

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 86, ARTICLE 8, DIVISIONS 1 AND 2 OF THE SAN MARCOS CITY CODE TO, AMONG OTHER THINGS, CHANGE THE RATE STRUCTURE OF THE STORMWATER UTILITY TO AN IMPERVIOUS BASIS FOR ALL CUSTOMER CLASSES, AND TO UPDATE PROVISIONS REGARDING THE MAINTENANCE AND REPAIR OF STRUCTURAL CONTROLS IN CONNECTION WITH THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4); INCLUDING PROCEDURAL PROVISIONS; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

Purpose of Stormwater Utility Ordinance Update:

- Update ordinance to reflect recommendations on rate structure and billing changes presented to City Council at Feb 4th workshop
- Modify ordinance language to reflect change from Drainage Utility to Stormwater Utility.
- Update inspection requirements under City's MS4 program
- Effective date of ordinance will be October 1, 2020

Summary of Rate Structure Changes:

- New Equivalent Residential Unit (ERU) value = 2,575 sf (median value for all SFR parcels)
- Residential Class:
 - The 3 residential tiers change from parcel area to an impervious cover area.
 - Residential parcels with 1-4 units/parcel remain in the residential class.
- Non-residential Class:
 - Residential parcels with 5+ units/parcel classified as Non-Residential
 - Commercial, Retail, Government, Religious, Non-Profit
 - Calculated by dividing total impervious cover by 2,575 to determine ERU's.
- Exemption for only City and Texas State University owned properties.

Summary of Billing Changes:

- Bill for uninterrupted stormwater impervious cover even in the absence of other active utility service (electrical, water, wastewater.)
- Enforcement for non-payment in the absence of other utility connections.
- Parcels that contain more than 1 stormwater account will have fee apportioned between accounts based on impervious cover associated with each account.
- Bill owner of record for residential parcels with 5+ units.
- Clarifies credits for improvements.

Summary of MS4 Changes:

- Updates definition of stormwater facility to structural control.
- Changes frequency of inspection from annual to once every 3 years following a passing inspection in 2020.

Next Steps on Stormwater Utility:

- Finalizing rate model and funding options
- Rate model update to Finance & Audit Committee
- Discussion and direction on FY 2021 rate increase with June 30th Budget Workshop
- Public outreach on ordinance changes June - September