

ORDINANCE NO. 507

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLUE LAKE
AMENDING THE WATER CODE OF THE CITY OF BLUE LAKE, ARTICLE XI
(DISCONTINUANCE OF SERVICE), SECTION 192 (RECONNECTION CHARGE),
ARTICLE XVI (RATES INSIDE CITY LIMITS), SECTION 270 (RATE SCHEDULE),
AND ARTICLE XVII (RATES OUTSIDE CITY LIMITS), SECTION 280 (RATE
SCHEDULE)**

The City Council of the City of Blue Lake, Humboldt County, California, does hereby ordain as follows:

Section 1. Findings. The City Council for the City of Blue Lake hereby makes the following findings:

- A. The City of Blue Lake has adopted a Water Code for regulation of the City's water delivery system, adopted as Ordinance 354 and subsequently amended.
- B. On April 23, 2013 the City Council accepted a Water User Rate Analysis prepared by SHN Consulting Engineers & Geologists, dated April 2013 analyzing the operational and capital needs for the City's water system and proposing rate adjustments.
- C. Pursuant to California Constitution Article XIII D and Government Code sections 53750-53756 (commonly referred to as Proposition 218), the City Council held a public hearing on June 18, 2013, after publishing notice thereof more than 45 days in advance, to hear protests over the proposed water rate changes as set forth in the Water User Rate Analysis.
- D. After canvassing the written protests submitted in response to said proposed rate changes, the City Clerk advised that a majority protest does not exist.

Section 2. Reconnection Charge. Section 192 of Article XI(Discontinuance of Service), is hereby replaced in its entirety by the following:

“192. RECONNECTION CHARGE. A reconnection charge of Twenty Five Dollars (\$25) plus penalties will be made and charged prior to renewing service following a discontinuance or short-term disconnection. When bills are delinquent, the Water Department may demand that the full amount of both delinquent and current bills be paid prior to reconnection.”

Section 3. Rates Inside City Limits. Subparagraphs (a) and (b) of Section 270, Article XVI (Rates Inside City Limits) are hereby replaced in their entirety and new subparagraph (c) is added as follows:

“270. RATE SCHEDULE

- (a) Monthly Base Fees shall be charged for each month in which a meter is in service in the amount shown in Schedule 1, attached hereto and incorporated herein.
- (b) Monthly Consumption Charges shall be charged in addition to Monthly Base Rates in the amount shown in Schedule 3, attached hereto and incorporated herein.
- (c) Effective July 1, 2014, and adjusted each July 1 thereafter, all rates charged shall be adjusted to pass through the wholesale costs of water purchases from the Humboldt Bay Municipal Water District based on the rate shown in Schedule 5, attached hereto and incorporated herein.”

Section 4. Rates Outside City Limits. Subparagraphs (a) and (b) of Section 280 (Rate Schedule), Article XVII (Rates Outside City Limits), are hereby replaced in their entirety and new subparagraph (c) is added as follows:

“280. RATE SCHEDULE

- (a) Monthly Base Rates shall be charged for each month in which a meter is in service in the amount shown in Schedule 2, attached hereto and incorporated herein.
- (b) Monthly Consumption Charges shall be charged in addition to Monthly Base Rates in the amount shown in Schedule 4, attached hereto and incorporated herein.
- (c) Effective July 1, 2014, and adjusted each July 1 thereafter, all rates charged shall be adjusted to pass through the wholesale costs of water purchases from the Humboldt Bay Municipal Water District based on the rate shown in Schedule 5, attached hereto and incorporated herein.”

Section 5. Said revised Sections 192, 270, and 280 are hereby integrated into Articles XI, XVI, and XVII, respectively, of the Water Code of the City of Blue Lake. All other provisions of Ordinance 354 as amended shall remain unaffected.

Section 6. To the extent that the terms and provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior city ordinance, motion, resolution, rule or regulation governing the same subject, the terms of this Ordinance shall prevail with respect to the subject matter thereof and such inconsistent or conflicting provisions of prior ordinances, motions, resolutions, rules or regulations are hereby repealed.

Section 7. If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

Section 8. The Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Section 9. This Ordinance shall go into effect and be in full force and operation thirty (30) days after its final passage and adoption.

APPROVED:



Mayor – City of Blue Lake

ATTEST:



City Clerk – City of Blue Lake

CLERK'S CERTIFICATE

THIS IS TO CERTIFY that Ordinance No. 507 of the City Council of the City of Blue Lake was introduced and read at the regular meeting of the City Council of the City of Blue Lake, California, held on June 18, 2013. This Ordinance, again read at the regular meeting of the Blue Lake City Council, held on June 25, 2013 and at the time, passed by roll call vote, the vote on the adoption of the Ordinance being as follows:

AYES: Manzanita, Benjamin, Sawatzky, Kullmann, Schapiro

NOES: None

ABSENT: None

DISQUALIFIED: None



City Clerk, City of Blue Lake

ORDINANCE 507
Rates Effective August 1, 2013

SCHEDULE 1
MONTHLY BASE FEE PER METER SIZE – INSIDE CITY RATE

Meter Size (Inches)	8/1/2013	7/1/2014	7/1/2015
5/8	\$23.57	\$24.28	\$25.01
3/4	\$23.57	\$24.28	\$25.01
1	\$39.36	\$40.54	\$41.76
1 1/2	\$78.49	\$80.84	\$83.27
2	\$125.63	\$129.40	\$133.28
3	\$275.06	\$283.31	\$291.81
4	\$494.97	\$509.82	\$525.11
6	\$1,100.01	\$1,133.01	\$1,167.00

SCHEDULE 2
MONTHLY BASE FEE PER METER SIZE – OUTSIDE CITY RATE

Meter Size (Inches)	8/1/2013	7/1/2014	7/1/2015
5/8	\$35.36	\$36.42	\$37.51
3/4	\$35.36	\$36.42	\$37.51
1	\$59.04	\$60.81	\$62.64
1 1/2	\$117.73	\$121.26	\$124.90
2	\$188.44	\$194.10	\$199.92
3	\$412.59	\$424.97	\$437.72
4	\$742.46	\$764.73	\$787.67
6	\$1,650.02	\$1,699.52	\$1,750.50

**SCHEDULE 3
MONTHLY CONSUMPTION FEE PER METER SIZE – INSIDE CITY RATE**

Quantity (cubic feet)	8/1/2013	7/1/2014	7/1/2015
0-200	\$ 1.60	\$ 1.65	\$ 1.70
201-400	\$ 1.70	\$ 1.75	\$ 1.80
401-1200	\$ 1.80	\$ 1.85	\$ 1.91
1201 and up	\$ 1.75	\$ 1.80	\$ 1.86

**SCHEDULE 4
MONTHLY CONSUMPTION FEE PER METER SIZE – OUTSIDE CITY RATE**

Quantity (cubic feet)	8/1/2013	7/1/2014	7/1/2015
0-200	\$ 2.40	\$ 2.47	\$ 2.55
201-400	\$ 2.55	\$ 2.63	\$ 2.71
401-1200	\$ 2.70	\$ 2.78	\$ 2.86
1201 and up	\$ 2.63	\$ 2.70	\$ 2.78

**SCHEDULE 5
HUMBOLDT BAY MUNICIPAL WATER DISTRICT PASS THROUGH**

New Rate = Old Rate x [1 + (A/B)], where

A = Increase in wholesale water costs (dollar for dollar based on increases adopted by HBMWD)

B = Current annual water revenue

AFFIDAVIT OF POSTING OF ORDINANCE NO. 507

STATE OF CALIFORNIA)

COUNTY OF HUMBOLDT)

I, Adrienne Nielsen, HAVING BEEN FIRST DULY SWORN,
DEPOSES AND SAYS:

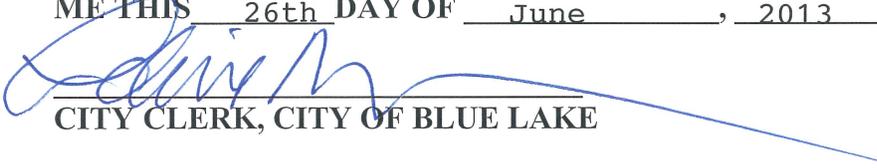
THAT SHE/HE IS AND AT ALL TIMES MENTIONED WAS
A CITIZEN OF THE UNITED STATES, OVER THE AGE OF 21 YEARS,
THAT WITHIN 15 DAYS AFTER PASSAGE OF ORDINANCE NO. 507,
AND ON THE 26 DAY OF June, 2013, AFFIANT POSTED
TRUE AND CORRECT COPIES OF THE SAID ORDINANCE IN THREE
PUBLIC PLACES IN THE CITY OF BLUE LAKE, ALL IN CONFORMITY
GOVERNMENT CODE SECTION 36933.

SIGNED



SUBSCRIBED AND SWORN TO BEFORE

ME THIS 26th DAY OF June, 2013



CITY CLERK, CITY OF BLUE LAKE