

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Sitting/Acting as Water Environment Services Board of Directors

Policy Session Worksheet

Presentation Date: 02/05/2025 **Approx. Start Time:** 10:45 am **Approx. Length:** 15 minutes

Presentation Title: 2025-2026 Fees and Fines Review

Department: Water Environment Services

Presenters: Greg Geist, Director WES

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Staff are seeking approval of fee and fine modifications to the Water Environment Services to be implemented in the 2025/26 Fiscal Year's budget.

EXECUTIVE SUMMARY:

In December 2024 the Board of County Commissioners (BCC) approved Policy # FIN 1.100 under the authority of ORS 203.035. The policy allows the BCC to set rates annually by resolution in accordance with the Consumer Price Index (CPI) West Region Size A.

The fees and fines changes presented today are either outside the approved CPI, new, or eliminated which must have BCC approval.

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? YES NO
What is the cost? N/A What is the funding source? Fees/fines

STRATEGIC PLAN ALIGNMENT:

- Build Public Trust Through Good Government
- Ensure Safe, Healthy and Secure Communities

LEGAL/POLICY REQUIREMENTS: Clackamas County Policy # FIN-0.100

PUBLIC/GOVERNMENTAL PARTICIPATION: N/A

OPTIONS:

1. Approve the proposed changes to fees/fines.
2. Provide further direction to departments regarding the proposed fees/fines.
3. Do not approve the proposed changes to fees/fines.

RECOMMENDATION:

Staff recommend Option 1, Approve the proposed changes to fees/fines.

ATTACHMENTS:

A. AY OU Fees/Fines changes

SUBMITTED BY:

Division Director/Head Approval _____
Department Director/Head Approval Nancy Bush
County Administrator Approval _____

Proposed Clackamas Water Environment Services FY 2025/26 Fee and Fine Changes

WES manages 36 line items in its Fees and Fines schedule, with combined revenues from these fees representing less than 2% of WES' total annual revenue. In accordance with County Policy, WES periodically reviews fees for the impact of inflation, cost increases, adequacy of cost recovery, service demand, and market conditions.

Following the adoption of updated Rules and Regulations for WES in May 2023, and the approval of an updated Cost Recovery Policy for the County in December 2024, this proposal seeks to align WES' fees with the newly established rules and cost recovery policy.

The proposed changes include the following:

- **New Fees/Fines - 2**
 - The two new fees represent consolidations and unifications of existing fees that are being eliminated. This adjustment improves administrative efficiency without adding net new fees.
- **Eliminated Fees/Fines - 8**
 - To simplify the fee schedule, six separate tap-in fees are proposed to be consolidated into a single, comprehensive fee. Two additional fees are proposed for elimination as they are no longer applicable.
- **Adjustments to Fees/Fines that are over the Consumer Price Index (CPI) - 12**
 - These adjustments reflect completed Cost of Service (COS) analyses to ensure fees recover the full direct costs of providing services. Direct costs include employee salaries and benefits for time spent exclusively delivering the service, as well as the materials, supplies, and external costs directly tied to service delivery.
 - Five of these adjustments also include housekeeping changes, such as renaming fees for clarity and standardization.
- **Adjustments to Fees/Fines that are under the CPI - 14**
 - Three development-related fees adjust automatically as percentages of development costs and are therefore exempt from CPI.
 - Seven fees will require COS analyses for potential adjustments in the future.
 - Four fees with completed COS analyses were confirmed to be adequately recovering direct costs and include minor housekeeping updates only.

Attachment 1 - WES Fee Table; with proposed changes

Department/Division	AUTH. LEGISLATION	FEE SET BY ORS	ORS AUTH. FEE	CODE AUTH. FEE	FEE AMOUNT	PROPOSED FY 2025/2026 FEE AMOUNT	DESCRIPTION OF PROPOSED CHANGES	
WES - ADMINISTRATION								
Delinquent Account Penalty	ORS 451; WES Rules 5.10.4		x	x	15% per annum	2% of past-due balance, or \$5.00, whichever is greater.	ONE TIME RESET	
Delinquent Account Certification	ORS 451; ORS 454.225; WES Rules 5.10.4, 5.10.5		x	x	\$ 50.00	\$50.00 if not certified within prior 2 years; \$100.00 if certified within either of prior 2 years.	ONE TIME RESET	
Lien Search	ORS 451; WES Rules 5.10.8		x	x	\$ 25.00	\$35.00	ONE TIME RESET	
NSF-Check Returned Check Fee	ORS 30.701; ORS 451; Code §1.01.090 WES Rules 5.10.8		x	x	\$ 25.00		HOUSEKEEPING	
Public Records Request Copying	ORS 192.440 (4) & CC policy & Procedure for Public Records Requests		x	x (County policy)	\$ 1.00	for first page and	\$1.00 for first page and \$0.10 for subsequent pages. *Also, when more than nominal staff time is necessary to research, review, redact, copy, or compile records: the actual cost of staff time, calculated at the hourly rate of the employee who performs the work. See public records policy and procedure.	HOUSEKEEPING
					\$ 0.10	every page thereafter & minimum charge of \$20.00 per hour for staff time for voluminous requests		
Public Records Research	ORS 451 Code §1.01.090		x	x	\$ 35.00	per hour plus cost-of-reproduction	ELIMINATE	
Miscellaneous – Any other service, the cost of which is not included in the items listed above, for which the District will be reimbursed for the expenditure of funds for professional services, labor or materials	ORS 451		x	x	\$ 45.00	per labor hour plus direct expenses to the District	\$85.00 per labor hour plus direct expenses to the District	ONE TIME RESET
WES - DEVELOPMENT AND PLAN REVIEW FEES								
Installment Payment Application (not included in an assessment district)	ORS 451; WES Rules 5.4.10		x	x	\$ 110.00		\$500.00	ONE TIME RESET
Collection Sewer Charge Reimbursement District Application	ORS 451; WES Rules 5.6.1.C Code §1.01.090		x	x	\$ 500.00	initial plus \$100.00 per reimbursement	\$3,490.00 \$750.00 for modification of proposal; \$500.00 for rescheduling hearing	ONE TIME RESET; HOUSEKEEPING
Easement Release Application Fee (Quit-Claim)	ORS 451		x	x	\$ 260.00	plus District acquisition expense		ELIMINATE
Easement Encroachment Application Fee	ORS 451		x	x	\$ 105.00		\$1,200.00	ONE TIME RESET; HOUSEKEEPING
Apportionment of Assessment	ORS 451; WES Rules 5.7.D		x	x	\$ 105.00	plus recording fees		EXEMPT FROM CPI ADJUSTMENT
Sanitary Sewer Plan Review – Subdivision	ORS 451; WES Rules 5.3		x	x	\$ 400.00	or 4% of the estimated cost of any required public sewer extension, whichever is greater		EXEMPT FROM CPI ADJUSTMENT
Sanitary Sewer Plan Review – Commercial/Industrial	ORS 451; WES Rules 5.3		x	x	\$ 400.00	or 4% of the estimated cost of any required public sewer extension, whichever is greater; except , no fee will be due for; a) Tenant improvements where there is no change of use or no additional public sewer connection, b) Building additions less than 2,000 sq. ft. and there is no change of use or no additional public sewer connection		EXEMPT FROM CPI ADJUSTMENT
Surface Water Plan Review - Single Family Residence	ORS 451; WES Rules 5.3				\$ 55.00		\$115.00	ONE TIME RESET; HOUSEKEEPING
Surface Water Plan Review - Minor Partition, Subdivision, Commercial/Industrial	ORS 451; WES Rules 5.3				\$ 400.00	or 4% of the installed cost of any required surface water management system, whichever is greater; except , no fee will be due where there is no additional impervious surface area.		EXEMPT FROM CPI ADJUSTMENT
Sanitary Sewer Disconnection Inspection Fee	ORS 451; WES Rules 6.3.1		x	x	\$ 75.00		\$100.00	ONE TIME RESET; HOUSEKEEPING
Connection Charge	ORS 451; WES Rules 5.5		x	x	\$ 6,000.00	minimum, if applicable. See WES Rules, Section 5.5		EXEMPT FROM CPI ADJUSTMENT
Surface Water and Erosion Control Plan Review - Eliminate separate category and consolidate under Development and Plan Review Fees								
Erosion Control - Single Family Residence	ORS 451; WES Rules 7.6.6		x	x	\$ 310.00			HOUSEKEEPING; EXEMPT FROM CPI ADJUSTMENT
Erosion Control - Non Single Family Residence	ORS 451; WES Rules 7.6.6				\$ 460.00	+ \$80.00/acre over one acre		HOUSEKEEPING; EXEMPT FROM CPI ADJUSTMENT

Attachment 1 - WES Fee Table; with proposed changes

Department/Division	AUTH. LEGISLATION	FEE SET BY ORS	ORS AUTH. FEE	CODE AUTH. FEE	FEE AMOUNT	PROPOSED FY 2025/2026 FEE AMOUNT	DESCRIPTION OF PROPOSED CHANGES
ERCO Erosion Control - Reinspection Fee	ORS 451 & IGA w/DEQ; WES Rules 7.6.6		x	x	\$ 70.00 + \$25.00/acre over one acre	\$100.00	ONE TIME RESET; HOUSEKEEPING
WES - Industrial User and Septage Fees							
Industrial Pretreatment Discharge Permit Annual Fee							
a. 5 to 8 Industrial User Points	ORS 451		x	x	\$ 1,500.00 per year		EXEMPT FROM CPI ADJUSTMENT
b. 9 to 13 Industrial User Points	ORS 451		x	x	\$ 2,250.00 per year		EXEMPT FROM CPI ADJUSTMENT
c. 14 to 17 Industrial User Points	ORS 451		x	x	\$ 3,000.00 per year		EXEMPT FROM CPI ADJUSTMENT
Septage Hauling							
Septic Tank Waste Discharge Permit	ORS 451; WES Rules 6.6		x	x	\$ 150.00		EXEMPT FROM CPI ADJUSTMENT
Septic Tank Waste Discharge	ORS 451; WES Rules 6.6		x	x	\$ 0.12 per gallon		EXEMPT FROM CPI ADJUSTMENT
Extra Strength Surcharges							
Rate Zones 1 and 2	ORS 451; WES Rules 5.8.4		x	x		3-year phase in from separate rates for each rate zone Eff. 7/1/2027: \$0.3418 BOD / \$0.2417 SS	[NEW UNIFIED RATES]
Rate Zone 1	ORS 451; WES Rules 5.8.4		x	x	\$ 0.1675 Biochemical Oxygen Demand (BOD)	3-year phase in to unified rates for Rate Zones 1 and 2 Eff. 7/1/2025: \$0.2153 BOD / \$0.1945 SS Eff. 7/1/2026: \$0.2713 BOD / \$0.2168 SS Eff. 7/1/2027: \$0.3418 BOD / \$0.2417 SS	ONE TIME RESET
					\$ 0.1450 Suspended Solids (SS)		
Rate Zone 2	ORS 451; WES Rules 5.8.4		x	x	\$ 0.2421 Biochemical Oxygen Demand (BOD)	3-year phase in to unified rates for Rate Zones 1 and 2 Eff. 7/1/2025: \$0.2833 BOD / \$0.1980 SS Eff. 7/1/2026: \$0.3112 BOD / \$0.2188 SS Eff. 7/1/2027: \$0.3418 BOD / \$0.2417 SS	ONE TIME RESET
					\$ 0.1490 Suspended Solids (SS)		
WES - Sanitary Sewer Tap-In —4" Building Sewer Service							
Sanitary Sewer Tap-In	ORS 451; WES Rules 5.5.5		x	x		\$665.00	NEW - COMPREHENSIVE FEE
North Clackamas Service Area	ORS 451; WES Rules 5.5.5		x	x	-\$ 125.00		ELIMINATE Consolidate to 1 comprehensive fee
Hoodland Service Area	ORS 451; WES Rules 5.5.5		x	x	-\$ 150.00		ELIMINATE Consolidate to 1 comprehensive fee
Boring Service Area	ORS 451; WES Rules 5.5.5		x	x	-\$ 125.00		ELIMINATE Consolidate to 1 comprehensive fee
Sanitary Sewer Tap-In —6" Building Sewer Service							
North Clackamas Service Area	ORS 451; WES Rules 5.5.5		x	x	-\$ 150.00		ELIMINATE Consolidate to 1 comprehensive fee
Hoodland Service Area	ORS 451; WES Rules 5.5.5		x	x	-\$ 175.00		ELIMINATE Consolidate to 1 comprehensive fee
Boring Service Area	ORS 451; WES Rules 5.5.5		x	x	-\$ 150.00		ELIMINATE Consolidate to 1 comprehensive fee