

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH APPROVING RESOLUTION NO. WD-1219, A RESOLUTION OF THE BOARD OF WATER COMMISSIONERS OF THE CITY ESTABLISHING THE RATES AND CHARGES TO BE CHARGED FOR WATER AND SEWER SERVICE

The City Council of the City of Long Beach ordains as follows:

Section 1. That Resolution No. WD-1219 of the Board of Water Commissioners of the City of Long Beach, entitled "A RESOLUTION OF THE BOARD OF WATER COMMISSIONERS FIXING RATES AND CHARGES FOR WATER AND SEWER SERVICE TO ALL CUSTOMERS, SUBJECT TO THE APPROVAL OF THE RATEPAYERS AND OF THE CITY COUNCIL BY ORDINANCE," adopted by said Board on August 17, 2006, and the rates fixed in the Resolution to be charged for water and sewer service be and the same are hereby approved subject to approval by the ratepayers at a public hearing.

Sec. 2. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

I certify that this ordinance was adopted by the City Council of the City of

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///

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1 Long Beach at its meeting of \_\_\_\_\_, 2006, by the following vote:

2           Ayes:           Councilmembers: \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

5 \_\_\_\_\_

6           Noes:           Councilmembers: \_\_\_\_\_

7 \_\_\_\_\_

8           Absent:       Councilmembers: \_\_\_\_\_

9 \_\_\_\_\_

10 \_\_\_\_\_  
11 \_\_\_\_\_  
12 City Clerk

13 Approved: \_\_\_\_\_  
14 (Date)

15 \_\_\_\_\_  
16 Mayor

1 RESOLUTION NO. WD-1219

2  
3 A RESOLUTION OF THE BOARD OF WATER  
4 COMMISSIONERS AMENDING RESOLUTION NO. WD-1213  
5 FIXING RATES AND CHARGES FOR WATER AND SEWER  
6 SERVICE TO ALL CUSTOMERS, SUBJECT TO THE  
7 APPROVAL OF THE CITY COUNCIL BY ORDINANCE  
8

9 The Board of Water Commissioners of the City of Long Beach resolves as  
10 follows:

11 Section 1. That the following rates and charges for potable and reclaimed  
12 water service and for sewer service are hereby established, and the Long Beach Water  
13 Department ("Water Department") of the City of Long Beach ("City") is hereby authorized  
14 and directed to charge and collect the same in accordance with the provisions of this  
15 resolution, subject to approval by the rate payers at a hearing on October 12, 2006.

16 Sec. 2. For all metered services the charge for potable and reclaimed water  
17 shall consist of both a service charge based on the size of the service and a quantitative  
18 charge for water delivered.

19 A. On November 1, 2006, the service charge shall be in accordance with the  
20 following table:

21	<u>Size of Service</u>	<u>Daily Service Charge</u>
22	5/8 or 3/4 inch	\$0.297
23	1 inch	0.448
24	1-1/2 inch	0.835
25	2 inch	1.238
26	3 inch	2.563
27	4 inch	4.056
28	6 inch	7.474

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1	<u>Size of Service</u>	<u>Daily Service Charge</u>
2	8 inch	11.731
3	10 inch	19.213
4	12 inch	23.483
5	16 inch	38.865

6 B. On November 1, 2006, the quantitative charge for all water delivered shall  
7 be as follows, based on monthly meter readings:

8 1) For single family residential customers of potable water who have been  
9 granted an exemption from the City's Utility Users Tax in accordance with Chapter  
10 3.68 of the Long Beach Municipal Code:

11	Tier IA	First 5 Billing Units (or fraction thereof)	\$0.867
12	Tier II	Next 10 Billing Units (or fraction thereof)	\$1.734
13	Tier III	Over 15 Billing Units (or fraction thereof)	\$2.601

14 2) For single family residential customers of potable water who have not  
15 been granted an exemption from the City's Utility Users Tax:

16	Tier IB	First 5 billing units (or fraction thereof)	\$1.561
17	Tier II	Next 10 billing units (or fraction thereof)	\$1.734
18	Tier III	Over 15 billing units (or fraction thereof)	\$2.601

19 3) For duplex residential customers of potable water who have been  
20 granted an exemption from the City's Utility Users Tax in accordance with  
21 Chapter 3.68 of the Long Beach Municipal Code:

22	Tier IA	First 2.5 billing units (or fraction thereof) per dwelling unit	\$0.867
23	Tier II	Next 10.5 billing units (or fraction thereof) per dwelling unit	\$1.734

1	Tier III	Over 13 billing units (or fraction thereof)	
2		per dwelling unit	\$2.601
3	4)	For duplex residential customers of potable water who have not been	
4		granted an exemption from the City's Utility Users Tax:	
5	Tier IB	First 2.5 billing units (or fraction thereof)	
6		per dwelling unit	\$1.561
7	Tier II	Next 10.5 billing units (or fraction thereof)	
8		per dwelling unit	\$1.734
9	Tier III	Over 13 billing units (or fraction thereof)	
10		per dwelling unit	\$2.601
11	5)	For multi-family residential customers of potable water who have been	
12		granted an exemption from the City's Utility Users Tax in accordance with Chapter	
13		3.68 of the Long Beach Municipal Code:	
14	Tier IA	First 2.5 billing units (or fraction thereof)	
15		per dwelling unit	\$0.867
16	Tier II	Next 6.5 billing units (or fraction thereof)	
17		per dwelling unit	\$1.734
18	Tier III	Over 9 billing units (or fraction thereof)	
19		per dwelling unit	\$2.601
20	6)	For multi-family residential customers of potable water who have not	
21		been granted an exemption from the City's Utility Users Tax:	
22	Tier IB	First 2.5 billing units (or fraction thereof)	
23		per dwelling unit	\$1.561
24	Tier II	Next 6.5 billing units (or fraction thereof)	
25		per dwelling unit	\$1.734
26	Tier III	Over 9 billing units (or fraction thereof)	
27		per dwelling unit	\$2.601
28	7)	For commercial customers of potable water, \$1.734 per billing unit, or	

1 fraction thereof.

2 8) For industrial customers of potable water, \$1.734 per billing unit, or  
3 fraction thereof.

4 9) For irrigation customers of potable water, \$1.734 per billing unit, or  
5 fraction thereof.

6 10) For City of Long Beach Departments using potable water, \$1.734 per  
7 billing unit, or fraction thereof.

8 11) For reclaimed water users whose use is "peaking" as defined herein,  
9 \$1.214 per billing unit, or fraction thereof.

10 12) For reclaimed water users whose use is "non-peaking" as defined  
11 herein, \$0.867 per billing unit, or fraction thereof.

12 13) These quantitative charges shall be subject to adjustment as provided  
13 in Subsection C of this Section.

14 14) There shall be no charge for water used through fire hydrants for  
15 extinguishing fires.

16 C. The quantitative charges for Tier IB were adjusted on October 1, 1999  
17 to reflect the action of the Board approving incremental increases to Tier IB.

18 Sec. 3. A. Unmetered water service may be rendered to unoccupied or  
19 occupied property where it is not practical to meter the water, and on November 1, 2006,  
20 the rate for unmetered water service shall be:

21	<u>Size of Service</u>	<u>Daily Rate</u>
22	5/8 or 3/4 inch	\$1.450
23	1 inch	\$2.451
24	1-1/2 inch	\$6.038
25	2 inch	\$9.499

26 The rates for unmetered water service shall begin on the date of use of water  
27 by the customer, as determined by the General Manager.

28 B. The rates for unmetered water service shall begin on the date of use

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1 of water by the customer, as determined by the General Manager of the Water Department  
2 (“General Manager”).

3           Sec. 4. Charges for water service through meters at temporary service  
4 connections from fire hydrants or otherwise shall be at the applicable quantitative charge  
5 plus the service charge, together with a charge for installing, changing, and removing the  
6 meter and fittings in accordance with the “Rules, Regulations and Charges Governing  
7 Potable Water, Reclaimed Water, Sewer Service and the Emergency Water Conservation  
8 Plan” of the Water Department.

9           Sec. 5. A. On November 1, 2006, the service charge for private fire  
10 protection service shall be in accordance with the following table:

11	<u>Size of Service</u>	<u>Daily Rate</u>
12	2 inch	\$0.620
13	3 inch	\$1.059
14	4 inch	\$1.565
15	6 inch	\$2.668
16	8 inch	\$3.910
17	10 inch	\$5.289
18	12 inch	\$6.667
19	16 inch	\$9.776

20           The service charges in this Section shall only include water used for fire  
21 extinguishing purposes and a reasonable amount of water used for testing the fire line.

22           B. Whenever the Water Department finds that water through a private fire  
23 protection service is being used for purposes other than fire extinguishing or testing the fire  
24 line, the General Manager may make a determination of the quantity of water used, the  
25 quantitative charges for that water, and the service charges to be applied. His determina-  
26 tion shall be final. In addition, if water through a private fire protection service is used for  
27 purposes other than fire extinguishing or testing the fire line, the Water Department may  
28 discontinue the private fire protection service or may install a domestic or fire flow meter,

1 at either the customer's or its expense as the General Manager may determine, and  
2 thereafter the service shall be classified as regular service and billed at the rates applicable  
3 thereto.

4 Sec. 6. The primary purpose of fire hydrants is extinguishing fires and they  
5 shall be opened and used only by the Water Department or the Long Beach Fire  
6 Department, or such other persons as may be authorized to do so by the General Manager  
7 or the Chief of the Fire Department. Where fire hydrants are installed and maintained by  
8 the Water Department, there shall be no standby charge made to the Fire Department.

9 Sec. 7. A. For all sewer service where the sewer lateral connects to a main  
10 line maintained by the Water Department, or the sewer lateral is located in the public right-  
11 of-way, the charge for sewer service shall consist of both a daily sewer rate and a  
12 volumetric sewer rate.

13 B. The daily sewer rate shall be in accordance with the following table:

14	<u>Size of Service</u>	<u>Daily Sewer Rate</u>
15	5/8 or 3/4 inch	\$ 0.129
16	1 inch	0.204
17	1-1/2 inch	0.371
18	2 inch	0.538
19	3 inch	1.114
20	4 inch	1.764
21	6 inch	3.248
22	8 inch	5.104
23	10 inch	8.350
24	12 inch	10.206
25	16 inch	16.701

26 C. The volumetric sewer rate shall be \$0.179 per 100 cubic feet of water  
27 furnished where water service size is 5/8 inches or larger. The volumetric sewer rate shall  
28 not be applicable to fire services.



1 D. For volumetric sewer rates, there are the following customer classifica-  
2 tions: single family residential; duplex residential; multi-family residential; City Depart-  
3 ments; commercial; and industrial.

4 Volumetric sewer rates for single family residential, duplex residential and  
5 multi-family residential shall be computed based on the average of actual potable water  
6 use for two winter billing periods. The winter billing periods used will be determined by the  
7 meter reading schedule for the account. The actual winter usage is divided by the number  
8 of winter days to obtain an average volume. The average volume will be the base volume  
9 on which the volumetric sewer rate is charged for the next twelve month period beginning  
10 with May's billing periods. Each year, the average volume will be recalculated for the  
11 succeeding twelve-month period. Exceptions to the above calculation methodology will use  
12 the average volume for the classification in which the customer falls as the average volume  
13 or a calculation using available usage information for the account. For those residential  
14 customers with no previous history of use for two winter billing periods, the average volume  
15 for the classification in which the customer falls will be used.

16 E. For all users of the sewer system that do not receive a water bill from the  
17 City but where the user's sewer lateral connects to a main line maintained by the Water  
18 Department, or where the sewer lateral is located in the public right-of-way, the charge for  
19 sewer service shall consist of both a daily sewer rate and a volumetric sewer rate. The  
20 daily sewer rate shall be as provided in Subsection 7(B) of this Resolution. For these  
21 customers, the volumetric sewer rate shall be based on the average volume for the  
22 customer's classification.

23 F. The City shall collect from all developments and all developments shall  
24 be required to pay a capacity charge of Seventy-Five Dollars and Two Cents (\$75.02) per  
25 equivalent fixture unit at the time application for sewer service is made, but in no event  
26 later than the time that the City issues a sewer permit for connection to the City sewerage  
27 system, as set forth in the Long Beach Municipal Code and the "Rules, Regulations and  
28 Charges Governing Potable Water, Reclaimed Water, Sewer Service and the Emergency

1 Water Conservation Plan” of the Water Department.

2 G. Upon receipt of an application for sewer service, the City’s Department  
3 of Planning and Building (through the Plan Checker for Plumbing) shall calculate the  
4 amount of the capacity charge by: 1) determining if this resolution applies to the  
5 development; and 2) if this resolution does not apply, indicating same on the application  
6 for sewer service and the reason this resolution does not apply, and processing the  
7 application in accordance with ordinances, resolutions, and regulations; or 3) if this  
8 resolution does apply, determining the number of equivalent fixture units in the  
9 development and multiplying that number by the capacity charge per equivalent fixture unit.

10 H. Funds derived from capacity charges shall be placed in the Sewer Fund  
11 and shall be used only for the operation, construction, reconstruction, acquisition, or  
12 maintenance of the City sewerage system.

13 I. Anyone who has paid a capacity charge may apply for a full or partial  
14 refund if within one year after payment: 1) the applicant has not been permitted to connect  
15 to the City sewerage system; or 2) the development on which the capacity charge was  
16 calculated has been modified pursuant to applicable City ordinances, resolutions, or  
17 regulations, resulting from a reduction in the number of equivalent fixture units. Refund  
18 applications shall be made on forms provided by the City and shall contain a declaration  
19 under oath of those facts, along with relevant documentary evidence, which qualify the  
20 applicant for the refund. In no event shall a refund exceed ninety percent (90%) of the  
21 amount of the capacity charge actually paid.

22 J. Anyone subject to a capacity charge who constructs, deposits money into  
23 escrow with the City for the construction of, participates in an assessment district for the  
24 construction of, or otherwise contributes money or improvements to the City for the  
25 operation, construction, reconstruction, acquisition, or maintenance of the City sewerage  
26 system shall be eligible for a credit for such contribution against the capacity charge  
27 otherwise due. The amount of the credit shall be the value of the contribution as  
28 determined by the City provided, however, that the credit shall not exceed ninety percent

1 (90%) of the amount of the capacity charge. Applications for said credit shall be made on  
2 forms provided by the City and shall be submitted at or before the time of application for  
3 sewer service. The application shall contain a declaration under oath of those facts, along  
4 with relevant documentary evidence, which qualify the applicant for the credit.

5 K. The capacity charge and requirements pertaining thereto shall not affect  
6 in any way the permissible use of property, density of development, design and  
7 improvement standards, public improvement requirements, or any other aspect of the  
8 development of land or construction of buildings which may be imposed by the City  
9 pursuant to the Long Beach Municipal Code, Subdivision Regulations, or other state or  
10 local laws, ordinances or regulations which shall be in effect with respect to all  
11 developments.

12 L. The capacity charge is a charge on development that reflects a  
13 development's proportionate share of the present depreciated value of the existing City  
14 sewerage system. As such the capacity charge is additional to and not in substitution of  
15 the following: 1) on-site sewer facility requirements imposed by the City pursuant to the  
16 Long Beach Municipal Code, Subdivision Regulations, and other state or local laws,  
17 ordinances or regulations; 2) sewer permit fees; 3) connection charges; 4) sewer rates; and  
18 5) other fees, rates, and charges including but not limited to sewer standby or immediate  
19 availability charges and capital facilities charges for services or facilities other than as a  
20 proportionate share of the present depreciated value of the existing City sewer system.  
21 In no event shall an applicant for sewer service be obligated to pay fees, rates, or charges  
22 in excess of those calculated pursuant to applicable City ordinances, which shall not  
23 individually or collectively exceed the reasonable cost of providing sewer service to the  
24 development.

25 Sec. 8. Any term not defined herein which is defined in the Long Beach  
26 Municipal Code or in the "Rules, Regulations and Charges Governing Potable Water,  
27 Reclaimed Water, Sewer Service, and the Emergency Water Conservation Plan" of the  
28 Water Department shall have the meaning stated therein.

1           Sec. 9. A. Regular bills for water service and sewer service shall be issued  
2 at intervals of approximately one month (commonly called "monthly") except in those cases  
3 where the General Manager or the Board of Water Commissioners shall prescribe another  
4 billing interval. Insofar as practical, meters shall be read at regular intervals for the  
5 preparation of regular bills, and meters shall be read as required for the preparation of  
6 opening, closing, and special bills.

7           B. Every water customer and every sewer customer shall be liable for  
8 payment of bills for water service and sewer service. Charges for water service and sewer  
9 service shall be included in municipal utility bills.

10           C. Anyone who has been granted an exemption under Chapter 3.68 of the  
11 Long Beach Municipal Code as of the date of this resolution does not need to file a  
12 separate application for exemption hereunder.

13           Sec. 10. Whenever the correctness of any bill for water or sewer service is  
14 questioned by a customer, the procedures established in the "Rules, Regulations and  
15 Charges Governing Potable Water, Reclaimed Water, Sewer Service, and the Emergency  
16 Water Conservation Plan" of the Water Department shall be followed.

17           Sec. 11. The following words shall have the meanings defined as follows:

18           A. "Billing unit" means one hundred (100) cubic feet of water and equals 748  
19 gallons;

20           B. "Commercial" refers to activities devoted primarily to business, property  
21 management, or a profession;

22           C. "Industrial" refers to activities devoted primarily to manufacturing or  
23 processing;

24           D. "Non-peaking" means total average daily demand occurring at a  
25 continuous, constant level over a twenty-four (24) hour period;

26           E. "Peaking" means total average daily demand occurring between the hours  
27 of 9:00 p.m. and 6:00 a.m.

28           F. "Winter billing period" means the time period used for sewer volumetric

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1 calculation purposes, which includes bills with a bill prepared date in December, January,  
2 and/or February.


3 Sec. 12. All other resolutions of the Board of Water Commissioners, or  
4 provisions thereof, which conflict with this resolution are hereby rescinded. The charges,  
5 conditions, and provisions established in this Resolution shall supersede all others  
6 previously established.

7 Sec. 13. The Secretary of the Board of Water Commissioners shall certify  
8 to the passage of this resolution and it shall take effect by operation of law following its  
9 approval by the City Council by ordinance.

10 I hereby certify that the foregoing resolution was adopted by the Board of  
11 Water Commissioners of the City of Long Beach at its meeting held on August 17, 2006,  
12 by the following vote:

13 Ayes: Commissioners: STEPHEN CONLEY; FRANK CLARKE;  
14 HELEN HANSEN; LILLIAN KAWASAKI  
15 \_\_\_\_\_  
16 Noes: Commissioners: NONE  
17 Absent: Commissioners: WILLIAM TOWNSEND

18  
19   
20 \_\_\_\_\_  
Secretary  
Board of Water Commissioners

20 CERTIFIED AS A TRUE AND CORRECT COPY.  
21 .....  
22 SECRETARY TO THE BOARD OF WATER COMMISSIONERS  
23 CITY OF LONG BEACH, CALIFORNIA  
24 BY:  .....  
25 DATE: 8/17/2006 .....

26 DFG:bg 8/17/06(RES\_WaterRatesWD1213)06-03286  
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