

# Agenda Report

June 4, 2012

**TO:** Honorable Mayor and City Council

**THROUGH:** Municipal Services Committee (May 22, 2012)

**FROM:** City Manager

**SUBJECT:** APPROVE WATER REGULATIONS WHICH SET FORTH THE SERVICE REQUIREMENTS, GUIDELINES, PROVISIONS, STANDARDS, TERMS AND CONDITIONS BY WHICH CUSTOMERS CONNECT TO THE WATER DISTRIBUTION SYSTEM; AND ADOPT BY RESOLUTION PASADENA WATER AND POWER'S ("PWP") WATER REGULATIONS

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the proposed action is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b) (3) (General Rule);
2. Adopt a resolution to approve and establish the attached Water Regulations, which set forth the service requirements, guidelines, provisions, standards, terms and conditions by which customers connect to the water distribution system.

## **EXECUTIVE SUMMARY:**

Chapter 13.20 of the Pasadena Municipal Code, also known as the Water Rate Ordinance, sets forth the rates for water and water service to be charged and the terms and conditions of supplying such service. On April 16, 2012, the City Council established a date of June 4, 2012 to conduct a Public Hearing to receive public comments on the proposed amendments to the Water Rate Ordinance. The amendments primarily relate to changing the method of charging for the installation of water service connections from fixed charges to actual costs. Another proposed amendment is to move all the non-rate technical requirements to the newly proposed Water Regulations.

Moving the non-rate technical requirements into a separate document will make the information more easily accessible to customers. The Water Regulations will also be more thorough and comprehensive than the information that exists currently in the Water Rate Ordinance.

The proposed Water Regulations, as a companion to the Water Rate Ordinance, provide comprehensive detailed technical requirements that will aid water customers, property owners, contractors, developers, and engineers in the completion of water service connections that meet PWP and industry standard practices and safety requirements.

The document formalizes existing service requirements, guidelines, provisions, standards, terms and conditions by which customers connect to PWP's water distribution system. This includes detailed descriptions of various service connection types, conditions of service, construction standards and backflow prevention requirements. The Water Regulations are equivalent to the Power Department's Regulation 21, also called Electric Service Requirements, which prescribes guidelines, standards, terms and conditions by which customers connect to the power distribution system.

#### **BACKGROUND:**

The Pasadena Municipal Code provides that the General Manager of PWP shall, from time to time, submit service regulations relating to conditions of service, including rates, charges, and various special services not otherwise provided for. Such regulations and schedules of charges become effective upon adoption by Resolution of the City Council pursuant to Pasadena Municipal Code Section 13.20.270.

The Water Rate Ordinance was last amended on June 21, 2010. The proposed Water Regulations will be the first service regulations submitted by PWP.

The following provides a brief outline of the principles behind the Water Regulations:

- The Water Regulations have the same legal force and effect as a City Ordinance and are binding upon the consumers as one of the conditions of providing service.
- The water mains are owned by PWP and are under its exclusive control. All pipes, appurtenances and fixtures, from the water main in the street to the water meter, are installed or inspected by PWP. PWP is responsible for their maintenance and care.
- PWP controls and operates the water system, including the use and measurement of water supplied to its customers, and has the authority to discontinue any water service for nonpayment or non-maintenance of the pipes and plumbing connected with the supply main, or noncompliance on the part of any water user with these regulations.

- No installation of a water service, or repair thereof, shall be made which does not conform to these Water Regulations. Inspection and approval by PWP is required for all installations and repairs of water services.
- Certain types of services provided by PWP shall be charged at actual costs. Deposit or prepayment shall also be required before a service is provided.
- Backflow or cross-connection control is intended to prevent the contamination of the public water system. No water service connection shall be installed or maintained at any property where actual or potential cross-connections to the public water system may exist unless such actual or potential cross-connections are abated or controlled to the satisfaction of these regulations.
- Any threat to the water system or water quality shall be cause for PWP to disconnect the water supply to the premises on which the threat may exist. Water service will not be restored until preventive measures have been made to eliminate such threat.
- All construction associated with the water system shall be done in conformance with PWP standards.
- PWP delivers water to customers on private property only when a proper easement is obtained from the owner of said private property.

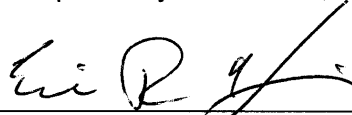
### **ENVIRONMENTAL ANALYSIS:**

The proposed resolution has been determined to be exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Further, while no physical construction is contemplated by the actions proposed in the staff report, further CEQA review may apply to construction projects in the future.

**FISCAL IMPACT:**

There is no fiscal impact as a result of this action and it will not have any indirect or support cost requirements. The anticipated impact to other operational programs or capital projects as a result of this action will be minimal.

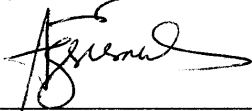
Respectfully submitted,



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Phyllis E. Currie  
General Manager  
Pasadena Water and Power

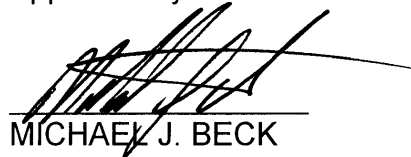
Prepared by:



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Aurora S. Isabel  
Associate Engineer  
Pasadena Water and Power

Approved by:



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MICHAEL J. BECK  
City Manager

Attachments: (1)

Attachment A – Water Regulations

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA  
ADOPTING WATER REGULATIONS WHICH SET FORTH WATER SERVICE  
REQUIREMENTS

Introduced by Councilmember \_\_\_\_\_

WHEREAS, Section 13.20.270 of the water rate ordinance, Chapter 13.20 of the Pasadena Municipal Code, provides that the General Manager of the Water and Power Department shall, from time to time, submit service regulations relating to conditions of service, application, administration, and interpretation of rates and/or charges for reconnections, and for various special services not otherwise provided for, and further provides that such regulations and schedule of charges shall be effective upon adoption by resolution of the City Council; and

WHEREAS, it is necessary to create Water Regulations in order to provide among other things: (i) requirements for new water service, reconnections, and temporary installations; (ii) detailed descriptions of various water service connection types; (iii) ownership of water facilities; (iv) backflow prevention or cross-connection program; and (v) conditions of provision, extension, disconnection, or termination of water service.

WHEREAS, A TRUE AND CORRECT COPY OF THE PROPOSED Water Regulations is attached hereto:

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Water and Power Department's "Water Regulations" attached hereto are hereby approved and adopted.
2. The City Manager is hereby directed and authorized to implement the Water Regulations in full.

Adopted at the regular meeting of the City Council of the City of Pasadena  
on the \_\_\_<sup>th</sup> day of \_\_\_\_\_ 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Mark Jomsky, CMC  
City Clerk

APPROVED AS TO FORM:

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Lisa Hosey  
Deputy City Attorney