

ORDINANCE NO. ORD-05-0032

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2  
3 AN ORDINANCE OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH APPROVING AND ADOPTING  
5 THE OFFICIAL BUDGET OF THE CITY OF LONG BEACH  
6 FOR THE FISCAL YEAR 2005-06, CREATING AND  
7 ESTABLISHING THE FUNDS OF THE MUNICIPAL  
8 GOVERNMENT OF THE CITY OF LONG BEACH AND  
9 APPROPRIATING MONEY TO AND AUTHORIZING  
10 EXPENDITURES FROM SAID FUNDS FOR SAID FISCAL  
11 YEAR; DECLARING THE URGENCY THEREOF, AND  
12 PROVIDING THAT THIS ORDINANCE SHALL TAKE  
13 EFFECT AT 12:01 A.M. ON OCTOBER 1, 2005  
14

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

16 Section 1. The City Manager's Recommended Budget which was  
17 submitted to the City Council on August 12, 2005 by the Mayor, and which constitutes  
18 the preliminary budget for the fiscal year beginning October 1, 2005, as amended, is  
19 hereby adopted as the official budget of the City of Long Beach for fiscal year 2005-06.

20 Sec. 2. The amounts appropriated in Sections 3 and 4 shall govern  
21 and control the expenditures for fiscal year 2005-06 of the several fund types, funds,  
22 departments, offices and agencies stated therein. Said amounts conform to the  
23 adopted budget of the City of Long Beach as set forth in Section 1. All detailed  
24 schedules and other data set forth in the City Manager's Recommended Budget other  
25 than those mentioned in this ordinance are provided for information purposes only and  
26 are not intended to limit expenditures.

27 Sec. 3. The Funds specified in Exhibit "A" are hereby established,  
28 those of such funds not otherwise created are hereby created, and the specified sums

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1 of money set forth opposite the names of said funds are hereby appropriated and  
2 authorized to be spent in 2005-06, all of which sums are based on the approved and  
3 adopted budget.

4           Sec. 4.       The specified sums of money set forth opposite the names  
5 of the following departments, offices and agencies in Exhibit "B" are hereby  
6 appropriated and authorized to be spent in fiscal year 2005-06, all of which sums are  
7 based upon the approved and adopted budget.

8           Sec. 5.       This is an emergency measure and is urgently required for  
9 the reason that in order to carry on the affairs, functions and business of the City of  
10 Long Beach during the fiscal year which begins on October 1, 2005, it is necessary to  
11 authorize the expenditure of monies required for such purposes. Currently, no authority  
12 exists to pay the salaries and wages of the officers and employees of said City or to  
13 make the necessary purchases of supplies, equipment and services to carry on the  
14 affairs, functions and business of said City in the forthcoming fiscal year. Commencing  
15 on October 1, 2005 it will be necessary for the City of Long Beach to make certain  
16 payments on the principal and interest of the bonded indebtedness of said City and to  
17 meet the payrolls of the various departments of said City, including the Police, Fire and  
18 Health Departments.

19           In order that said obligations may be met when due and payable and said  
20 expenditures may be made, it is necessary that this ordinance be passed as an  
21 emergency measure, to take effect at 12:01 a.m. on October 1, 2005.

22           Sec. 6.       If any section, subsection, subdivision, sentence, sum,  
23 percentage, clause or phrase of this ordinance is for any reason held to be  
24 unconstitutional, invalid or void, such decision shall not affect the validity of the  
25 remaining portions of this ordinance. The City Council hereby declares that it would  
26 have passed this ordinance, and every section, subsection, subdivision, sentence, sum,  
27 percentage, clause and phrase thereof, irrespective of the fact that any one or more  
28 sections, subsections, subdivisions, sentences, sums, percentages, clauses or phrases



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1 Long Beach by the following vote:

2 Ayes: Councilmembers: Lowenthal, Colonna, O'Donnell,  
3 Kell, Richardson, Reyes Uranga,  
4 Gabelich, Lerch.

6 Noes: Councilmembers: None.

8 Absent: Councilmembers: Baker.

11 I further certify that the foregoing ordinance was thereafter adopted on  
12 final reading of the City Council of the City of Long Beach at its meeting of  
13 September 20, 2005, by the following vote:

14 Ayes: Councilmembers: Lowenthal, Baker, Colonna,  
15 O'Donnell, Kell, Reyes Uranga,  
16 Lerch.

18 Noes: Councilmembers: None.

20 Absent: Councilmembers: Richardson, Gabelich.

23 David G. Herrera  
City Clerk

24 Approved: 9-26-05  
25 (Date)

Reyes Uranga  
(Mayor)

26 HAM:fi  
27 8/25/05  
28 L:\APPS\CtyLaw\32\WPDOCS\025\004\00078799.WPD  
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## Exhibit A

### FISCAL YEAR 2006 APPROPRIATIONS ORDINANCE BY FUND

FUND	FY 06 NEW ALLOCATION	FY 05 ESTIMATED CARRYOVER*	FY 06 APPROPRIATION
GENERAL FUND	\$ 362,086,402	\$ -	\$ 362,086,402
GENERAL GRANTS FUND	8,457,352	13,777,275	\$ 22,234,627
HEALTH FUND	37,883,558	27,011,419	\$ 64,894,977
PARKING & BUSINESS AREA IMPROVEMENT FUND	2,788,500	-	\$ 2,788,500
SPECIAL ADVERTISING & PROMOTION FUND	5,477,286	-	\$ 5,477,286
UPLAND OIL FUND	15,975,015	-	\$ 15,975,015
HOUSING DEVELOPMENT FUND	52,954,412	9,361,792	\$ 62,316,204
BELMONT SHORE PARKING METER FUND	594,072	-	\$ 594,072
BUSINESS ASSISTANCE FUND	1,876,438	-	\$ 1,876,438
COMMUNITY DEVELOPMENT GRANTS FUND	27,363,026	34,371,790	\$ 61,734,816
PARK DEVELOPMENT FUND	1,052,180	-	\$ 1,052,180
GASOLINE TAX STREET IMPROVEMENT FUND	11,999,973	15,814,282	\$ 27,814,255
TRANSPORTATION FUND	14,810,348	20,736,300	\$ 35,546,649
CAPITAL PROJECTS FUND	11,317,059	57,798,840	\$ 69,115,899
CIVIC CENTER FUND	4,420,770	11,734,572	\$ 16,155,342
GENERAL SERVICES FUND	33,393,361	371,655	\$ 33,765,016
FLEET SERVICES FUND	29,737,511	1,609,460	\$ 31,346,971
INSURANCE FUND	36,327,122	-	\$ 36,327,122
EMPLOYEE BENEFITS FUND	192,796,026	-	\$ 192,796,026
TIDELANDS FUNDS	100,348,886	23,362,331	\$ 123,711,217
TIDELAND OIL REVENUE FUND	113,063,021	-	\$ 113,063,021
RESERVE FOR SUBSIDENCE GAS FUND	4,000,000	-	\$ 4,000,000
	136,918,857	1,566,418	\$ 138,485,275
AIRPORT FUND	24,076,324	14,536,652	\$ 38,612,975
REFUSE/RECYCLING FUND	36,710,029	(26,150)	\$ 36,683,879
SERRF FUND	48,217,813	-	\$ 48,217,813
SERRF JPA FUND	12,130,340	-	\$ 12,130,340
TOWING FUND	8,821,526	-	\$ 8,821,526
PARKING AUTHORITY FUND	506,193	-	\$ 506,193
HOUSING AUTHORITY FUND	66,941,870	664,651	\$ 67,606,521
REDEVELOPMENT FUND	165,370,449	12,750,757	\$ 178,121,206
CUPA FUND	963,190	-	\$ 963,190
<b>TOTAL</b>	<b>\$ 1,569,378,906</b>	<b>\$ 245,442,045</b>	<b>\$ 1,814,820,951</b>

\* Carryover of multi-year grants and CIP funds.

## Exhibit B

### FISCAL YEAR 2006 APPROPRIATIONS ORDINANCE BY DEPARTMENT

<u>DEPARTMENT</u>	<u>FY 06 NEW ALLOCATION</u>	<u>FY 05 ESTIMATED CARRYOVER*</u>	<u>FY 06 APPROPRIATION</u>
MAYOR AND COUNCIL	4,650,026	\$ -	\$ 4,650,026
CITY ATTORNEY	9,518,945	-	\$ 9,518,945
CITY AUDITOR	2,711,455	-	\$ 2,711,455
CITY CLERK	4,456,157	-	\$ 4,456,157
CITY MANAGER	8,161,078	-	\$ 8,161,078
CITY PROSECUTOR	4,265,278	(19,053)	\$ 4,246,225
CIVIL SERVICE	2,610,522	-	\$ 2,610,522
COMMUNITY DEVELOPMENT	338,725,556	57,211,998	\$ 395,937,554
FINANCIAL MANAGEMENT**	321,062,453	386,285	\$ 321,448,738
FIRE	81,570,024	9,106,583	\$ 90,676,607
HEALTH AND HUMAN SERVICES	42,817,077	27,400,327	\$ 70,217,404
HUMAN RESOURCES	7,355,416	-	\$ 7,355,416
LIBRARY SERVICES	12,036,751	-	\$ 12,036,751
LONG BEACH ENERGY	175,835,370	1,566,418	\$ 177,401,788
OIL PROPERTIES	128,631,649	-	\$ 128,631,649
PARKS, RECREATION AND MARINE	45,730,558	882,606	\$ 46,613,164
PLANNING AND BUILDING	11,349,350	-	\$ 11,349,350
POLICE	170,620,624	3,740,123	\$ 174,360,747
PUBLIC WORKS	171,909,611	144,795,104	\$ 316,704,714
TECHNOLOGY SERVICES	27,911,639	371,655	\$ 28,283,294
<b>TOTAL</b>	<b>1,571,929,538</b>	<b>\$ 245,442,045</b>	<b>\$ 1,817,371,583</b>

\* Carryover of multi-year grants and CIP funds.

\*\* Department of Financial Management includes Water, Sewer and Harbor Fund internal service charges that are contained in the resolutions of those funds, and citywide activities such as debt service payments.

RESOLUTION NO. Res-05-0097

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH ADOPTING AN APPROPRIATIONS LIMIT FOR THE CITY OF LONG BEACH FOR THE 2005-2006 FISCAL YEAR PURSUANT TO ARTICLE XIII(B) OF THE CALIFORNIA CONSTITUTION

WHEREAS, Article XIII(B) of the California Constitution provides for an annual appropriations limit for state and local governments beginning with the 1980-81 fiscal year, based on 1978-79 appropriations, as adjusted for specified annual changes in population and inflation; and

WHEREAS, Section 7910 of the Government Code also provides that 15 days prior to such meeting, documentation used in the determination of the appropriations limit shall be available to the public; and that each year the City Council shall, by resolution, establish the appropriations limit for the City of Long Beach for the following fiscal year; and

WHEREAS, Proposition 111 subsequently amended Article III(B) of the California Constitution to provide for certain revisions in the population and inflation factors used in the calculation of the appropriations limit and to provide for a recalculation of the appropriation limit date for the years 1987-88 through 1990-91; and

WHEREAS, Proposition 111 provided that one factor that may be used in the calculation of the appropriations limit is the increase in local non-residential assessed value due to new construction for the years 1987-88 through 1992-93; and

WHEREAS, the documentation which is attached hereto and made a part hereof as Exhibit "A" was used in the determination of the appropriations limit for the 2005-2006 fiscal year, and has been available for public inspection in the office of the City Clerk since August 18, 2005;

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NOW, THEREFORE, the City Council of the City of Long Beach resolves  
as follows:

Section 1. The appropriations limit for the City of Long Beach for fiscal  
year 2005-2006 shall be \$497,686,770.00

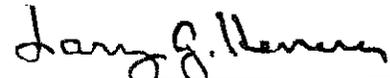
Sec. 2. This resolution shall take effect immediately on its adoption  
by the City Council, and the City Clerk shall certify the vote adopting this resolution.

I hereby certify that this resolution was adopted by the City Council of the  
City of Long Beach at its meeting of September 13, 2005, by the following vote:

Ayes: Councilmembers: Lowenthal, Colonna, O'Donnell,  
Kell, Richardson, Reyes Uranga,  
Gabelich, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: Baker.

  
City Clerk

**"EXHIBIT A"**

**CITY OF LONG BEACH**

**I. DETERMINATION OF FISCAL YEAR 2005-2006  
APPROPRIATIONS LIMIT  
Based On Budgeted Revenues**

2004-2005 Appropriations Limit:		\$468,738,590
Adjustment Factor (See Below):	x	1.061758
2005-06 Appropriations Limit:		\$497,686,770

**II. DETERMINATION OF APPROPRIATIONS FACTOR**

Price Factor:		1.052600
Change in Per Capita Income Department of Finance estimate pursuant to Revenue Tax Code, Sec. 2227 and 2228, California =	5.26%	
Ratio = $(5.26+100)/100 =$	1.0526	
Population Change:		1.008700
Department of Finance estimate pursuant to Revenue Tax Code, Sec. 2227 and 2228, California =	0.87%	
Ratio = $(.87+100)/100 =$	1.0087	
Adjustment Factor:		1.061758
1.052600 x 1.008700		
Factors were converted to ratios per State guidelines.		

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1 RESOLUTION NO. RES-05-0085

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH APPROVING THE 2005-2006  
5 BUDGET OF THE LONG BEACH HARBOR DEPARTMENT  
6

7 WHEREAS, Ordinance No. C-7300 of the City Council establishes the  
8 fiscal year of the City as beginning on October 1 and ending on September 30 of the  
9 following year; and

10 WHEREAS, the annual budget of the Long Beach Harbor Department for  
11 the 2005-2006 fiscal year was adopted by the Board of Harbor Commissioners in its  
12 meeting of August 1, 2005 by Resolution HD-2263; and

13 WHEREAS, said annual budget has been filed with the City Clerk for  
14 presentation to the City Council and with the City Auditor pursuant to the provisions of  
15 Section 1210 of the Charter of the City of Long Beach;

16 NOW, THEREFORE, the City Council of the City of Long Beach resolves  
17 as follows:

18 Section 1. The annual budget of the Long Beach Harbor Department for  
19 the 2005-2006 fiscal year, adopted by the Board of Harbor Commissioners in its  
20 meeting of August 1, 2005 by Resolution HD-2263, a copy of which is attached hereto  
21 and made a part hereof by reference, is hereby approved pursuant to the provisions of  
22 Section 1210 of the Charter of the City of Long Beach.

23 Sec. 2. The City Clerk shall file a certified copy of said budget, as  
24 approved, with the Board of Harbor Commissioners and the City Auditor.

25 Sec. 3. The City Clerk shall certify to the passage of this Resolution by  
26 the City Council of the City of Long Beach, and it shall thereupon take effect.

27 I hereby certify that the foregoing Resolution was adopted by the City  
28 Council of the City of Long Beach at its meeting of September 13, 2005 by

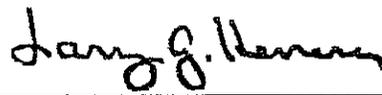
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the following vote:

Ayes: Councilmembers: Lowenthal, Colonna, O'Donnell,  
Kell, Richardson, Reyes Uranga,  
Gabelich, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: Baker.



City Clerk

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City Attorney of Long Beach  
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LONG BEACH, CALIF.  
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Robert Jannon  
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RESOLUTION NO. HD- 2263

A RESOLUTION OF THE BOARD OF HARBOR  
COMMISSIONERS ADOPTING THE ANNUAL BUDGET FOR  
THE LONG BEACH HARBOR DEPARTMENT FOR THE  
FISCAL YEAR 2005-2006

The Board of Harbor Commissioners of the City of Long Beach resolves  
as follows:

Section 1. That the annual department budget of the Long Beach Harbor  
Department for the fiscal year 2005-2006 is hereby adopted as follows:

Harbor Revenue Fund (in thousands of dollars)

Estimated Fund Balance 10-1-2005	\$238,738
Estimated Revenues	<u>403,079</u>
Total Estimated Resources	641,817
Estimated Expenditures	<u>411,147</u>
Estimated Fund Balance 9-30-2006	\$230,670

Detailed schedules and other data which accompany the budget are  
provided for information purposes only and are not intended to limit expenditures.

Sec. 2: This resolution shall take effect immediately upon its adoption by  
the Board of Harbor Commissioners, and the Secretary of the Board shall certify to the  
vote adopting this resolution and shall cause a certified copy of this resolution to be

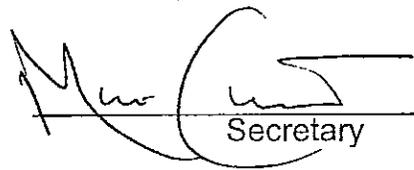
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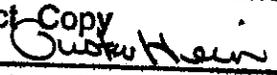
1 filed forthwith with the City Clerk. The City Clerk shall post the resolution in three  
2 conspicuous places in the City of Long Beach.

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I hereby certify that the foregoing resolution was adopted by the Board of Harbor Commissioners of the City of Long Beach at its meeting of August 1, 2005 by the following vote:

Ayes:	Commissioners:	<u>Walter, Hancock, Hankla,</u>
		<u>Topsy-Elvord</u>
Noes:	Commissioners:	_____
Absent:	Commissioners:	<u>Cordero</u>
Not Voting:	Commissioners:	_____

  
Secretary

**Certified as a True and  
Correct Copy**  
  
Executive Secretary  
Board of Harbor Commissioners  
of the City of Long Beach, CA  
Dated August 11, 2005

Robert Lannon  
City Attorney of Long Beach  
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ORDINANCE NO. ORD-05-0034

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH APPROVING RESOLUTION NO. WD-1203, 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-1203 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 CITY COUNCIL BY ORDINANCE," adopted by said Board on July 28, 2005, and the rates fixed in the Resolution to be charged for water and sewer service be and the same are hereby approved.

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 September 20, 2005, by the following vote:

2 Ayes: Councilmembers: Lowenthal, Baker, Colonna,  
3 O'Donnell, Kell, Reyes Uranga,  
4 Lerch.

5  
6 Noes: Councilmembers: None.

7  
8 Absent: Councilmembers: Richardson, Gabelich.

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Janey G. Hennessy  
City Clerk

Approved: 9-26-05  
(Date)

Benny Speil  
Mayor

Robert L. Annon  
City Attorney of Long Beach  
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1 RESOLUTION NO. WD-1203

2  
3 A RESOLUTION OF THE BOARD OF WATER  
4 COMMISSIONERS FIXING RATES AND CHARGES FOR  
5 WATER AND SEWER SERVICE TO ALL CUSTOMERS,  
6 SUBJECT TO THE APPROVAL OF THE CITY COUNCIL BY  
7 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.

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 October 1, 2005, the service charge shall be in accordance with the  
20 following table:

<u>Size of Service</u>	<u>Daily Service Charge</u>
5/8 or 3/4 inch	\$0.288
1 inch	0.435
1-1/2 inch	0.811
2 inch	1.202
3 inch	2.489
4 inch	3.937
6 inch	7.257

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	<u>Size of Service</u>	<u>Daily Service Charge</u>
1		
2	8 inch	11.390
3	10 inch	18.654
4	12 inch	22.799
5	16 inch	37.733

6 B. On October 1, 2005, 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)	\$0.842
12	Tier II	Next 10 Billing Units (or fraction thereof)	\$1.683
13			
14	Tier III	Over 15 Billing Units (or fraction thereof)	\$2.525

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

17	Tier IB	First 5 billing units (or fraction thereof)	\$1.515
18			
19	Tier II	Next 10 billing units (or fraction thereof)	\$1.683
20			
21	Tier III	Over 15 billing units (or fraction thereof)	\$2.525

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

25	Tier IA	First 2.5 billing units (or fraction thereof) per dwelling unit	\$0.842
26			
27	Tier II	Next 10.5 billing units (or fraction thereof) per dwelling unit	\$1.683
28			

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1	Tier III	Over 13 billing units (or fraction thereof)	
2		per dwelling unit	\$2.525
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	\$1.515
7	Tier II	Next 10.5 billing units (or fraction thereof)	
8		per dwelling unit	\$1.683
9	Tier III	Over 13 billing units (or fraction thereof)	
10		per dwelling unit	\$2.525
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	\$0.842
16	Tier II	Next 6.5 billing units (or fraction thereof)	
17		per dwelling unit	\$1.683
18	Tier III	Over 9 billing units (or fraction thereof)	
19		per dwelling unit	\$2.525
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	\$1.515
24	Tier II	Next 6.5 billing units (or fraction thereof)	
25		per dwelling unit	\$1.683
26	Tier III	Over 9 billing units (or fraction thereof)	
27		per dwelling unit	\$2.525
28	7)	For commercial customers of potable water, \$1.683 per billing unit, or	

1 fraction thereof.

2 8) For industrial customers of potable water, \$1.683 per billing unit, or  
3 fraction thereof.

4 9) For irrigation customers of potable water, \$1.683 per billing unit, or  
5 fraction thereof.

6 10) For City of Long Beach Departments using potable water, \$1.683 per  
7 billing unit, or fraction thereof.

8 11) For reclaimed water users whose use is "peaking" as defined herein,  
9 \$1.178 per billing unit, or fraction thereof.

10 12) For reclaimed water users whose use is "non-peaking" as defined  
11 herein, \$0.842 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 shall be subject to annual adjustment,  
17 effective October 1, 2005, and each succeeding October 1 thereafter to reflect changes  
18 in the cost of purchased water, the pumping tax for produced ground water, the estimated  
19 cost of electrical power required to pump and distribute ground water, the estimated cost  
20 of chemicals used in the treatment and testing of water, the estimated cost for the  
21 discharge of by-products of the water treatment process in the Los Angeles County sewer  
22 system, the estimated operating and salary costs of treating water, of maintaining,  
23 improving and repairing the water distribution system, and service charges assessed by  
24 Federal and or State agencies. Such adjustment shall be computed to the nearest mil per  
25 100 cubic feet of water, and shall be the difference in the average cost per 100 cubic feet  
26 of water calculated at the Metropolitan Water District and the estimated pumping tax rates  
27 in effect for the ensuing fiscal year as compared to the rates in effect in effect in the current  
28 fiscal year, the ensuing fiscal year's estimated increased cost of power for pumping as

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1 compared to the cost of power for pumping in the current fiscal year, the ensuing fiscal  
2 year's estimated increase in the cost of chemicals for the treatment and testing of water  
3 as compared to the cost of chemicals in the current fiscal year, the ensuing fiscal year's  
4 estimated costs for the discharge of by-products of the water treatment process into the  
5 Los Angeles County sewer system as compared to the cost of the discharge of by-products  
6 in the current fiscal year, the ensuing fiscal year's estimated increase in the operating and  
7 salary costs of treating water, of maintaining, improving and repairing the water distribution  
8 system as compared to the operating costs in current fiscal year, and the ensuing fiscal  
9 year's estimated cost of service charges assessed by Federal and or State agencies as  
10 compared to those service charges in the current fiscal year.

11 The quantitative charges shall further be subject to periodic adjustment to  
12 reflect other than annual changes in the cost of purchased and pumped water. Such  
13 periodic adjustments shall take effect at the same time as the change in the cost of  
14 purchased and pumped water. The periodic adjustment shall be computed to the nearest  
15 mil per 100 cubic fee of water, and shall be the difference in the average cost per 100  
16 cubic feet of water calculated at rates of the Metropolitan Water District ("MWD") or the  
17 Water Replenishment District ("WRD") in effect for the ensuing period as compared to the  
18 rates currently in effect.

19 The formula for calculation of the described periodic (mid-year) adjustment  
20 shall be:

$$21 \quad A = \frac{\Delta R \times M + \Delta S}{C(Pu + M) + DSC} \text{ and/or } A = \frac{(\Delta T \times Pu) + \Delta S}{C(Pu + M) + DSC}$$

22 A = Total adjustment in dollars per 100 cubic feet.

23 Pu = Total estimated quantity in acre feet to be pumped during the balance  
24 of the fiscal year.

25 R = Dollar changes in MWD rate.

26 M = Total estimated quantity in acre feet to be purchased from MWD  
27 during the balance of the fiscal year.

28 C = Retail cost of water per A.F.

DSC = Total annual amount of accumulated daily services charges.

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1 S = Service charges assessed by Federal and State Agencies.

2 T = Dollar changes in WRD rate.

3 The adjustments thus calculated shall be added to the price per 100 cubic  
4 feet of water in each rate category and shall be adjusted to the nearest whole mil per 100  
5 cubic feet of water, rounded upward from one-half (1/2) mil.

6 D. The quantitative charges for Tier IB were adjusted on October 1, 1999  
7 to reflect the action of the Board approving incremental increases to Tier IB, and shall be  
8 adjusted on each succeeding October 1 thereafter until the quantitative charges for Tier  
9 IB equals the quantitative charges for Tier II, at which time Tier IB shall be eliminated. On  
10 October 1, 2000 Tier III was adjusted and shall be adjusted on each succeeding October  
11 1 thereafter in accordance with the Best Management Practice of Conservation Pricing.

12 Sec. 3. A. Unmetered water service may be rendered to unoccupied or  
13 occupied property where it is not practical to meter the water, and on October 1, 2005, the  
14 rate for unmetered water service shall be:

<u>Size of Service</u>	<u>Daily Rate</u>
5/8 or 3/4 inch	\$1.407
1 inch	\$2.380
1-1/2 inch	\$5.862
2 inch	\$9.223

15  
16  
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18  
19  
20 The rates for unmetered water service shall begin on the date of use of water  
21 by the customer, as determined by the General Manager.

22 B. The rates for unmetered water service shall begin on the date of use  
23 of water by the customer, as determined by the General Manager of the Water Department  
24 ("General Manager").

25 Sec. 4. Charges for water service through meters at temporary service  
26 connections from fire hydrants or otherwise shall be at the applicable quantitative charge  
27 plus the service charge, together with a charge for installing, changing, and removing the  
28 meter and fittings in accordance with the "Rules, Regulations and Charges Governing

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1 Potable Water, Reclaimed Water, Sewer Service and the Emergency Water Conservation  
2 Plan" of the Water Department.

3 Sec. 5. A. On October 1, 2005, the service charge for private fire protection  
4 service shall be in accordance with the following table:

5	<u>Size of Service</u>	<u>Daily Rate</u>
6	2 inch	\$0.602
7	3 inch	\$1.028
8	4 inch	\$1.519
9	6 inch	\$2.590
10	8 inch	\$3.796
11	10 inch	\$5.135
12	12 inch	\$6.473
13	16 inch	\$9.491

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

16 B. Whenever the Water Department finds that water through a private fire  
17 protection service is being used for purposes other than fire extinguishing or testing the fire  
18 line, the General Manager may make a determination of the quantity of water used, the  
19 quantitative charges for that water, and the service charges to be applied. His determina-  
20 tion shall be final. In addition, if water through a private fire protection service is used for  
21 purposes other than fire extinguishing or testing the fire line, the Water Department may  
22 discontinue the private fire protection service or may install a domestic or fire flow meter,  
23 at either the customer's or its expense as the General Manager may determine, and  
24 thereafter the service shall be classified as regular service and billed at the rates applicable  
25 thereto.

26 Sec. 6. The primary purpose of fire hydrants is extinguishing fires and they  
27 shall be opened and used only by the Water Department or the Long Beach Fire  
28 Department, or such other persons as may be authorized to do so by the General Manager

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1 or the Chief of the Fire Department. Where fire hydrants are installed and maintained by  
2 the Water Department, there shall be no standby charge made to the Fire Department.

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

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

8 <u>Size of Service</u>	9 <u>Daily Sewer Rate</u>
10 5/8 or 3/4 inch	11 \$ 0.111
12 1 inch	13 0.176
14 1-1/2 inch	15 0.320
16 2 inch	17 0.464
18 3 inch	19 0.960
20 4 inch	21 1.521
22 6 inch	23 2.800
24 8 inch	25 4.400
26 10 inch	27 7.198
28 12 inch	8.798
16 inch	14.397

C. The volumetric sewer rate shall be \$0.154 per 100 cubic feet of water  
furnished where water service size is 5/8 inches or larger. The volumetric sewer rate shall  
not be applicable to fire services.

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

Volumetric sewer rates for single family residential, duplex residential and  
multi-family residential customers shall be computed based on the average potable water  
use for the months of December, January and February. If the meter for current customers

1 shows that there has been no water used in one or more of these three winter months,  
2 then the average volume will be based on an average of the remaining two months or on  
3 the actual use in the one month showing use. If the meter for current customers shows  
4 that there has been no water used in any of these three winter months, no average volume  
5 can or will be calculated and those customers will be charged the volumetric sewer rate  
6 based on one-half of the actual potable water used during each month. This average  
7 volume will be the base volume on which the volumetric sewer rate is charged for the next  
8 twelve-month period beginning in April. If there is a month or months in which actual usage  
9 of potable water is lower than the average volume (as described above), the actual usage  
10 will be used for billing purposes. Annually, the average volume will be calculated to  
11 establish the base volume and a new base volume used for the succeeding twelve-month  
12 period in determining the volumetric charge. For those residential customers with no  
13 previous history of use for the months of December, January and February, the average  
14 volume for the classification in which that customer falls will be used. All other customers  
15 will be billed based on actual volume 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 those  
21 customers with no previous history of use for the months of December, January and  
22 February, the volumetric sewer rate shall be based on the average volume for customer's  
23 classification.

24 F. The City shall collect from all developments and all developments shall  
25 be required to pay a capacity charge of Seventy-Two Dollars and Seven Cents (\$72.07)  
26 per equivalent fixture unit at the time application for sewer service is made, but in no event  
27 later than the time that the City issues a sewer permit for connection to the City sewerage  
28 system, as set forth in the Long Beach Municipal Code and the "Rules, Regulations and

1 Charges Governing Potable Water, Reclaimed Water, Sewer Service and the Emergency  
2 Water Conservation Plan" of the Water Department.

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

11 H. The sewer capacity charge shall be subject to annual adjustment,  
12 effective October 1 of each year, to reflect the increase of the Construction Cost Index  
13 ("CCI") for Los Angeles as published in the "Engineering News-Record". The increase  
14 shall be calculated each September by dividing the CCI published in August of the current  
15 calendar year by the CCI published in August of the preceding calendar year; that figure  
16 multiplied by the sewer capacity charge in effect in October shall be the new sewer  
17 capacity charge. No adjustment shall be made to reflect a decrease in the CCI.

18 I. Funds derived from capacity charges shall be placed in the Sewer Fund  
19 and shall be used only for the operation, construction, reconstruction, acquisition, or  
20 maintenance of the City sewerage system.

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

1 amount of the capacity charge actually paid.

2 K. Anyone subject to a capacity charge who constructs, deposits money into  
3 escrow with the City for the construction of, participates in an assessment district for the  
4 construction of, or otherwise contributes money or improvements to the City for the  
5 operation, construction, reconstruction, acquisition, or maintenance of the City sewerage  
6 system shall be eligible for a credit for such contribution against the capacity charge  
7 otherwise due. The amount of the credit shall be the value of the contribution as  
8 determined by the City provided, however, that the credit shall not exceed ninety percent  
9 (90%) of the amount of the capacity charge. Applications for said credit shall be made on  
10 forms provided by the City and shall be submitted at or before the time of application for  
11 sewer service. The application shall contain a declaration under oath of those facts, along  
12 with relevant documentary evidence, which qualify the applicant for the credit.

13 L. The capacity charge and requirements pertaining thereto shall not affect  
14 in any way the permissible use of property, density of development, design and  
15 improvement standards, public improvement requirements, or any other aspect of the  
16 development of land or construction of buildings which may be imposed by the City  
17 pursuant to the Long Beach Municipal Code, Subdivision Regulations, or other state or  
18 local laws, ordinances or regulations which shall be in effect with respect to all  
19 developments.

20 M. The capacity charge is a charge on development that reflects a  
21 development's proportionate share of the present depreciated value of the existing City  
22 sewerage system. As such the capacity charge is additional to and not in substitution of  
23 the following: 1) on-site sewer facility requirements imposed by the City pursuant to the  
24 Long Beach Municipal Code, Subdivision Regulations, and other state or local laws,  
25 ordinances or regulations; 2) sewer permit fees; 3) connection charges; 4) sewer rates; and  
26 5) other fees, rates, and charges including but not limited to sewer standby or immediate  
27 availability charges and capital facilities charges for services or facilities other than as a  
28 proportionate share of the present depreciated value of the existing City sewer system.

1 In no event shall an applicant for sewer service be obligated to pay fees, rates, or charges  
2 in excess of those calculated pursuant to applicable City ordinances, which shall not  
3 individually or collectively exceed the reasonable cost of providing sewer service to the  
4 development.

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

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

15           B. Every water customer and every sewer customer shall be liable for  
16 payment of bills for water service and sewer service. Charges for water service and sewer  
17 service shall be included in municipal utility bills.

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

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

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

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

28           B. "Commercial" refers to activities devoted primarily to business, property

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1 management, or a profession;

2 C. "Industrial" refers to activities devoted primarily to manufacturing or  
3 processing;

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

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

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

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

15 I hereby certify that the foregoing resolution was adopted by the Board of  
16 Water Commissioners of the City of Long Beach at its meeting held on July 28, 2005, by  
17 the following vote:

18 Ayes: Commissioners: HELEN HANSEN, STEPHEN CONLEY,  
19 FRANK CLARKE, WILLIAM TOWNSEND

20  
21 Noes: Commissioners: NONE

22 Absent: Commissioners: NONE

23  
24 CERTIFIED AS A TRUE AND CORRECT COPY

25 SECRETARY TO THE BOARD OF WATER COMMISSIONERS  
CITY OF LONG BEACH, CALIFORNIA

26 By: Christina Anne Hill  
27 DATE: July 28, 2005

28 Frank Clarke  
Secretary  
Board of Water Commissioners

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1 RESOLUTION NO. RES-05-0084

2  
3 A RESOLUTION OF THE CITY COUNCIL OF  
4 THE CITY OF LONG BEACH APPROVING THE 2005-2006  
5 BUDGET OF THE LONG BEACH WATER DEPARTMENT  
6 AS ADOPTED

7  
8 WHEREAS, the annual budget of the Long Beach Water Department for the  
9 2005-2006 fiscal year was adopted by the Board of Water Commissioners in its meeting  
10 on July 28, 2005, by Resolution No. WD-1204; and

11 WHEREAS, it appears advisable to approve said budget, pursuant to the  
12 provisions of Section 1405 of the Charter of the City of Long Beach;

13 NOW, THEREFORE, the City Council of the City of Long Beach resolves, as  
14 follows:

15 Section 1. That the annual budget of the Long Beach Water Department for  
16 the 2005-2006 fiscal year adopted by the Board of Water Commissioners at its meeting  
17 on July 28, 2005 by Resolution No. WD-1204, is hereby approved pursuant to the  
18 provisions of Section 1405 of the Charter of the City of Long Beach.

19 Sec. 2. The City Clerk shall file a certified copy of said budget, as hereby  
20 approved, with the Board of Water Commissioners and the City Auditor.

21 Sec. 3. This resolution shall take effect immediately upon its adoption by the  
22 City Council, and the City Clerk shall certify the vote adopting this resolution.

23 I hereby certify that this resolution was adopted by the City Council

24 ///  
25 ///  
26 ///  
27 ///  
28 ///

1 of the City of Long Beach at its meeting of September 13, 2005, by the following  
2 vote:

3 Ayes: Councilmembers: Lowenthal, Colonna, O'Donnell,  
4 Kell, Richardson, Reyes Uranga,  
5 Gabelich, Lerch.

6  
7 Noes: Councilmembers: None.

8  
9 Absent: Councilmembers: Baker.

10  
11  
12 *Dary G. Hennessy*  
13 City Clerk

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RESOLUTION NO. WD-1204

A RESOLUTION OF THE BOARD OF WATER COMMISSIONERS ADOPTING THE ANNUAL BUDGET FOR THE LONG BEACH WATER DEPARTMENT FOR THE FISCAL YEAR 2005-2006

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

Section 1. That the annual department budget of the Long Beach Water Department for the fiscal year 2005-2006, as follows, be and the same is hereby adopted:

WATER

Estimated Contingency Fund Balance 10-1-2005	\$ 6,275,671
Estimated Revenues	<u>77,262,333</u>
Total Estimated Resources	83,538,004
Estimated Expenditures	<u>77,662,476</u>
Estimated Contingency Fund Balance 9-30-2006	5,875,528

SEWER

Estimated Contingency Fund Balance 10-1-2005	5,456,957
Estimated Revenues	<u>9,433,900</u>
Total Estimated Resources	14,890,857
Estimated Expenditures	<u>10,922,056</u>
Estimated Contingency Fund Balance 9-30-2006	3,968,801

Detailed schedules and other data which accompany the budget are provided for information purposes only and are not intended to limit expenditures.

Sec. 2. The Secretary of the Board of Water Commissioners shall certify to the passage of this resolution, and cause copies of the same to be filed with the City Council, the City Auditor and the City Manager.

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I hereby certify that the foregoing resolution was adopted by the Board of Water Commissioners of the City of Long Beach, at its meeting of July 28, 2005, by the following vote:

Ayes:	Commissioners:	<u>HELEN HANSEN, STEPHEN CONLEY</u>
		<u>FRANK CLARKE, WILLIAM TOWNSEND</u>
		_____
Noes:	Commissioners:	<u>NONE</u>
Absent:	Commissioners:	<u>NONE</u>

*Frank Clarke*  
Secretary  
BOARD OF WATER COMMISSIONERS

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CERTIFIED AS A TRUE AND CORRECT COPY

SECRETARY TO THE BOARD OF WATER COMMISSIONERS  
CITY OF LONG BEACH, CALIFORNIA

BY *William Ann Hill*

DATE July 28, 2005