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**ORDINANCE NO. O-08-16**

**AN ORDINANCE OF THE CITY OF COLTON, CALIFORNIA ADOPTING  
RATE INCREASES TO CITY OF COLTON WATER SERVICE CHARGES**

**WHEREAS**, the City of Colton (the "City") operates a municipal water system located within the City and certain unincorporated areas of the County; and,

**WHEREAS**, the City undertook an evaluation of the capital infrastructure needs, water conservation program needs, and operations and maintenance costs of its water system.

**WHEREAS**, based on this evaluation, the City has determined to increase the rates for its water service charges; and,

**WHEREAS**, future rate increases beginning July 1, 2017 through July 1, 2020, will be necessary for all of the City's water customers to enable the City to recover projected costs of providing water services and to ensure that it can safely treat and deliver water, maintain the operational and financial stability of the utility, and avoid operational deficits and depletion of reserves; and,

**WHEREAS**, the rates for the water service charges are comprised of five customer classes — (1) Single-Family Residential; (2) Multi-Family Residential; (3) Commercial & Industrial; (4) Municipal; and (5) Commercial Fire,

**WHEREAS**, the rates for the monthly water service fees are comprised of two components — a fixed Service Charge and a variable Commodity Charge; and,

**WHEREAS**, the Service Charge is a fixed charge established on the basis of the size of the meter size serving a property and is calculated to recover a portion of the City's fixed costs of operating, maintaining, and delivering water. The Commodity Charge is a consumption charge calculated on the basis of recovering the cost of providing water to property owners and customers. For single family residential customers the Commodity Charge is a variable charge and consists of two tiers which impose higher rates as the level of consumption increases. For all other customers the Commodity Charge is a uniform rate per hundred cubic feet of water ("hcf"), or 748 gallons of water; and,

1           **WHEREAS**, the City also imposes a fixed monthly fire meter service charge on certain  
2 commercial properties as a condition of extending or initiating water service by (1) the  
3 installation of a private fire suppression system, and (2) upon the request of the consumer or  
4 property owner for the delivery of water to the property for the purpose of fire service protection.  
5 The rates for the monthly commercial fire meter charge are established on the basis of the size of  
6 the meter serving a property and are calculated to recover the costs of providing water to such  
7 properties for private fire service protection; and,

8           **WHEREAS**, the rates are calculated to proportionately allocate the costs of providing  
9 water service among the customer classes and to customers within each class on a parcel basis;  
10 and

11           **WHEREAS**, in accordance with the provisions of Article XIII D, section 6 of the  
12 California Constitution, the City mailed out notices of the proposed rate increases and such  
13 notices were provided to all record owners of property upon which the proposed water service  
14 charges are proposed for imposition and any tenants who are directly liable for the payment of the  
15 proposed water service charges (i.e., customers of record who are not property owners) within the  
16 City not less than 45 days prior to the public hearing on the proposed establishment of rates and  
17 charges as set forth herein; and,

18           **WHEREAS**, the City Council conducted a public hearing on April 5, 2016, to receive  
19 oral and written testimony regarding this Ordinance and the proposed rate increases. Said date  
20 and time were not less than forty-five days after the mailing of the notice; and,

21           **WHEREAS**, at the conclusion of the public hearing, written protests against the proposed  
22 rate increases were not presented by a majority of the record owners of parcels upon which the  
23 water service charges are imposed and tenants directly responsible for the payment of water  
24 service charges; and,

25           **WHEREAS**, it is deemed to be in the best interests of the City to adopt the rate increases  
26 due to the fiscal impacts referenced above.

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3 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON,**  
4 **CALIFORNIA DOES ORDAIN AS FOLLOWS:**

5 **Section 1.** All of the foregoing Recitals are true and correct and the City Council so  
6 finds and determines. The Recitals set forth above are incorporated herein, are made findings and  
7 determinations of the City Council, and are made an operative part of this Ordinance.

8 **Section 2.** The City Council hereby finds and determines that written protests against  
9 the proposed rate increases were not presented by a majority of the record owners of parcels upon  
10 which water service charges are imposed or tenants directly responsible for the payment of water  
11 service charges. The City Council therefore finds and determines that a majority protest does not  
12 exist and it is authorized to impose the rate increases as set forth herein.

13 **Section 3.** The City hereby adopts the rates for water service charges in the amounts  
14 and on the effective dates set forth in the tables below.

15 **Commodity Charge (\$/Hundred Cubic Feet) Effective on July 1**

TIERS Single Family Residential	Current	July 1, 2016	July 1, 2017	July 1, 2018	July 1, 2019	July 1, 2020
Current Uniform Volumetric Rate	\$1.61					
Tier 1: 0-18 hcf		\$1.47	\$1.64	\$1.65	\$1.67	\$1.69
Tier 2: 19+ hcf		\$2.16	\$2.39	\$2.42	\$2.44	\$2.47
<b>All Other Customers</b> Rate Per HCF of Water Consumed	\$1.61	\$1.67	\$1.86	\$1.87	\$1.89	\$1.91

18 **Monthly Service Charge (\$/Meter Size) Effective on July 1**

Meter Size	Current	July 1, 2016	July 1, 2017	July 1, 2018	July 1, 2019	July 1, 2020
5/8 & 3/4"	\$16.70	\$22.78	\$25.29	\$25.54	\$25.80	\$26.06
1"	\$26.23	\$37.00	\$41.07	\$41.48	\$41.90	\$42.31
1 1/2"	\$47.00	\$72.54	\$80.52	\$81.32	\$82.14	\$82.96
2"	\$71.31	\$115.19	\$127.86	\$129.13	\$130.43	\$131.73
3"	\$84.86	\$228.91	\$254.09	\$256.63	\$259.20	\$261.79
4"	\$288.78	\$356.85	\$396.10	\$400.07	\$404.07	\$408.11
6"	\$489.49	\$712.24	\$790.59	\$798.49	\$806.48	\$814.54
8"	\$627.22	\$1,280.86	\$1,421.76	\$1,435.98	\$1,450.34	\$1,464.84
10"	\$896.96	\$1,707.33	\$1,895.14	\$1,914.09	\$1,933.23	\$1,952.56
12"	\$1,456.16	\$2,400.34	\$2,664.38	\$2,691.02	\$2,717.93	\$2,745.11

1           **Monthly Commercial Fire Meter Charge (\$/Meter Size) Effective on July 1**

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<b>Meter Size</b>	<b>Current</b>	<b>July 1, 2016</b>	<b>July 1, 2017</b>	<b>July 1, 2018</b>	<b>July 1, 2019</b>	<b>July 1, 2020</b>
4"	\$62.28	\$79.30	\$88.02	\$88.90	\$89.79	\$90.69
6"	\$139.73	\$179.38	\$199.11	\$201.10	\$203.11	\$205.14
8"	\$242.99	\$312.81	\$347.22	\$350.69	\$354.20	\$357.74
10"	\$380.68	\$490.73	\$544.71	\$550.15	\$555.66	\$561.21

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6           **Section 4.**     The City Manager is authorized and directed to take all actions necessary to implement the authorized rates.

7           **Section 5.**     The City Council finds and determines that the administration, operation, maintenance and improvements of the City water system, which are to be funded by the increased water service rates set forth herein, are necessary to maintain service within the City's existing service area. The City Council further finds that the administration, operation, maintenance and improvements of the City water system, to be funded by the increased water service rates and fees, will not expand the City's system. The City further finds that the adoption of the rates and fees is necessary and reasonable to fund the administration, operation, maintenance and improvements of the City water system. Based on these findings, the City Council determines that the adoption of the rates and fees established by this Ordinance are exempt from the requirements of the California Environmental Quality Act pursuant to section 21080(b)(8) of the Public Resources Code and section 15273(a) of the State CEQA Guidelines. The City Clerk is hereby directed to file a Notice of Exemption with the County Clerk within three days following the date of this Ordinance.

11           **Section 6.**     All ordinances, resolutions, or administrative actions by the City Council, or parts thereof that are inconsistent with any provision of this Ordinance are hereby superseded only to the extent of such inconsistency.

12           **Section 7.**     Within 15 days after adoption of this Ordinance, a summary of the Ordinance shall be published with the names of those members of the City Council voting for and against this Ordinance and a certified copy of the full text of this Ordinance, along with the names of those City Council members voting for and against this Ordinance, shall be posted in the office of the City Clerk.

13           **Section 8.**     If any section, subsection, clause or phrase in this Ordinance is for any reason held invalid, the validity of the remainder of this Ordinance shall not be affected thereby. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof be held invalid.

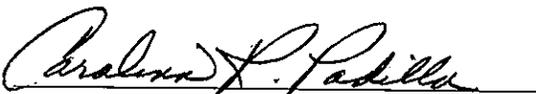
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**Section 9.** This Ordinance shall take effect thirty (30) days after its final passage.

**PASSED, APPROVED, AND ADOPTED** this 19th day of April, 2016.

  
RICHARD A. DELAROSA, Mayor

ATTEST:

  
CAROLINA R. PADILLA, City Clerk

APPROVED AS TO FORM:

  
BEST BEST & KRIEGER LLP  
CITY ATTORNEY

1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN BERNARDINO ) ss  
3 CITY OF COLTON )

4 CERTIFICATION

5 I, **CAROLINA R. PADILLA**, City Clerk of the City of Colton, California, do hereby  
6 certify under penalty of perjury that the foregoing is a full, true and correct copy of  
7 **ORDINANCE NO. O-08-16**, and was duly passed, approved, and adopted by the City  
8 Council of the City of Colton at its Regular Meeting held on the **19th day of April**,  
9 **2016**, by the following vote to wit:

10  
11 AYES: COUNCILMEMBER Toro, Navarro, González, and Mayor  
DeLaRosa

12  
13 NOES: COUNCILMEMBER Bennett, Suchil

14  
15 ABSTAIN: COUNCILMEMBER None

16  
17 ABSENT: COUNCILMEMBER Jorrin

18 **IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official  
19 seal of the City of Colton, California, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

20  
21 \_\_\_\_\_  
22 CAROLINA R. PADILLA  
23 City Clerk  
City of Colton, California

24 (SEAL)  
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