

**ORDINANCE NO. 743**

**CITY OF MILLBRAE, COUNTY OF SAN MATEO  
STATE OF CALIFORNIA**

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**ORDINANCE TO MODIFY CHAPTER 8.05 OF THE MILLBRAE MUNICIPAL CODE  
RELATING TO WATER CHARGES**

**WHEREAS**, a reliable supply of potable water is essential to the public health, safety and welfare of the people and economy; and

**WHEREAS**, Article XI, Section 7 of the California Constitution declares that a City may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

**WHEREAS**, in light of a city's broad authority, the City of Millbrae has the power to establish rules and regulations for the distribution and use of water supplies and utility bill payments; and

**WHEREAS**, the adoption and enforcement of this Ordinance is necessary to update and enhance the effectiveness of the regulations by which the City of Millbrae manages its utility bill payments.

**THEREFORE, IT IS ORDAINED** by the City Council of the City of Millbrae as follows:

**SECTION 1. AMENDMENT OF MILLBRAE MUNICIPAL CODE.** Section 8.05.0660 entitled "Monthly Water Charges" in Chapter 8.05 is hereby amended to read as follows:

**8.05.0660 Monthly Water Charges.**

All customers are responsible for paying (A) a monthly water service charge based on meter size and type of water service (residential or commercial/industrial); and (B) a monthly consumption charge per unit applied to the quantity of water that passes through the meter. The charges set forth in Attachment A, City Schedule of Rates and Fees, attached to the ordinance codified in this chapter reflect the charges in place at time of enactment of the ordinance codified in this chapter. Adjustments to these charges will take place by resolution of the City Council and any updated charges will be contained in the separate city-wide fee schedule.

Water service in all cases, shall be in the name of the owner of the property. The owner of the property may authorize, in writing, that service may be billed to a second party, such as a property tenant. The owner of the property remains responsible for payment of all amounts due for water

service. If the owner of the property has authorized a second party to receive billing for service, the second party must complete an application for water service and submit that form to the City.

**SECTION 2. CEQA DETERMINATION.**

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (Public Resources Code Section 2100 et seq.) ("CEQA") pursuant to Section 15307 (the activity assures the maintenance, restoration, enhancement, or protection of a natural resource) and Section 15378(b)(2) (the activity is not a project as it involves general policy and procedure making) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, since it makes and implements policies and procedures to ensure that water resources are conserved by reducing water consumption through the establishment of a structure for planning, designing, installing, maintaining and managing water-efficient landscapes.

**SECTION 3. SEVERABILITY.**

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 4. EFFECTIVE DATE; PUBLICATION.**


This Ordinance shall be in full force and effect thirty days from and after its passage. At least five days prior to its adoption and within fifteen days after its adoption, a summary of this Ordinance shall be published once in a newspaper of general circulation printed and published in the County of San Mateo and circulated in the City of Millbrae.

**INTRODUCED** at a regular meeting of the City Council of the City of Millbrae held on January 8, 2013.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Millbrae held on February 12, 2013.

  
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MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

I do hereby certify that the foregoing Ordinance was duly and regularly passed and adopted by the City Council of the City of Millbrae this 12<sup>th</sup> day of February 2013, by the following vote:

AYES:	COUNCILMEMBERS:	Papan, Holober, Lee, Colapietro, and Gottschalk
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
EXCUSED:	COUNCILMEMBERS:	None

  
CITY CLERK



**ATTACHMENT A**  
**SCHEDULE OF RATES AND FEES**

**I SERVICE CONNECTION CHARGES**

- A.** Regular Water Service Connection Charges include Capital Facilities Charges plus the actual cost of installation of meters and services lines, if needed, which will be paid by the applicant for Water Service. An installation deposit is required in advance of the actual work to install these facilities in accordance with the City's Fee schedule.

<b>Meter Size (Inches)</b>	<b>Equivalency Factor</b>	<b>Capital Facilities Charge (Dollars)</b>
5/8	NA	N/A
3/4	1.0	3,680
1	1.67	6,130
1 1/2	3.33	12,270
2	5.33	19,630
3	10.00	36,800
4	16.67	61,330
6	33.33	122,670
8	53.33	196,270

- B.** Temporary Water Service Meter Deposit — Fire Hydrant Service Connection  
This deposit will be established in the amount of the actual cost to replace the temporary meter plus charges for staff time to order, receive and prepare a replacement meter.

## II. MONTHLY WATER SERVICE AND CONSUMPTION CHARGES

		Water Rates				
Frequency		Oct-1-09	Jul-1-10	Jul-1-11	Jul-1-12	Jul-1-13
<b>Water Quantity Charge</b>						
Basic	Per unit (CCF)	\$4.23	\$4.53	\$4.85	\$5.14	\$5.45
<b>Service Charge, \$/Month</b>						
Universal Life Service (a)	Per month	\$9.05	\$9.30	\$10.00	\$10.50	\$11.25
0.75-inch meter	Per month	\$12.10	\$12.40	\$13.30	\$14.10	\$15.00
1.00-inch meter	Per month	\$17.20	\$18.49	\$19.80	\$21.00	\$22.30
1.50-inch meter	Per month	\$28.30	\$30.30	\$32.50	\$34.50	\$36.60
2.00-inch meter	Per month	\$46.10	\$49.40	\$52.90	\$56.10	\$59.50
3.00-inch meter	Per month	\$86.70	\$92.80	\$99.30	\$105.30	\$111.70
4.00-inch meter	Per month	\$126.80	\$135.70	\$145.20	\$154.00	\$163.30
6.00-inch meter	Per month	\$230.60	\$246.80	\$264.10	\$280.00	\$296.80
8.00-inch meter	Per month	\$408.50	\$437.10	\$467.70	\$495.80	\$525.60
10.00-inch meter	Per month	\$654.40	\$700.30	\$749.40	\$794.40	\$842.10
Fire Service, all meter sizes (b)		\$19.10	\$20.40	\$21.80	\$23.10	\$24.40

**Notes:**

- a. Universal Life Service is 75% percent of the basic service charge.
- b. Fire Service charges include costs for account maintenance and backflow inspection.

### III. MISCELLANEOUS CHARGES

- A. Account Security Deposit — \$150/month for residential customers; For all other customers, an amount equal to one average billing for each class of customer.
- B. The following fees are listed and adjusted, as appropriate, in the City's Fee Schedule.
  - 1. Call Out Fee
  - 2. Water Turn On/Shut Off
  - 3. Water Turn On/Shut Off: After Hours

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#### NOTE:

The amounts set forth above reflect the level of the charge, fee or deposit as of the date of enactment of this chapter. These amounts may be adjusted from time-to-time and are updated in the separate City-wide Fee Schedule.