

$$\text{SDC Improvement Fee} = \$80 \text{ per EDU}$$

## SANITARY SEWER SDC REIMBURSEMENT FEE ASSET SUMMARY

The Reimbursement Fee is intended to quantify the value of all existing improvements available to serve system demands. The following table lists an estimated replacement value of each capital improvement currently in service, less grant contributions and outstanding debt. Each improvement has provided upgraded service to all users, current and future, therefore the debt service is removed from the value to avoid double charging future users.

### ARCH CAPE SANITARY DISTRICT SANITARY SEWER REIMBURSEMENT FEE EXISTING IMPROVEMENTS SUMMARY & CAPACITY March 2015

No.	PROJECT DESCRIPTION	2015 ASSET VALUE	CAPACITY IN EDU	SDC COST PER EDU
1	Pumping Stations & Force Mains, 4 stations,	\$600,000*	485	\$1,237
2	Wastewater Treatment Plant, Membrane Bioreactors, Biosolids Holding & Drying Structures, Effluent Pumping Station	\$2,312,000**	485	\$4,767
3	Irrigation System & Effluent Disposal Site	\$301,000***	485	\$620
4	Biosolids Disposal Site	\$128,000	485	\$264
5	Collection System Oversizing 2,500 LF 12" @ \$20/LF	\$50,000	485	\$103
6	Master Planning & SDC Update	\$60,000	485	\$123
	<b>TOTAL</b>	<b>\$3,451,000</b>	<b>Per EDU</b>	<b>\$7,114</b>

\* Net value after reduction of \$80,000 for IFA construction grant and 34.5% of \$350,107 IFA I/I debt

\*\* Net value based on \$4.125M WWTP 2011 project cost less \$1.375M for USDA & OECD construction grants, less remaining debt service of \$2,258,400, plus components salvaged from the original facility estimated at \$1,700,000, all adjusted to the March ENR CCI of 9,961.

\*\*\* \$410,000 value in 2015 less outstanding debt of \$109,000

## SANITARY SEWER SDC REIMBURSEMENT FEE CALCULATION

Similar to the Improvement Fee, the Reimbursement Fee is the total of the per EDU cost of each system improvement. The Reimbursement Fee component of the Sanitary Sewer SDC is thus:

$$\text{SDC Reimbursement Fee} = \$7,114 \text{ per EDU}$$

## SANITARY SEWER SDC FEE SUMMARY

All residential units, single family or multi-family, are assigned one EDU per dwelling unit which is based on 240 gallons per day per EDU at MMDWF. Any potential commercial development SDC fee is based on the water meter size. All SDC costs also include a charge of 1% for staff administration.

### ARCH CAPE SANITARY DISTRICT SANITARY SEWER SDC FEE SCHEDULE March 2015

	EDU FACTOR	IMPROVEMENT FEE	REIMBURSEMENT FEE	ADMIN FEE (1%)	TOTAL SDC
<b>Single Family Residential:</b>					
Per Unit	1	\$80	\$7,114	\$72	\$7,266
<b>Commercial Development:</b>					
METER SIZE	EDU FACTOR	IMPROVEMENT FEE	REIMBURSEMENT FEE	ADMIN FEE (1%)	TOTAL SDC
3/4"*	1	\$80	\$7,114	\$72	\$7,266
1"	2.5	\$200	\$17,785	\$180	\$18,165

\* Includes 5/8" x 3/4" and 3/4" x 3/4" meters



# Appeal Request Form

Arch Cape Water and Sanitary Districts  
32065 East Shingle Mill Lane  
Arch Cape, OR 97102  
503-436-2790

NOTE: Dwelling Leak, Irrigation Leak, and Billing Appeal Policies for the Water and Sanitary Districts may be found at [www.archcape.com](http://www.archcape.com) 'Utility Districts' page

Name: Bruce Odette

Mailing Address: 2 S. Bellaine St. Denver CO 80246

Property Address: 80523 Carnahan Road Arch Cape OR 80523

Contact Info (phone/email) bodette@carpetexchange.com

Date(s) of charge you are appealing: March 2018 thru May 2018

Please describe in detail the reason for your appeal:

I was notified June 10 by mail that we had an excess usage of 30,000 gallons of water. We have not been to the property this year and only use it approximately 5-10 days a year. I immediately had the inside checked for any leaks which there where none. Then I contacted 7 Dees, the landscaper that went out. He said that when they turned the irrigation on they failed to find any leaks, but after my call they found several. They believed it was caused by an animal. They immediately fixed the leaks, and the water usage was back in line. We have never had an over usage and hopefully will not again. I am asking for a one time concession for the excess usage. I have put a plan together with 7 dees to make sure it doesn't happen again!

REMINDER: Please Attach Supporting Documents (plumbing repair receipts, etc.)

Signature: Bruce Odette Date: 8-11-18

Arch Cape Domestic Water Supply District  
And  
Arch Cape Sanitary District  
Annual Irrigation Maintenance and Operations Report Form

Type of Irrigation Controller: Rain Bird ESP;  
Date of Last Inspection: 8-1-18;

Number of Zones: 2;

Time of Day Each Zone is Used:  
1 6 am 2 6:20 am 3 \_\_\_\_\_ 4 \_\_\_\_\_ 5 \_\_\_\_\_ 6 \_\_\_\_\_ 7 \_\_\_\_\_ 8 \_\_\_\_\_

Rate of Use for Each Zone:  
20 min 2 20 min 3 \_\_\_\_\_ 4 \_\_\_\_\_ 5 \_\_\_\_\_ 6 \_\_\_\_\_ 7 \_\_\_\_\_ 8 \_\_\_\_\_

Total Gallons Used per Minute (GPM): 1.2;

Report and  
Repairs: no repairs at this time  
\_\_\_\_\_  
\_\_\_\_\_;

Homeowners Name: Bruce Odette  
Homeowners Telephone Numbers: 303-912-1352  
Homeowners Email Address: bodette@carpetexchange.com  
Homeowners Other Emergency Contact: Patricia Odette 303-662-5959

Irrigation Contractors Name: Clinton Huxley 7 dees landscaping  
Irrigation Contractors Telephone Numbers: 503-468-9358

Please submit this report on or before May 1<sup>st</sup>:  
Arch Cape Sanitary District  
32065 E Shingle Mill Ln.  
Arch Cape, OR 97102

FAILURE TO TIMELY SUBMIT THIS REPORT WILL FORFEIT YOUR RIGHT TO A  
CLAIM FOR RELIEF IN THE EVENT OF A SYSTEM LEAK

Bruce L Odette Date: \_\_\_\_\_  
(Homeowners Signature)

## **Manager Report August 17, 2018**

### **SANITARY:**

We received only .44" of rainfall in July. The plant received 1.9 Million Gallons of wastewater at the plant. During the dry season our influent flows at the wastewater plant, and the distribution system flow from our drinking water plant come quite close to matching up.

I recently met with two representatives from T.A.G. (The Automation Group) to talk about our SCADA systems, necessary future upgrades, as well as general support. There is no getting around the fact that IT service of this kind is quite expensive, but essential, and is now a part of every municipality's budget that has a modern treatment plant.

One of the Pumps at the Webb Lift station was found to be malfunctioning earlier this month. The pump was replaced with a spare, and the situation was still not corrected. Cannon Beach Electric is diagnosing the problem, and it could possibly be a control issue within the panel. Garry Smith will be coordinating with Flygt Pump next week to further investigate. For the time being, the Webb Lift Station is operating on one pump.

A new U.P.S. unit has been purchased and installed for the PLC at the Wastewater Treatment Plant.

Our Operator of Record services provided to the City Of Cannon Beach Wastewater Treatment Plant will no longer be needed. Public Works Director, Karen LaBonte was grateful for our support.