

Sanitary Sewer Capacity Assurance Program (CAP) Audit Results

Environmental Quality & Public Works
Committee
August 23, 2016



LEXINGTON

AGENDA

- What is CAP?
- CAP Task Force History
- CAP Audit Requirements and Findings
- Questions

What is CAP?

Sanitary Sewer Capacity Assurance Program

- Consent Decree Requirement:
 - Resolution #722-2012
 - Go live date - July 1, 2013
 - Received EPA approval – July 3, 2014
- Accounting System of:
 - Deposits – system repairs and/or capacity expansions.
 - Withdraws – new or expanded service connections.



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Capacity Tracking IMS

LFUCG Division of Water Quality

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☒ CAP Banks

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	Bank	Harvested Capacity	New Earned Capacity	Category 1 Grandfathered ¹	Category 2 Grandfathered ²	Allocated Capacity	Current Balance	Net Credit Impact	Available Capacity
Details	NE1_116	30124.0	70500.5	0.0	0.0	-3442.7	97181.8	67057.8	97181.8
Details	NE1_25	2666.7	44497.5	-100.0	-192.0	0.0	46872.1	44497.5	46872.1
Details	North Elkhorn PS	82669.3	146466.1	-1049194.5	-244773.5	-113002.0	-1177834.7	33464.1	33464.1
Details	South Elkhorn PS	401326.2	54484.0	-139563.6	-33216.0	-119993.5	163037.0	-65509.6	163037.0
Details	TB WWTP	603982.5	196871.9	-361566.0	-434635.5	-117182.3	-112529.4	79689.6	79689.6
Details	TB1_155	5527.1	35143.2	-69034.0	0.0	-649.0	-29012.8	34494.2	34494.2
Details	TB1_172A	56787.3	43967.7	-616.0	-384.0	-68562.2	31192.7	-24594.6	31192.7
Details	TB1_489A	26676.4	0.0	0.0	0.0	0.0	26676.5	0.0	26676.5
Details	TB2_33	24142.2	98469.3	-31135.0	0.0	-98301.7	-6825.2	167.6	167.6
Details	TB3_254A	70732.7	83096.0	-66765.0	-192.0	-51962.3	34909.4	31133.8	34909.4

¹ Category 1 Grandfather Credits refer to those that were accounted for and flows calculated prior to July 3, 2013.

² Category 2 Grandfather Credits refer to those that were unaccounted for on July 3, 2013, such as those from qualifying plans approved prior to 2008 or isolated lots with a plat of record.

☒ Bank Ledger

Production Release
Last Released July 15, 2016

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No



CAP Task Force

- Formed to define a CD required program that was of significant concern to the community.
- Task Force began work in April 2012.
- Chaired by former CM Tom Blues, voting members comprised of five (5) other councilmembers and Derek Paulsen.

CAP Task Force (cont.)

- Stantec, under contract with LFUCG, facilitated the Task Force meetings, assisted in internal and external stakeholders engagement, and drafted a final report along with the required submittals to EPA.
- Task Force work completed in November 2012 with nineteen (19) recommendations that became framework of program moving forward.



CAP Task Force (cont.)

CAP Task Force Recommendation #19

The Task Force approved the following recommendation for **Program Auditing**: *Collected fees and program expenses associated with DWQ's Sanitary Sewer Program are to include an initial, independent audit after two (2) years from CAP implementation and followed by an independent audit every second year thereafter. Quarterly Reports submitted to the EPA (and publicly available on LFUCG's website) document credit ledger transactions and are subsequently subject to regulatory reviews and public scrutiny.*

CAP Audit Requirement

Requirement – Article XIII: Code of Ordinances

Sec. 16-409. - Review; audit; public hearing.

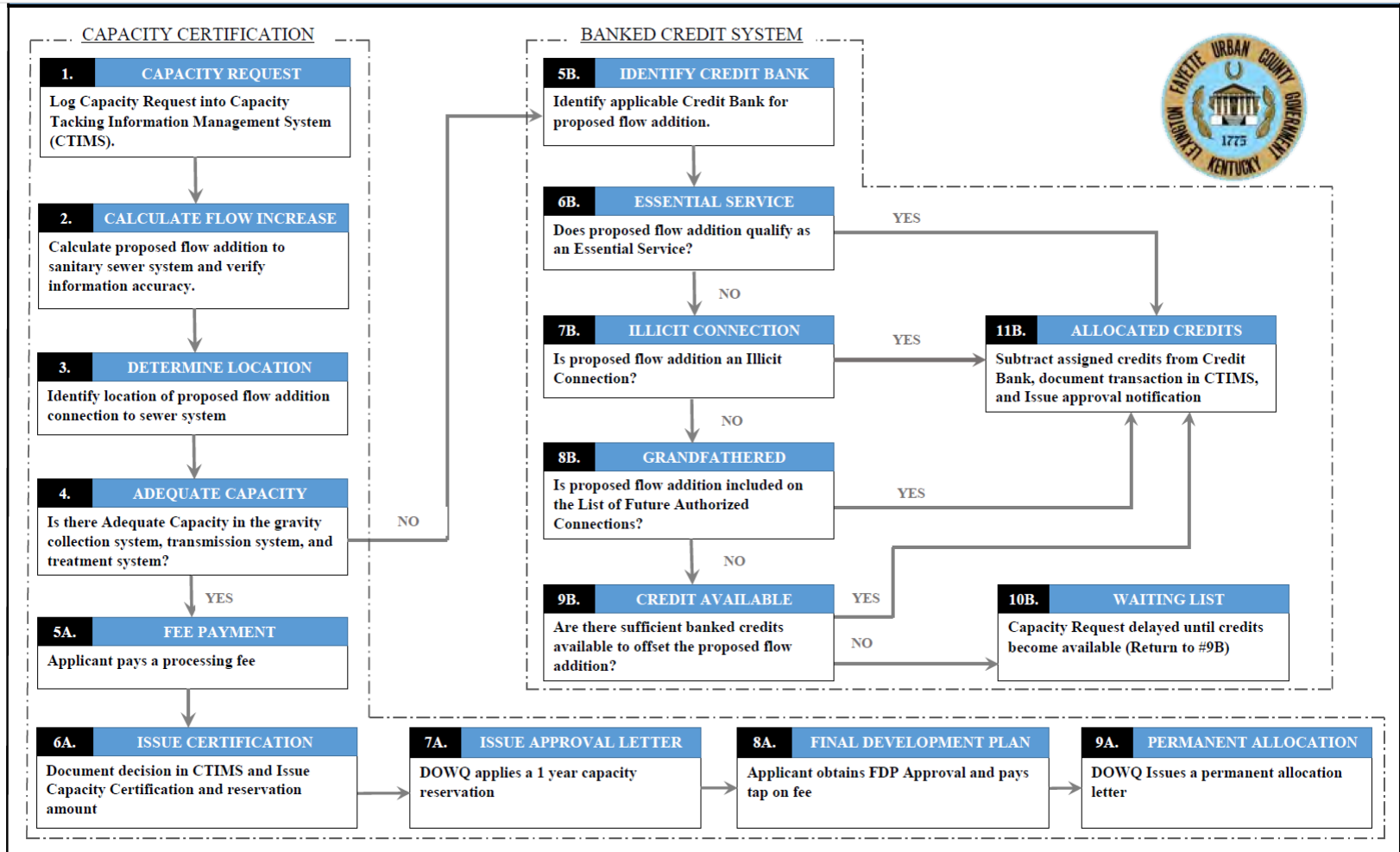
A formal review and audit of the water quality management fees established in this chapter shall be performed on or before January 31, 2013 and every five (5) years thereafter and the audit report shall be sent to the urban county council. At least one (1) public hearing shall be held by the council related to the water quality management fees every time the review and audit required by this section is performed.

CAP Audit Process

- Initiated so that 2 full fiscal years would be audited.
- Procured independent auditor – Bell Engineers.
- 60 randomly selected applications reviewed (from a total of 570 applications).
- Final audit report submitted in April 2016.



CAP Audit Content





CAP Audit Findings

April 2016 Report, Page 7

“It is our opinion based on information obtained through record research of 60 randomly selected applications, interviews with personnel, and examination of the CTIMS website that the process for assuring sewer capacity is in compliance with the intent of the ordinance.”

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Capacity Assurance Program

Print

Lexington's Capacity Assurance Program has been in effect since July 3, 2013.

For more information, please visit the links below.

- [Frequently Asked Questions](#)
- [Informational brochure](#)
- [Informational flier](#)
- [Sewer Capacity Application](#)
- [Visit capacity information page](#)

ATTENTION

The building permit process has changed for new construction.

After October 1, 2013, you must provide written evidence that you have a sanitary sewer tap-on permit PRIOR TO RECEIVING A BUILDING PERMIT. NO EXCEPTIONS.

Capacity Assurance Program Task Force Information

- [Capacity Assurance Program Council Resolution](#)
- [System Capacity Assurance Program](#)
- [CAP Task Force Report - November 28, 2012](#)
 - [CAP Task Force Report - Appendices](#)
- [Agenda - September 25, 2012](#)
- [Minutes - September 25, 2012](#)
- [Agenda - September 20, 2012](#)
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- [Agenda - September 6, 2012](#)
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Questions