

## RESOLUTION NO. 8858

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, FIXING RATES AND CHARGES FOR WATER SERVICE FURNISHED BY THE WHITTIER UTILITY AUTHORITY FOR FISCAL YEARS 2017-18 AND 2018-19

WHEREAS, Proposition 218 requires the City to conduct a public hearing not less than forty-five (45) days after mailing a notice of proposed property-related fee increases to record property owners of each identified parcel upon which the fees will be imposed;

WHEREAS, a duly noticed public hearing regarding the proposed increases to fees for water service was conducted on April 25, 2017, at 6:30 p.m. in the City Council Chamber;

WHEREAS, Proposition 218 requires that the City shall not impose the proposed fee if written protests against the proposed fee are presented by a majority of record owners (51%) of the identified parcels;

WHEREAS, written protests regarding the proposed water fee increase were accepted from the public and considered before the close of the public hearing;

WHEREAS, a tally of the written protests against the proposed water fee increase shows less than a majority of the record owners of the identified parcels have submitted written protests against the proposed water fee increase;

WHEREAS, a final tally of the written protests submitted and copies of the written protests will be available for review in the City Clerk-Treasurer Department; and

WHEREAS, the Whittier Municipal Code, section 13.08.010, requires fees for water service to be set by ordinance or resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

SECTION 1. That the City Council hereby approves and fixes the rates and charges for any and all water service, which the Whittier Utility Authority has agreed to provide all its users thereof, as set forth in Exhibit A attached hereto and by this reference is made a part hereof.

SECTION 2. Approve the water rates adjustment.

SECTION 3. That this resolution supersedes all other ordinances and resolutions, or portions thereof, inconsistent with the revisions set forth herein, including Ordinance 3035.

SECTION 4. That the fees set forth in Exhibit A under Fee Schedule 1 shall take effect August 1, 2017, and that the rate charged for water supplied through and registered by meters will apply to all bi-monthly water bills rendered by the City of Whittier after July 31, 2017.

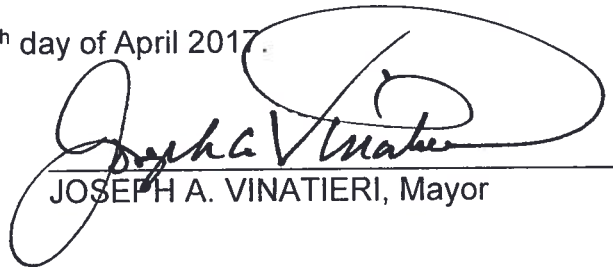
SECTION 5. That the fees set forth in Exhibit A under Fee Schedule 2 shall take effect August 1, 2018, and that the rate charged for water supplied through and registered by meters will apply to all bi-monthly water bills rendered by the City of Whittier after July 31, 2018.

SECTION 6. Any provision of the Whittier Municipal Code or appendices thereto inconsistent with the provisions of the Resolution, to the extent of such inconsistencies and no further, are repealed or modified to that extent necessary to affect the provisions of this Resolution.

SECTION 7. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council of the City of Whittier hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 8. The City Clerk-Treasurer shall certify to the passage and adoption hereof.

APPROVED AND ADOPTED this 25<sup>th</sup> day of April 2017.



JOSEPH A. VINATIERI, Mayor

ATTEST:



KATHRYN A. MARSHALL  
City Clerk-Treasurer

Exhibit: A – For water service fiscal years 2017-2018 and 2018-2019

**EXHIBIT A**

**FEES FOR WATER SERVICE  
WHITTIER UTILITY AUTHORITY WATER DIVISION  
FISCAL YEAR 2017-2018 AND FISCAL YEAR 2018-2019**

SECTION (a). The usage rates to be charged by the Whittier Utility Authority's Water Division for potable water supplied through its meters shall be, hereby, collected bi-monthly and fixed as follows:

<b>Fee Schedule 1</b>			
<b>Customer Classification</b>	<b>Meter Size</b>	<b>August 1, 2017 Block 1 \$1.89 per BU*</b>	<b>August 1, 2017 Block 2 \$2.63 per BU*</b>
Single Family Residential	¾"	Up to 40 BU	Over 40 BU
	1"	Up to 56 BU	Over 56 BU
	1 ½"	Up to 140 BU	Over 140 BU
	2"	Up to 466 BU	Over 466 BU
	3"	Up to 642 BU	Over 642 BU
Multiple Family Residential	All Sizes	Unlimited	N/A
Commercial/ Institutional	All Sizes	Unlimited	N/A
Industrial	All Sizes	Unlimited	N/A
Landscape	¾"	Up to 40 BU	Over 40 BU
	1"	Up to 56 BU	Over 56 BU
	1 ½"	Up to 140 BU	Over 140 BU
	2"	Up to 466 BU	Over 466 BU
	3"	Up to 642 BU	Over 642 BU
	4"	Up to 886 BU	Over 886 BU

\*BU = One billing Unit = 748 gallons = 100 cubic feet (ccf)

<b>Fee Schedule 2</b>			
<b>Customer Classification</b>	<b>Meter Size</b>	<b>August 1, 2018 Block 1 \$1.99 per BU*</b>	<b>August 1, 2018 Block 2 \$2.73 per BU*</b>
Single Family Residential	¾"	Up to 40 BU	Over 40 BU
	1"	Up to 56 BU	Over 56 BU
	1 ½"	Up to 140 BU	Over 140 BU
	2"	Up to 466 BU	Over 466 BU
	3"	Up to 642 BU	Over 642 BU
Multiple Family Residential	All Sizes	Unlimited	N/A

Commercial/ Institutional	All Sizes	Unlimited	N/A
Industrial	All Sizes	Unlimited	N/A
Landscape	¾"	Up to 40 BU	Over 40 BU
	1"	Up to 56 BU	Over 56 BU
	1 ½"	Up to 140 BU	Over 140 BU
	2"	Up to 466 BU	Over 466 BU
	3"	Up to 642 BU	Over 642 BU
	4"	Up to 886 BU	Over 886 BU

\*BU = One billing Unit = 748 gallons = 100 cubic feet (ccf)

SECTION (b). The usage rate to be charged by the Whittier Utility Authority's Water Division for reclaimed water supplied through its meters shall be \$1.72 per BU effective August 1, 2017.

SECTION (c). In addition to the usage rate a service fee shall be charged as follows:

<b>Service Fee Per Meter / Per Month</b>	
<b>Meter Size</b>	<b>Effective August 1, 2016</b>
For ¾ inch meter	40.35
For 1 inch meter	60.26
For 1 ½ inch meter	134.11
For 2 inch meter	181.79
For 3 inch meter	390.73
For 4 inch meter	530.14
For 6 inch meter	830.42
For 8 inch meter	868.39

SECTION (d). Single-family residential customers who apply for and qualify for the utility users' tax exemption according to Whittier Municipal Code Section 3.24.110.A.2, shall be entitled to a \$6.00 per month discount applied to their water bill.

SECTION (e). The term "bi-monthly" referred to herein, means the period consisting of two months or approximately sixty (60) days. Regular water meter readings shall be performed on a bi-monthly basis.

SECTION (f). Rates for Construction Purposes. Whenever in the opinion of the Director of Public Works it is necessary to install a meter on a fire hydrant, there shall be a \$115.00 fee for the initial installation. If the meter should be moved to other locations from the original installation site, an additional fee of \$46.00 will be charged. Rates for water used will be charged as follows:

Service Fee per week	\$25.00
Quantity Charge per 100 ccf	\$1.89 effective 8/1/2017
	\$1.99 effective 8/1/2018

Contractor shall prepay for all water and service fees based on estimates.

SECTION (g). Private Fire Protection. Pipes provided and installed by the Water Division for private fire protection shall be charged at the cost of material, labor, and equipment used, plus 45% overhead, which charge shall, wherever it shall be deemed necessary to install a proportional meter, include the cost in case of fire. If any person shall use such fire service for other than fire purposes, the Water Division is hereby authorized and it shall be the duty of the Director of Public Works to collect a fee of \$150 for each such use, and to enforce this provision by cutting off all water service to the property whereon such use occurs. When water is cut off by virtue of this provision, no further water shall be served to such property until the \$150 fee is paid, provided that the Whittier Utility Authority may, on application of any person aggrieved by this action of the officers of the Water Division, hereunder remit the charge of such part thereof as may appear just.

SECTION (h). Whenever private fire protection is provided, there shall be a bi-monthly minimum fee of \$84 if domestic water service is not provided to the subject property by the Water Division.

SECTION (i). Installation of Services and Meters. Application for water for new houses or any premises not heretofore provided with water, may be made to the Water Division, and must be accompanied by a service fee in the amount prescribed herein for the particular size of service and meter required.

Service pipes will be laid from the main to a point inside the nearest curb line where a curb cock and meter will be installed. Installation and maintenance of all pipes on the property side of the meter shall be performed by the consumer.

Charges collected by the Water Division for installation of services and meters shall constitute service fees, and the service pipes and water meters installed shall remain at all times as property of the Water Division. They shall be maintained, repaired, and renewed by the Water Division when rendered unserviceable through ordinary wear and tear; provided that where replacements, repairs, or adjustments are rendered necessary by any act, negligence, or carelessness of the consumer or any member of his family or any representative or person in his employ, any expense caused to the Water Division thereby shall be charged against and collected from the consumer.

INSTALLATION OF SERVICES AND METERS: Charges for installation of water services and meters shall be as follows:

Meter Size	Service Pipe Unpaved Street	Service Pipe Asphalt Street	Service Pipe Concrete Street	Meter and Box
5/8" x				
3/4"	\$ 675	\$1,350	\$1,780	\$ 270
1"	\$ 675	\$1,350	\$1,780	\$ 450

1 ½"	\$1,063	\$1,462	\$1,895	\$ 900
"	\$1,125	\$1,687	\$2,060	\$1,125

Services larger than 2" shall be charged at the cost of material, labor, and equipment used, plus 94% for supervision and overhead. A deposit for such installations shall be made with the Water Division before any work is commenced. The amount of such deposit shall be determined by the Director of Public Works.

SECTION (j). Turn-on Charges

- (1) When a customer's water is turned off for non-payment, the delinquent customer shall pay the amount due plus a turn-on fee of \$30 if the turn-on is made between 8:00 a.m. and 5:00 p.m., Monday-Friday. If the turn-on is made at any other time, the fee for turn-on shall be \$125.
- (2) If a customer has his service shut off for a period of more than fifteen (15) days, then a turn off fee of \$30 shall be paid.
- (3) If a customer turns on/off his water at the curb cock (at the meter), then a penalty of \$150 shall be charged to the customer, except in case of emergency (WMC 13.12.060).
- (4) When a customer requests turn-on service, the customer shall pay a turn-on fee of \$30 if the turn-on is made between 8:00 a.m. and 5:00 p.m., Monday through Friday. If the turn-on is made at any other time, the fee for turn-on shall be \$125.

SECTION (k). Meter Testing: A fee of \$60 shall be made for testing all meters. If the meter is found to be over 2% fast, then the \$60 fee shall be refunded.

SECTION (l). Illegal Use of Fire Hydrants: If a person uses a fire hydrant without permission, an inspection fee of \$150 shall be paid in addition to any water used.

SECTION (m). Damage to City Lock: If a person damages a City lock placed on the meter due to non-payment, a replacement fee of \$75 will be paid in addition to the \$150 illegal turn-on penalty.

CITY OF WHITTIER            )  
   ) SS  
 STATE OF CALIFORNIA    )

I, Kathryn A. Marshall, City Clerk-Treasurer in and for the City of Whittier, California, hereby certify that the foregoing resolution was duly introduced and adopted at a regular meeting of the City Council of said City held on the 25<sup>th</sup> day of April 2017, by the following roll call vote:

AYES:        F. Dutra                    J. Alvarado                R.L. Henderson  
                   C. Warner                    J.A. Vinatieri

NOES:        None

ABSENT:     None

WITNESS my hand and the official seal of the City of Whittier, California, this

26<sup>th</sup> day of April 2017.

*Kathryn A. Marshall*  
 KATHRYN A. MARSHALL  
 City Clerk-Treasurer

