



Water Department

Water Commission Agenda
Regular Meeting
7:00 p.m. – Monday, October 5, 2015
Council Chambers
809 Center Street, Santa Cruz

Agenda

Call to Order

Roll Call

Presentation *Organized groups may make presentations to the Water Commission. Presentations that require more than three minutes should be scheduled in advance with Water Department staff.*

Statements of Disqualification *Section 607 of the City Charter states that “...All members present at any meeting must vote unless disqualified, in which case the disqualification shall be publicly declared and a record thereof made.”*

The City of Santa Cruz has adopted a Conflict of Interest Code, and Section 8 of that Code states that no person shall make or participate in a governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect distinguishable from its effect on the public generally.

Oral Communications No action shall be taken on this item.

Announcements No action shall be taken on this item.

Consent Agenda (Pages 1-9)

Items on the consent agenda are considered to be routine in nature and will be acted upon in one motion. Specific items may be removed by members of the advisory body or public for separate consideration and discussion. Routine items that will be found on the consent agenda are City Council Items Affecting Water, Water Commission Minutes, Information Items, Documents for Future Meetings, and Items initiated by members for Future Agendas. If one of these categories is not listed on the Consent Agenda then those items are not available for action.

1. City Council Items Affecting Water ☆ (accept info) (Pages 1-2)
2. Approve the August 24, 2015 Water Commission Minutes ☆ (Pages 3-9)

Items Removed from the Consent Agenda

General Business (Pages 11-88)

Any document related to an agenda item for the General Business of this meeting distributed to the Water Commission less than 72 hours before this meeting is available for inspection at the Water Administration Office, 212 Locust Street, Suite A, Santa Cruz, California. These docu-

ments will also be available for review at the Water Commission meeting with the display copy at the rear of the Council Chambers.

1. Loch Lomond Master Plan (WT)☆ (Pages 11-22)

Recommendation: That the Water Commission 1) Receive and accept a report of plans for providing ADA accessibility and other improvements for the Loch Lomond Recreation Area, and 2) Make a motion to recommend that City Council adopt a resolution rescinding Resolution No. NS-28,156 in its entirety and establish new fees for the Loch Lomond Recreation Area.

2. Financial Impact of the Drought (WT) (Handouts provided at meeting)

Recommendation: Receive information regarding the Financial Impact of the Drought on Water Department Revenues in FY 2015 and projected revenues in FY 2016. (Handouts provided at meeting)

3. Revision of Santa Cruz Municipal Code Chapter 16.04, Water Services and Charges (WT)☆ (Pages 23-88)

Recommendation: That the Water Commission recommend that City Council introduce for publication an ordinance amending chapter 16.04 pertaining to water services and adding chapters 16.00 for general definitions, 16.09 for water service improvements, 16.11 for water service accounts, 16.14 for system development charges, and 16.15 for water use.

Subcommittee/Advisory Body Oral Reports No items.

1. WSAC Update (Oral Report)

Director's Oral Report No action shall be taken on this item.

Adjournment The next meeting of the Water Commission is scheduled for November 2, 2015 at 7:00 p.m. in Council Chambers.

☆Denotes written materials included in packet

APPEALS - Any person who believes that a final action of this advisory body has been taken in error may appeal that decision to the City Council. Appeals must be in writing, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk.

Other - Appeals must be received by the City Clerk within ten (10) calendar days following the date of the action from which such appeal is being taken. An appeal must be accompanied by a fifty dollar (\$50) filing fee.

The City of Santa Cruz does not discriminate against persons with disabilities. Out of consideration for people with chemical sensitivities, please attend the meeting fragrance free. Upon request, the agenda can be provided in a format to accommodate special needs. Additionally, if you wish to attend this meeting and will require assistance such as an interpreter for American Sign Language, Spanish, or other special equipment, please call Water Administration at 831-420-5200 at least five days in advance so that arrangement can be made. The Cal-Relay system number: 1-800-735-2922.



**WATER COMMISSION
REPORT**

DATE: September 29, 2015
TO: Water Commission
FROM: Rosemary Menard
Water Director
SUBJECT: City Council Items Affecting Water

City Council Meeting of August 25, 2015:

Tait Wells Replacement Project – Design and Construction Support Services – Award of Contracts (WT)

Motion to accept the proposal of Pueblo Water Resources Inc. (Ventura, CA) in the amount of \$139,398 for design and construction support services for the Tait Wells Replacement Project and to authorize the City Manager to execute an agreement in a form approved by the City Attorney.

Motion to accept the proposal of Luhdorff and Scalmanini Consulting Engineers (Woodland, CA) in the amount of \$114,591 for design and construction support services for the Tait Wells Replacement Project and to authorize the City Manager to execute an agreement in a form approved by the City Attorney.

Quitclaim to Release Deed of Trust for 2150 Portola Drive (WT)

Resolution authorizing and directing the City Manager to execute a quitclaim deed to John Talbot and Lori Hill-Talbot, at 2150 Portola Drive, to release all obligations secured by a Deed of Trust and Assignment of Rents.

Water Supply Advisory Committee Update (WT)

Receive update and direct staff as appropriate.

City Council Meeting of September 8, 2015:

Contract Amendment No. 1 with Maddaus Water Management for the Water Conservation Master Plan – Budget Adjustment (WT)

Motion authorizing Contract Amendment No. 1 with Maddaus Water Management Inc. for the Water Conservation Master Plan Phase 2 in the amount of \$154,810 in a form approved by the City Attorney.

Resolution appropriating funds and amending the FY 2016 budget in the amount of \$129,810 from the Water Enterprise Fund (Fund 711).

Water Supply Advisory Committee Update (WT)

Receive update and direct staff as appropriate.

Agreement for Cooperative Water Transfer and Purchase; City of Santa Cruz and Soquel Creek Water District (WT)

Motion to authorize the City Manager to execute the Agreement for the Cooperative Water Transfer and Purchase and Resource Management Pilot Project between the City of Santa Cruz and Soquel Creek Water District in a form approved by the City Attorney, and authorize staff to complete the environmental review process.

City Council Meeting of September 29, 2015:

Bay Street Reservoir Replacement Project – Phase 3 Construction – Notice of Completion (WT)

Motion to accept the work of Gateway Pacific Contractors Inc., (Sacramento, CA) as complete per the plans and specifications and authorizing the filing of a Notice of Completion for the Bay Street Reservoir Replacement Project – Phase 3.

Loch Lomond Recreation Area Overlay and Pavement Repair Project – Phase 1 – Notice of Completion (WT)

Motion to accept the work completed by Granite Rock Company (San Jose, CA), and authorize the filing of a Notice of Completion for the Loch Lomond Recreation Area Overlay and Pavement Repair Project – Phase 1.

Environmental Consulting Services – Contract Amendment No. 2 (WT)

Motion authorizing the City Manager to execute Contract Amendment No. 2 in a form approved by the City Attorney in the amount of \$98,000 with URS Corporation (San Jose, CA), a wholly-owned subsidiary of AECOM for Environmental Consulting Services.

Water Supply Advisory Committee Update (WT)

Receive update and direct staff as appropriate



Water Department

Water Commission
DRAFT
7:00 p.m. – Monday, August 24, 2015
Council Chambers
809 Center Street, Santa Cruz

Minutes of a Water Commission Meeting

Call to Order –Chair **D. Baskin** called the meeting to order at 7:03 p.m. in the City Council Chambers.

Roll Call

Present: D. Baskin, G. Mead, D. Schwarm, A. Schiffrin, D. Stearns, W. Wadlow, and L. Wilshusen.

Absent: None.

Staff: R. Menard, Water Director; H. Luckenbach, Deputy Director/Engineering Manager; T. Goddard Multi-Disciplinary Project Manager; E. Cross, Community Relations Specialist; D. Valby, Associate Civil Engineer; I. Rivera, Senior Civil Engineer; K. Crossley, Associate Civil Engineer; A. Poncato, Administrative Assistant III; C. McIsaac, Administrative Assistant II.

Others: Approximately 3 members of the public.

Presentation – Oral and written communication provided by P. Pethoe.

Statements of Disqualification – There were no statements of disqualification.

Oral Communications – Oral and written communications provided by P. Pethoe.

Announcements – Commissioner L. Wilshusen thanked staff member D. Valby for participating in the Summer Walk series sponsored by the Live Oak Neighbors group.

Consent Agenda

1. City Council Items Affecting Water
2. Approve the May 5, 2015 Water Commission Minutes

Chair D. Baskin and Commissioner A. Schiffrin made edits to the language of the minutes.

Commissioner Schiffrin moved the Consent Agenda as amended. Commissioner L. Wilshusen seconded.

VOICE VOTE: MOTION CARRIED

AYES: All.

NOES: None

ABSTAINED: None

General Business

1. Water Supply Update
R. Menard, Water Director and T. Goddard, Multi-Disciplinary Project Manager, provided the presentation and responded to Commission questions.

Commission Questions/Comments:

- Are we doing any releases for fish habitat? Answer: Yes, both from Newell Creek and also bypass flows in all of our supplies.
- Which standards are we meeting for the bypass flows? Answer: Less than city proposed flows.

Public Comment

- No Comment

Commissioner A. Schiffrin moved to accept the report. Commissioner L. Wadlow seconded.

VOICE VOTE: MOTION CARRIED

AYES: All.

NOES: None

2. Financial Impact of the Drought
R. Menard, Water Director, provided the presentation and responded to Commission questions.

Commission Questions/Comments:

- Questions about the chart on page 24 of the agenda packet were explained in more detail and an error was found in the information provided.
- Is taking on \$30 million dollars of new debt the combination of decreased revenues along with the new capital improvement budget? Staff Response: A resolution for reimbursement was approved in April of 2014 that allows us to be reimbursed by debt financing the capital funding expended on projects. Of the \$30 million dollars in new debt, we are looking to be reimbursed half of that for money that we have expended.
- Will the \$50 million dollar capital project regarding the valve at the base of Loch Lomond force us to do another rate increase in the near future? Staff Response: Yes, we actually are in the process of the cost of service analysis which determines the rate design and rate increases. As opposed to last year, this year we are in the position to understand more with what is happening with our capital program. This analysis will help determine the revised rates and rates structure changes that would be put into place in July 2016.
- Understanding that we are about a year into the long-term financial debt study; will the results determine all of the financial needs? Staff Response: Yes and we have hired Public Financial Management to look at our debt capacity and how to

structure and finance the capital program we are looking at. The problem is if we overextend ourselves with debt financing then 60% - 90% of every dollar we collect would go to debt service and this reduces the flexibility.

- The long-term analysis would back us into what we would be able to afford to spend overtime on a water supply project? Staff Response: Yes, right now we assume that we will finish all the projects we need to complete but when we start to see what comes out of these analyses, we may in fact find that some of the things are not that easy to complete in the time frame that we are talking about. Considering the size of our organization, \$11 million dollars in debt is not very much.
- Please clarify that there is not a scheduled rate increase but rather a target date to finish the long term analysis and at that point and time we can roll out the new rate increases and schedules? Staff Response: Last September, the City Council adopted five (5) rate increases. One of those increases went into effect in October of 2014, another rate increase was effective in July of 2015 and we have 3 rate increases remaining. So without doing anything, there would be another 10% rate increase in July 2016, July 2017 and July 2018. The City Council also gave us a work plan that included cost of service analysis, system development charge review and revision and a rate structure redesign. On March 3, 2015 the City Council and the Water Commission had a joint meeting to discuss goals and policy structures to determine what is important as far as rate design, so the basis of the rate structure is the cost analysis that is currently getting underway to decide what it costs for us to deliver the service and that total amount gets allocated amongst the various customers classes and then you design rates for each customer class that recover that meets policy objectives.
- There is some confusion over the charts on page 24 of the agenda packet. The first chart states our revenue for fiscal year 2015 is \$21.9 million dollars yet down below in the left column it states that if we have a 25% reduction, then our revenue is going to be \$25 million for fiscal year 2015. Does not understand why it is a \$3.2 million dollars higher. Staff Response: There was a rate increase in 2013 but the agenda information regarding this will be updated and made clearer for the Commission.
- A Commissioner points out that one of the reasons why there hasn't been more debt financing is that the schedule that the department had for when maintenance and renovation projects were going to come on board was often very optimistic and these projects took a lot longer than anticipated so the deferred maintenance wasn't simply a matter of not willing to go out in debt, but that over the years it was possible because the projects came on very slowly to use cash financing to be able to do the projects while maintaining the fund balance that was seen as an appropriate balance has changed now. It would be helpful to keep realistic project timelines.
- Commissioner Schiffrin moves to continue this item until the next Water Commission meeting so they can receive updated information on the numbers and the capital improvement program.

Public Comment

- No Comment

Commissioner A. Schiffrin moved to accept staff recommendations as amended.

Commissioner D. Baskin seconded.

VOICE VOTE: MOTION CARRIED

AYES: All.

NOES: None

3. Update on Water Loss Study

R. Menard, Water Director and T. Goddard, Multi-Disciplinary Project Manager, provided the presentation and responded to Commission questions.

Commission Questions/Comments:

- Is there data that shows what is considered to be the minimal amount of water loss that can realistically be achieved? Staff Response: Yes, we have to report our water loss information and it is available to the public.
- This data would be helpful in determining if it is worth the effort and economic investment if we are only able to reduce water losses from 7.5% to 7%. What is our water loss amount objective? Staff Response: The conservation plan objective was to reduce our water losses from 7.5% to 6.5%, which is an attainable goal. In regards to unavoidable water leakages, there is a metric in the software that calculates these losses based on miles of main, average pressure and connection densities. We have 270 miles of water main, average pressure close to 90lbs and 28,000 domestic and fire service connections on the system. Based on these numbers, we have an unavoidable water loss of about 165 million gallons a water a year.
- Seeing as though our goal is to save 1%, how many gallons of water is 1%? Staff Response: 35 million gallons of water.
- We need to be realistic how much we are spending in terms of staff time and dollars with the hope that we are going to reduce water loss.
- Director Menard made the Commissioners aware that the Water Department knows of at least two (2), if not more, leaks on fire services for large facilities. The Water Department does not read fire service meters; does not charge for leakage of fire service meters and the costs associated with the leaks are not paid for by the customers.
- If consumption drops by an additional 10% then our annual revenue drops by \$1.3 million dollars and about 2% of this 10% loss is unbilled revenue. The project to fix the meters would result in recovering approximately \$261,000 and, from a financial perspective; this is a very small amount.
- For the 130 gallons of water we are potentially saving, what is the dollar value of that and what kind of cost benefit analysis are we putting into this contract? The base contract does not include the optional leak detection services but they've put in comprehensive leak detecting services for 100 miles but if we have more than 200 miles of main then the amount will likely triple if we want to properly update our system. Staff Response: We will determine what has the most economical

advantages between chasing after unreported leaks versus the value of those losses. In terms of the water loss design, they are going to do a sample to get an idea to see if it is worth using manpower to go around and look for water leaks. They will determine what is most beneficial to our department.

- Do we see residential meters run to failure? Staff Response: We do see some run to failure and sometimes we don't see it. When we do know they fail, we go out and replace the meters. We have billing controls that look for declining or zero water consumption, but it is difficult to detect.
- Water supply is calculated by the water coming from the Beltz Wells and what is measured at Graham Hill treatment plant, what about potential water loss in the transition line from Loch Lomond to the Graham Hill treatment plants as well as the North Coast system before it gets to Graham Hill treatment plant? Staff Response: We have two (2) meters that enter the treatment plant. One of the meters is from Newell Creek and the water is measured right when it enters the treatment plant. The other meter is at the Felton booster station so we can compare input volumes with that meter. We do not meter at the reservoir and, assuming it makes it plant, we are metering the water as it enters the treatment process. We monitor water loss as it is being distributed to the customers, not how it gets to the treatment plant.
- Aren't we replacing the North Coast pipeline? Staff Response: Yes, a bit at a time.

Commissioner A. Schiffrin moved staff recommendations as amended. Commissioner D. Baskin seconded.

VOICE VOTE: MOTION CARRIED

AYES: All.

NOES: None

4. Implementation of the Department's Capital Improvement Plan
R. Menard, Water Director, H. Luckenbach, Deputy Director/Engineering Manager, K. Crossley, Senior Civil Engineer and I. Rivera, Associate Civil Engineer provided the presentation and responded to Commission questions.

Commission Questions/Comments:

- Presentation reviewed the Bay Street Reservoir Transmission Main, Bay Street Tanks, Beltz 12 Production Well and Treatment Plant, Rehabilitation of the filters at the GHWTP and the North Coast Raw Water Transmission Main Replacement.
- Can the Beltz Well have extraction and injection on site? Staff Response: Yes.
- Will the Beltz Well be used year round? Staff Response: No, it will be used from May – September.
- Did we remove a well? Staff Response: No.
- Does it cost \$40 million for 5 months of service? Staff Response: Yes, that is the pumping season.
- What is preventing the Water Department from finding better wells? Staff Response: The wells are shallow and close to the river. The farther away from the river, the less chance for water to get into the well. The work space for the well is

only 20x20ft.

Public Comment: Oral comments made by P. Pethoe

Commissioner A. Schiffrin moved staff recommendations as amended. Commissioner D. Baskin seconded.

VOICE VOTE: MOTION CARRIED

AYES: All.

NOES: None

5. Gravity Trunk Main Valve Replacement Project

R. Menard, Water Director and D. Valby, Associate Civil Engineer provided the presentation and responded to Commission questions.

Commission Questions/Comments:

- Conversation centered around the fact that the Graham Hill Water Treatment Plant will be shut down for 16 hours during phase 1 of the project.
- During phase 2 of the project, the intersection of Ocean Street and Kennan Streets will be cause traffic interruptions. How do you plan to notify people about the traffic control plans during phase 2 of the project? Staff Response: The information will be sent to the public and there will be signs posted about the traffic interruption on the roads that will be affected.

Public Comment: Oral comments made by P. Pethoe

Commissioner A. Schiffrin moved that they have received the information Commissioner D. Baskin seconded.

VOICE VOTE: MOTION CARRIED

AYES: All.

NOES: None

Subcommittee/Advisory Body Oral Reports No items.

1. WSAC Update (Oral Report)

- Discussion about what role the Water Commission should play in the Water Supply Advisory Committee submission process. Commissioner A. Schiffrin believes the Water Commission has the ability to analyze the WSAC recommendation, ask questions and provide input to the City Council.

Commissioner A. Schiffrin motions to inquire with the City Council on the role of the Water Commission and whether it wants the Commission to review and provide the input before it makes a decision on implementation of the WSAC recommendation.

Commissioner G. Mead seconded.

VOICE VOTE: MOTION CARRIED

AYES: All.

NOES: None

Director's Oral Report No action shall be taken on this item.

There is a ground water modeling meeting on Wednesday, August 26, 2015 from 6:30PM – 8:30PM at the Louden Nelson Community Center. There will be three (3) speakers discussing ground water metrics, the Santa Margarita ground water model and the ground water model in development in the Soquel Aptos Groundwater Basin. The meeting is designed to create appreciation for ground water.

WSAC will have an open house on September 9, 2015 from 5:00p.m. - 7:30p.m. at the Louden Nelson Community Center.

Adjournment Meeting adjourned at 10:30p.m. The next regular meeting of the Water Commission is scheduled for October 5, 2015 at 7:00 p.m. in Council Chambers.

Respectfully submitted,

Amy Poncato Digitally signed by Amy Poncato
DN: cn=Amy Poncato, o=Water
Department, ou=Administration,
email=aponcato@cityofsantacruz.com,
c=US
Date: 2016.02.01 10:37:32 -08'00'

Staff

This Page Intentionally Left Blank



**WATER DEPARTMENT
MEMORANDUM**

DATE: September 18, 2015
TO: Water Commission
FROM: Clark McIsaac & Malissa Kaping
SUBJECT: Loch Lomond Recreation Area Use Update Presentation

RECOMMENDATION: That the Water Commission 1) Receive and accept a report of plans for providing ADA accessibility and other improvements for the Loch Lomond Recreation Area, and 2) Make a motion to recommend that City Council adopt a resolution rescinding Resolution No. NS-28,156 in its entirety and establish new fees for the Loch Lomond Recreation Area.

BACKGROUND: In 2012, staff began a study to examine the recreational activities available at the Loch Lomond Recreation Area. This was in response to a need for long-range facilities planning, a 50% decline in visitors between 2001 and 2011, and the expiration of grant requirements to provide specific recreational operations and facilities.

On April 1, 2013, the Water Commission accepted the Loch Lomond Recreation Use Study. The Study's goal was to explore a suite of recreational opportunities that could restore visitor counts and improve the Recreational Area's financial situation while balancing the protection of natural resources. The Study provided three policy approaches for selecting new recreational opportunities: 1) Maximize Opportunities and Access, 2) Restore Balanced Use, and 3) Provide Minimal Recreation and Use. The Commission recommended to Council to proceed with developing a Master Plan utilizing the balanced use policy approach for selecting any improvements. The Commission also motioned that ADA access improvements proceed separately and be expedited without waiting for approval of a Master Plan.

Work on the Master Plan was suspended to free up resources to respond to the drought; however, staff continued to plan for implementing ADA access improvements and other recommended balanced use improvements.

Except for various ranger-led tours, Loch Lomond Recreation Area has remained closed to members of the public for the last two seasons due to drought conditions. This closure intended to protect the watershed from human associated risk-behaviors, protect the public from potential harm due to altered environmental conditions, and better allocate funds to the maintenance and functionality of the watershed.

Responding to the possibility of reopening the Loch Lomond Recreation Area to the public during the 2016 season, the need to meet ADA access requirements, and improve the Recreational Area's financial situation, staff is recommending acceptance of the attached Loch Lomond updates plan.

DISCUSSION: Prior to the closure for the 2013 season, a full Disability Access Evaluation was conducted and the resulting report identified features that did not conform to Americans with Disability Act and California Building Code. In the off-season and during the closure, Ranger staff have implemented or begun to implement some updates to meet those requirements. There are more ADA requirements that will be implemented when funding is available and CEQA and engineering review has been completed.

Staff also reviewed the fee structure with the intent of improving the ability to cover operational and management costs and compared its facilities to related recreation sites locally and throughout California. The analysis confirmed that the current fees are significantly lower than comparable facilities' and increasing fees are justified. It is worth noting that operational and management costs that exceed fee revenues are paid from the Water Fund financed by rate payers. Increasing the Loch Lomond fees will reduce the subsidy carried by the rate payers to provide recreational activities.

Staff developed the attached document, Loch Lomond Updates, sorting the recommended improvements into a phased approach for implementation. The intent is to implement the easiest and least costly improvements prior to the next possible open season and to plan and budget for implementing the other improvements over time.

PROPOSED MOTION: 1) Motion to receive and accept a report of plans for providing ADA accessibility and other improvements for the Loch Lomond Recreation Area, and 2) Motion to recommend that City Council adopt a resolution rescinding Resolution No. NS-28,156 in its entirety and establish new fees for the Loch Lomond Recreation Area.

Attachments:

Loch Lomond Updates – Draft
Resolution for Fees Update

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ ADOPTING A REVISED LOCH LOMOND RECREATION AREA FEE SCHEDULE AND RESCINDING RESOLUTION NO. NS-28,156 IN ITS ENTIRETY

WHEREAS, Title 16 of the Santa Cruz Municipal Code provides the rules and requirements governing the administration and operation of the City's Water System, including identification of the various sources of authority to establish and amend Loch Lomond Recreation Area fees by Resolution; and

WHEREAS, an updated analysis of Loch Lomond Recreation fees indicates the current fees are lower than comparable recreational areas and do not adequately fund current operating and maintenance costs; and

WHEREAS, the City Council has determined that the amended fees are appropriate and are important to support the recreational activities at Loch Lomond;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that Loch Lomond Recreation Area fees will be charged as follows:

Section 1. FEES

<u>ENTRANCE FEES, before 4pm</u>	<u>Effective 2016 Season</u>	<u>Effective 2018 Season</u>
1. Vehicle Day Use Fee	\$6.00	\$8.00
2. Vehicle Season Pass	\$60.00	\$80.00

<u>BOATING FEES</u>	<u>Effective 2016 Season</u>
1. Boat Rental - No Motor (Rowboats and Paddle Boats)	\$15.00 – First 2 Hours \$7.50 – Each Hour Thereafter \$45.00 – All Day
2. Boat Rental - Electric Motor	\$30.00 – First 2 Hours, M-F \$45.00 – First 3 Hours, Weekends & Holidays \$15.00 – Each Hour Thereafter \$90.00 – All Day
3. Boat Storage Program (Includes Launching & AIS Decontamination)	\$275.00 – Entire Season or Part Thereof
4. Aquatic Invasive Species (AIS) Inspection and Decontamination	\$25.00 – Each time boat is removed from LL Area and returned to storage

SITE RESERVATION FEES

Effective
2016 Season

1. Group Picnic Sites

\$70.00 – All Day

BE IT FURTHER RESOLVED that all Loch Lomond Recreation Area fees established by Resolution No. NS-28,156 are rescinded in entirety.

PASSED AND ADOPTED this _____ day of _____, 2015, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED _____
Mayor

ATTEST: _____
City Clerk

LOCH LOMOND UPDATES

The Loch Lomond Recreation Area and Reservoir is a beautiful and unique resource. Some consider the area underutilized for recreation and have encouraged the Water Department to look at opportunities to increase the number of visitors and types of use. However, as the City's only drinking water reservoir, the Water Department's mission is to ensure that the water resources are protected and that increased activities at Loch Lomond continue to serve this mission.

Many years of studies have been conducted and various upgrades are possible that would increase visitors but still support the area's mission. The top priority for any Loch Lomond upgrades is to provide ADA access in as many areas as is feasible. Therefore, the list of upgrades below begins with ADA improvements that are immediately feasible.

The various upgrades recommended by the Water Department are sorted into 3 categories based on ease of implementation and cost: 1) Immediate Implementation Possible, 2) Later Implementation, and 3) Long-term Implementation. The Water Department will continue to study options for improving ADA access within the Lower Loch View area, including improved boating access, which is explained in detail at the end of this report.

IMMEDIATE IMPLEMENTATION POSSIBLE

The following elements will be implemented by City staff and could be funded within Water Recreation's existing operating budget. The goal will be to complete these tasks prior to the next possible open season; however, the schedule of implementation is subject to permitting requirements, ADA design review, and staff availability.

1. ADA IMPROVEMENTS

(A) PARKING

The Water Department will provide two ADA compliant parking spaces within each parking lot. A repaving project which includes adding pavement and parking lot restriping will be completed in the summer of 2015. Work is within CEQA Class 1 exemption, Existing Facilities 15301 (c), and Class 2 exemption, Replacement or Reconstruction 15302 (c).

(B) PICNICKING

- a. Lakeside picnicking: Recreation staff will build a deck directly off of the Lower Loch View parking lot at the main trail head to provide room for an accessible picnic table and provide an accessible fishing pier that fulfills ADA requirements. ADA signage will be included. Work is within CEQA Class 3 exemption for new construction or conversion of small structures, 15303 (e).

(Estimated cost of \$5,000 available in existing budget)

- b. Forest picnicking: Recreation staff, with assistance of a forester, will provide ADA compliant access to the existing flat picnic area off the Upper Loch View parking lot. ADA signage will be included. Signage work is within CEQA Class 11 exemption for accessory structures, 15311 (a), and picnic table changes are within CEQA Class 11 exemption for accessory structures, 15311 (c).
(Cost for materials and forester assistance is available in existing operating budget)
- c. Peaceful picnicking: The first two picnic sites off the Glen Corrie parking lot will be converted to fulfill ADA requirements by Recreation staff. ADA signage and space for an ADA compliant restroom will be included. Signage work is within CEQA Class 11 exemption for accessory structures, 15311 (a), and the picnic table changes and portable restroom are within CEQA Class 11 exemption for accessory structures, 15311 (c).
(Cost for materials is available in existing operating budget)

(C) RESTROOMS

Three ADA compliant portable toilets will be purchased (a rental may be needed until a purchase can be budgeted) and will be placed near the new ADA picnic sites in the following locations: next to the existing restrooms in Lower Loch View, next to the existing restrooms in Upper Loch View, and within the converted picnic site in Glen Corrie. Purchased units will be outfitted to match surrounding area. Temporary ADA toilets (if needed) fall into the CEQA Class 11 exemption for Accessory Structures 15311 (c) and permanent toilets would meet CEQA Class 3 exemptions for New Construction or Conversion of Small Structures 15303 (e).

(Estimated cost for purchase is \$2,500/unit).

2. UPDATE FEES

(A) INCREASE ENTRANCE FEES

An initial review of comparison entrance fees, does show that our current entrance fee of \$4 is too low and should range from \$5 -\$10/per vehicle. Staff is recommending increasing the vehicle entrance fee by \$2 (to a total of \$6) for the next open season and another \$2 no sooner than the 2018 season; bringing the total vehicle entrance fee to \$8 per vehicle. The cost of season passes would also increase by the same rate (\$20 for the next open season and another \$20 no sooner than the 2018 season).

Neighbors will continue to benefit from free access after 4pm every day.

Staff would also like to provide a benefit to SCMU customers by providing free access on the same days as the free fishing days offered by Fish & Game. SCMU customers may provide a recent billing statement as validation of their business.

(B) ELIMINATE DOG & WALK-IN FEE

Staff is recommending eliminating the dog fee. Staff time needed to enforce dog rules and clean-up of dog feces is minimal and does not justify the \$1 charge. Likewise, staff is recommending eliminating the \$1 walk-in/bicycle-in fee because it is not justified. It was originally established as method to discourage visitors from parking in the nearby Lompico neighborhood; however, the length of the walk from the neighborhood to the lake is now believed to be enough of a deterrent.

(C) FEES FOR RESERVABLE SITES

Allowing sites to be reserved on-line will be a new option at Loch Lomond and staff is recommending rates to be lower than City Parks & Recreation comparable reservation sites. Staff is recommending starting the program with an easy to manage flat rate of \$70/day for new group picnic sites (see number 5 below) and other select sites such as Clar Innis (the island off Macgregor Cove).

As the program develops, other options for providing discounts for SCMU customers or increasing fees for the larger sites will be explored.

(D) BOAT RENTAL FEES

The current boat rental rates were established in 2004 and the cost to operate the boat rental program has increased significantly since then. The cost for supplies, such as oars, motors, lifejackets, batteries, and chargers, has increased and so has staff labor costs. Loch Lomond's current boat rental rates are lower than the average of comparable recreation areas.

	Old Rate		New Rate	
Boats – No Motor (Rowboats & Paddle boats)	\$5 / hr with 2-hr minimum	\$35 /day	\$7.50 / hr with 2-hr minimum	\$45 /day (=6 hours)
Boats w/ Electric Trolling Motor	\$10 / hr with 2-hr minimum or 3-hr minimum on weekends & holidays	\$65 /day	\$15 / hr with 2-hr minimum or 3-hr minimum on weekends & holidays	\$90 /day (=6 hours)

(E) BOAT STORAGE PROGRAM

Staff is recommending combining the cost for boat launching and decontamination into a single rate for boat storage and increasing the rate from \$200 to \$275 per season (or part of season).

3. REVIEW VISITOR POLICIES

Picnic use policies should remain consistent with City Parks policies and should restrict the use of balloons and Styrofoam which may pollute the watershed. A formal ban on amplified sound and bounce houses can also be established.

4. ADDITIONAL MARKETING AND PROMOTION

(A) CREATE VIRTUAL TOUR OF RESERVABLE SITES FOR CITY WEBSITE

See the City Parks & Recreation's webpage for reservable spaces for an example. This could help reduce questions from the public and thus the staff time to respond.

(B) Promote Loch Lomond for Summer Camp Field Trips

Summer camp field trips, once common, are now rare. Encourage City Parks & Recreation to add Loch Lomond as a destination again.

(C) Continue to Promote Ranger-led Tours

The ranger-led tours have proven to be popular. These tours could continue when the lake is open; however, coordination of staffing may be a problem as oversight of park operations and patrol of watershed lands are staff's primary responsibilities.

5. GROUP PICNIC SITE

(A) SAND LOT

This lake view site location will be ideal for reactivating an underutilized space. Access would be through the adjacent Headquarters/Vista Point parking lot and it is near the park store. Would include approximately 8 picnic tables, a larger barbecue area, and signage stating visitors will be asked to move if there is a reservation. This site would accommodate up to 50 people and all changes would be within CEQA exemptions for accessory structures and existing facilities.

6. RESERVATION SYSTEM

City Parks & Recreation is in the process of implementing a new reservation system for classes and facilities, which is scheduled to launch in December 2015. An initial discussion suggested that Loch Lomond would be able to use the same system for reserving select picnic sites and pilot a limited boat rental program.

Reservable spaces and picnic sites are highly desired by the public. According to City Parks and Recreation, summer camps and other groups are more likely to visit if they know space is saved for them. Area use rules (such as no swimming, dogs on leashes, and approved smoking areas) can be provided during the registration process, thus increasing awareness of the rules.

However, staff will be impacted by managing reservations. Staff will face an increase in questions and will need to manage reservations. Reservable spaces and picnic sites will attract people unfamiliar with the area. It is suggested to charge for reserved spaces in order to cover the cost of increased staff time.

(B) GROUP PICNIC SITE

The sand lot, off of the headquarters/Vista Point parking lot, will be the first reservable group picnic site. Other sites, such as the new ADA accessible picnic/fishing deck, will be identified and added to the reservation system. Reserved sites would include signage stating visitors will be asked to move if there is a reservation.

(C) GROUP MEETING / WEDDING SITES

The two popular wedding sites are Clar Innis (the island off Macgregor Cove) and the area in the low laying grove in Cunningham Cove. These two sites would need to include signage stating visitors will be asked to move if there is an event planned. Expectations for site conditions need to be well communicated within the reservation system.

(D) PILOT PROGRAM FOR BOAT RENTALS

Some boat rentals (perhaps ½) will be available through a reservation system while the remaining boat rentals will continue to be available through a first come, first serve basis. A limited pilot program is needed to test procedures and explore options.

7. ALCOHOL PERMITS

Alcohol permits could be sold to individuals or in coordination with group site reservations. Strict procedures will need to be established to issue tickets for not possessing a permit and/or noncompliance with the permit requirements. Ticket costs cannot be punitive and must be tied to recover the cost of the ranger's time to respond to the non-compliance.

8. IMPROVED SIGNAGE TO & FROM THE LAKE

Standardized icon signs for fishing, hiking, and picnicking will be added to the existing signs leading up to the lake. ADA signage will be provided where applicable.

LATER IMPLEMENTATION

The following elements will need to be budgeted and planned for implementation after fiscal year 2017. For Tasks 1, 2, 5, and 6 - site engineering, permits, ADA design review, and CEQA compliance review will be completed before beginning implementation. This includes consideration of 1) the location and approximate footprint of the improvement, 2) amount of grading and paving, and 3) removal of any trees or vegetation.

1. ADA IMPROVEMENTS

(A) ACCESS TO TRAILS

Recreation staff will build a wooden boardwalk from the Lower Loch View trailhead to the first corner of Cunningham Cove. At the end of the boardwalk, another ADA picnic site will be created. A deck extending over the water could be built, creating a fishing pier and could possibly provide ADA compliant boating access.

2. AMPHITHEATER

The exact location will need to be explored; parking and access will need to be considered. The amphitheater will consist of log benches (or similar) tiered on a natural slope surrounding a ground level stage and could have a variety of uses such as an outdoor classroom, group meeting space, or a wedding site with seating.

One location option: An area off the Glen Corrie parking lot, overlooking MacGregor Cove. Trail access will need to be created but would have a forest/lake view and help reactivate an underutilized (non-lakeside) space.

Second location option: A former picnic site behind the park headquarters. Parking and the park store is nearby. A small bridge will need to be re-built to access the site from the Vista Point parking lot. However, the view would be the parking lot.

3. KAYAK RENTALS

Suitable kayaks have been identified and will be added to the rental fleet as soon as the park opens and funding is available.

4. ADD TO RESERVATION SYSTEM

(A) EXPAND BOAT RESERVATIONS?

Consider increasing the majority of rentals to be via reservation with a few still available first-come, first-served.

(B) AMPHITHEATER

The amphitheater will be a reservable site and would include signage stating visitors may be asked to leave if there is an event planned.

5. FISH CLEANING STATION

Install a modern fish cleaning station near the Glen Brea bathrooms. New designs discourage bees and provide proper disposal of waste. Installation location will be away from high use areas and will be easily accessible when leaving the lake.

(Estimated cost is \$5,000)

6. ADDITIONAL GROUP PICNIC SITE

An additional group picnic site is the same area as the possible site for an amphitheater off of the Vista Point parking lot. If it is not used as the amphitheater and if use of the group picnic site at the sand lot does appear to be heavily used, this site could be recreated as additional group picnic site.

LONG-TERM IMPLEMENTATION

The following elements have a higher cost and will need to be evaluated based on need/purpose as funding may become available. All necessary engineering, permits, CEQA compliance, and ADA access will be identified and obtained prior to implementation.

1. INTERACTIVE KIOSK

The interactive kiosk may be located near the park store gazebo and act as a WIFI hotspot with touch screens for targeted and interactive learning.

2. UPGRADE BOAT STORAGE

Build an upgraded boat storage rack in Lower Loch View parking lot to store disinfected boats for the open-season boat storage program. The rack would be equipped with solar panels for charging of electric motors.

3. ENHANCE WEATHER STATION AND/OR EAGLE'S ROOST

Enhancing either site with a picnic table and interpretive signage would help to reactivate an underutilized hiking trail and draw visitors to other areas beyond the water. Access to Eagle's Roost would require trail work and trail signage.

4. ENCOURAGE VOLUNTEERS FOR TARGETED PROGRAMS

Experience has shown that volunteers at Loch Lomond are best utilized for specific projects or programs. A formal, long-term, volunteer program will require dedicated staff time to manage. However, informal and short-term volunteer opportunities will continue to be offered when available.

5. NATURE CENTER AND STAFF OFFICES

The park does not have adequate office space for staff. A Nature Center for visitors could include some limited office space.

6. CONDUCT COMPREHENSIVE FEE STUDY

A full and comprehensive fee study will be conducted to equalize the cost to operate each recreational activity to its fee. This is intended to make recreational activities completely self-supporting.

FURTHER ANALYSIS NEEDED

1. ADA IMPROVEMENTS

ACCESSIBLE ROUTES & SIGNAGE BETWEEN PARKING, PARK STORE, AND BOATING ACCESS:

A full parking lot redesign will be required (too steep of a slope exists). But a key outstanding issue will need to be addressed before proceeding with the redesign: How and where will boating access be provided?

ACCESS TO BOATING:

Existing solutions for providing ADA access to boats, requires either equipment at the water level at the boating dock or ability to bring boats directly to the lake edge for a lift-crane type of loading. Neither appears feasible at this time. The slope to the boating deck will need to be re-engineered to board at the boating deck or a retaining wall structure will be needed to allow lift-crane loading. Both options would be at considerable expense and significant CEQA and safety concerns would need to be addressed. Further analysis of other possible solutions will need to be explored. Providing a properly sloped ramp at the ADA picnic area envisioned for Cunningham Cove may be a more cost-reasonable solution.



WATER COMMISSION
INFORMATION REPORT

DATE: 9/21/15

AGENDA OF: October 5, 2015

DEPARTMENT: Water

SUBJECT: Revision of Santa Cruz Municipal Code Chapter 16.04, Water Services and Charges (WT)

RECOMMENDATION: That the Water Commission recommend that City Council introduce for publication an ordinance amending chapter 16.04 pertaining to water services and adding chapters 16.00 for general definitions, 16.09 for water service improvements, 16.11 for water service accounts, 16.14 for system development charges, and 16.15 for water use.

BACKGROUND: Municipal Code Title 16 includes regulations pertaining to Water, Sewers and Other Public Services such as storm water and municipal solar. Chapter 16.04 on Water Services and Charges was originally adopted in 1965 and was revised six times since adoption in order to keep up with changing state regulations and water system needs. The number and scope of changes made within Chapter 16.04 over the years has caused the chapter to become disorganized, difficult to follow, and repetitive.

Staff took a comprehensive review of Chapter 16.04 with the intent of standardizing terms, clarifying outdated sections, eliminating procedural sections and replacing with detailed department policies, and consolidating repetitive sections. The result was easier to understand language and the reorganization of the material into a more logical order with room for future additions.

DISCUSSION: On November 3, 2014, the Water Commission reviewed the amendments for Chapter 16.04 and recommended several additional revisions:

Consolidate definitions in a single location

Terms used within more than one chapter of Title 16 were consolidated into a new chapter, Chapter 16.00 (General Water Services Definitions). Existing defined terms only used within a single chapter remain defined within the chapter for easier reference. A good example of this is Chapter 16.06.020 in which water well specific terms are defined within the chapter that they are used. This also creates consistency in Title 16 between the Water chapters and the Sewer and Other Public Service chapters.

Establish a process for the public to request a revision to a department policy

Staff acknowledges that maintaining department policies and procedures which are not publically available is a significant transparency concern. Therefore, staff is currently working on posting the entire Water Department Policy Manual to the City's website. All policies in draft form are being finalized and existing policies are under thorough review.

The City does not have a formal process for the public to request revisions to policies (such as department policies, Administrative Procedure Orders, or Council policies) just as the City does not have a formal process for requesting an ordinance amendment or to request a change in an advisory committee's by-laws. Establishing a formal process specific to the Water Department policies would not be consistent with other City operations.

Clarify whether an unpaid bill is attached to account holder or property owner

The definition of Account Holder (section 16.00.020) states that the account holder is financially responsible.

Clarify whether a credit risk should be defined in the municipal code or a department policy

The definition of Credit Risk (section 16.11.010) is more fully described in a drafted department policy.

State length of time between a water shutoff notice and discontinuance of service

Reference to the applicable California Public Utilities Code has been added to section 16.11.070 (a)(6)(a).

Define "unusually large quantities of water"

Such definition has been added as section 16.15.010.

FISCAL IMPACT: There is no fiscal impact of these changes.

PROPOSED MOTION: Motion to recommend that City Council introduce for publication an ordinance amending chapter 16.04 pertaining to water services and adding chapters 16.00 for general definitions, 16.09 for water service improvements, 16.11 for water service accounts, 16.14 for system development charges, and 16.15 for water use.

Attachments:

Table of Contents for Title 16 – with revisions

List of policies referenced in amended code – with summary and status

Ordinance amending Chapter 16.04 and adding new chapters

Table comparison between existing and proposed code

Muni Code Update for Title 16 WATER, SEWERS AND OTHER PUBLIC SERVICES

EXISTING		PROPOSED		COMMENTS
Chapter 16.04 WATER SERVICES AND CHARGES	Chapter 16.00 GENERAL WATER SERVICES DEFINITIONS			
16.04.010	16.00.010	Definitions Unless the context requires otherwise, the definitions given in this section shall be used to interpret this chapter.	DEFINITIONS OF TERMS Unless the context requires otherwise, the following definitions shall be used in the interpretation of all chapters within Title 16 pertaining to water services with the exception of chapters 16.08, 16.12, 16.18, 16.19, and 16.20 pertaining to sewer, storm water, and municipal solar.	New Chapter for definitions proposed Chapter definitions with chapter specific definitions were left unchanged (16.01.050, 16.02.030, 16.03.030, 16.04.010, 16.09.010, 16.06.020, 16.11.010, 16.14.010, 16.15.010, 16.16.020) New definition
	16.00.020		ACCOUNT HOLDER "Account holder" means the person, business, or organization as designated and verified on the billing records of the City Water Department that is financially responsible for water used through a water service.	
16.04.010(a)	16.00.030	"Applicant" shall mean an individual or agency applying for water service.	APPLICANT "Applicant" means individual, business or organization applying for water service.	No change
16.04.010(b)	Delete	"Acreage charge" shall mean the charge to be determined by dividing the total costs of the system extension by the acreage which can be served from the system extension.	Delete	Term no longer used
16.04.010(c)	16.00.040	"City" shall mean city of Santa Cruz.	CITY "City" refers to the city of Santa Cruz.	No change
16.04.010(d)	16.15.010 (c)	"Cross-connection" shall mean any physical connection between the piping system from the city service and that of any other water supply that is not, or cannot be approved as safe and potable for human consumption, whereby water from the unapproved source may be forced or drawn into the city distribution mains.	GROSS CONNECTION "Cross connection" means any unprotected actual or potential connection or structural arrangement between a customer's water system and any other source or system through which it is possible to introduce into any part of the system any used water, or substance other than the intended water with which the system is supplied. Bypass arrangements, jumper connections, removable pipe sections, swivel or change-over devices and other temporary or permanent devices through which this may occur are considered to be cross-connections.	Term only used in chapter 16.15
16.04.010(e)	16.00.050	"Customer" shall mean any person receiving water service from the city water department.	CUSTOMER "Customer" shall refer to any account customer of the city of Santa Cruz water department as well as to any consumer of city water who may not be a city of Santa Cruz water department account customer.	
16.04.010(f)	Delete	"Date of presentation" shall mean the date upon which a bill or notice is mailed or delivered personally to the customer.	Delete	Term no longer used
	16.00.060		DEPARTMENT OR WATER DEPARTMENT	Replacing 16.04.010(x) "Water

EXISTING		PROPOSED		COMMENTS
16.04.010(g)	"Director" shall be the director of the water department of the city of Santa Cruz.	16.00.070	"Department" or "Water department" refers to the city of Santa Cruz water department or its duly authorized representatives. DIRECTOR OR WATER DIRECTOR "Director" or "Water Director" refers to the director of the city of Santa Cruz water department, or his or her designated representative. Delete	Department"
16.04.010(h)	"Distribution main" shall mean water lines in streets and rights-of-way used for general distribution of water from which service is available to the customer.	Delete	Delete	Replaced with 16.00.140, "Water Main" or "Main"
		16.00.080	DWELLING UNIT "Dwelling unit" is a building or portion of a building including one or more rooms which is/are designed or used as a residence by one family or housekeeping unit, with facilities for living, sleeping, and eating and food preparation. A dwelling unit shall have only one domestic food preparation facility and shall have interior access between all habitable spaces.	New definition
16.04.010(i)	"Fireflow" shall mean the volume of water available from a hydrant for fighting a fire. It is calculated as that flow rate, in gallons per minute, available from the hydrant at a minimum residual pressure of twenty pounds per square inch measured at an open flowing hydrant with all other hydrants on the same main closed.	16.00.090	FIREFLOW "Fire flow" shall mean the volume of water available from a hydrant for fighting a fire. It is calculated as that flow rate, in gallons per minute, available from the hydrant at a minimum residual pressure of twenty pounds per square inch measured at an open flowing hydrant with all other hydrants on the same main closed. Delete	No change
16.04.010(j)	"Flat rate" shall mean a fixed periodic charge for an unmetered service.	Delete	Delete	Term no longer used
16.04.010(k)	"Flat rate service" shall mean provision of water in unmeasured quantities.	Delete	Delete	Term no longer used
16.04.010(l)	"Front-foot charge" shall mean the charge for bringing a main directly adjacent to premises in order to permit the installation of one or more services. This charge shall depend on the regular main extension per-foot cost and the footage of the premises fronting on and entitled to service from the main extension.	Delete	Delete	Term no longer used
16.04.010(m)	"Irrigation service" shall mean provision of water for agricultural, floricultural or horticultural use only.	16.04.010 (a)	IRRIGATION SERVICE "Irrigation service" means the provision of water for agricultural, horticultural or landscape irrigation use only.	Term only used in chapter 16.04
16.04.010(n)	"Main extension" shall mean extension of water distribution pipelines, exclusive of service connections, beyond the location of existing facilities.	16.09.010 (b)	WATER SYSTEM EXTENSION OR SYSTEM EXTENSION "Water System Extension" or "System Extension" means any extension of the physical facilities of the water system, including distribution or transmission mains, booster pumping stations,	Term only used in chapter 16.09

EXISTING		PROPOSED		COMMENTS
16.04.010(o)	"Main replacement" shall mean replacement of an existing water main that has been incorporated into the water distribution system.	16.09.010 (a)	and distribution storage tanks. MAIN REPLACEMENT "Main replacement" shall mean replacement of an existing water main that has been incorporated into the water distribution system. Delete	Term only used in chapter 16.09
16.04.010(p)	"Meter rate service" shall mean provision of water in measured quantities.	Delete	Delete	Term no longer used
16.04.010(q)	"Person" shall mean any individual, firm, partnership, association, corporation, or political entity.	16.00.100	PERSON "Person" shall mean any individual, firm, partnership, association, corporation, or political entity. Delete	No change
16.04.010(r)	"Premises" shall mean one parcel of real property, including improvements thereon, which is determined by the director to be a single unit for purposes of receiving, using and paying for water service. In making his determination, the director shall take into consideration such factors as whether further subdivision of the premises could cause difficulty in segregating water services, whether it is divided by a public or private thoroughfare, distribution pipeline, or other right-of-way, easement or condition so as to interfere with meter connections, or installing, maintaining and operating backflow prevention devices or cause difficulty in segregating water services. The director's determination shall be final. Reserved.	Delete	Delete	Replaced by 16.00.190, "Property"
16.04.010(s)	Reserved.	16.00.110	PROPERTY "Property" means one parcel of real property and the buildings on it, which is determined by the Department to be a single unit for purposes of receiving, using and paying for water service. SERVICE CONNECTION "Service connection" means the pipe, tubing, fittings, valves, meters and meter boxes which convey water from the water main to a served property.	New definition
16.04.010(t)	"Single-family residence" shall mean a structure used for a dwelling unit for one family or domestic unit consisting of not more than two stories nor more than three thousand six hundred square feet in total floor area.	16.01.055 (a) 1.	Single Family Residential: Individually metered residential dwelling units (regardless of housing type). This classification shall apply whether or not the residential dwelling unit is being put to a use other than, or in addition to, residential use, and whether or not the residential use is permanent or transient in nature including use as a vacation rental unit. A residential dwelling unit is considered an occupant's permanent residence when, on average, the occupant resides in the unit for at least twenty-one days within each monthly water service period.	Included in chapter 16.01 (same section as multi-family and business definitions)

EXISTING		PROPOSED		COMMENTS
16.04.010(u)	"Total floor area" shall mean the sum of the area of all stories exclusive of area separations as defined in Uniform Building Code Section 505.	Delete	Delete	Term no longer used
16.04.010(v)	"Transmission main" shall mean water lines in streets and rights-of-way used for transmission of water from booster pumping stations and storage reservoirs, and delivering the water to distribution mains.	16.00.140	WATER MAIN OR MAIN "Water main" or "main" means water lines in streets and rights of way used for transmission or distribution of water.	Replacing and combining distribution main and transmission main
16.04.010(w)	"Water" shall mean any water obtained from the water department of the city of Santa Cruz.	16.00.130	WATER "Water" shall mean any water obtained from the water department of the city of Santa Cruz.	No change
		16.00.150	WATER SERVICE OR SERVICE "Water service" or "service" refers to the furnishing of water to a property for domestic, irrigation, or fire service use.	New definition
16.04.010(x)	"Water department" shall mean the water department of the city and its duly authorized representatives.	Delete	Delete	Replaced with 16.00.060, "Department" or "Water Department"
16.04.010(y)	"Water system extension" shall mean any extension of the physical facilities of the water system, including distribution mains, transmission mains, booster pumping stations, and distribution storage tanks.	16.09.010 (b)	WATER SYSTEM EXTENSION OR SYSTEM EXTENSION "Water System Extension" or "System Extension" means any extension of the physical facilities of the water system, including distribution or transmission mains, booster pumping stations, and distribution storage tanks.	Term only used in Chapter 16.09
16.04.010(z)	"Zone capacity fee" means the surcharge to be collected at the time of any new service connection, in addition to the standard connection fee, to pay a proportionate share of the cost of a water system extension within a water system extension zone established by the city council.	16.09.010 (c)	ZONE CAPACITY FEE "Zone capacity fee" means the surcharge to be collected at the time of any new service connection, in addition to the standard connection fee, to pay a proportionate share of the cost of a water system extension within a water system extension zone established by the city council.	Term only used in Chapter 16.09

EXISTING		PROPOSED		COMMENTS
Chapter 16.04 WATER SERVICES AND CHARGES		Chapter 16.04 WATER SERVICES		
16.04.020	SERVICE AREA The city will furnish water service in accordance with the regulations hereafter contained and other applicable provisions of this code to any property within the city and to such areas outside the city limits as the city council may designate.	16.04.020	SERVICE AREA The City will furnish water service in accordance with these regulations to any property within the corporate limits of the City and to such areas outside the City limits which have been designated by the City Council and approved by the Santa Cruz Local Agency Formation Commission for water service from the City's water system. The Director shall be responsible for assuring that all water service shall comply with the standards set forth in this chapter	New title proposed

EXISTING		PROPOSED		COMMENTS
16.04.030	<p>DESCRIPTION OF SERVICE</p> <p>Service furnished by the city of Santa Cruz is described as follows:</p> <p>(1) Supply. The water department will exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to the customer at a proper pressure, and to avoid any shortage or interruption in delivery.</p>	16.04.040	<p>wherever water service is provided by the City.</p> <p>The Director of the City Water Department is authorized to issue such policies and procedures as necessary and appropriate to provide water services throughout the water service area in a safe, efficient and effective manner.</p> <p>SYSTEM SUPPLY AND PRESSURE</p> <p>(a) Supply</p> <p>The Water Department will exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to the Customer at sufficient pressure, and to avoid shortages or interruptions in delivery.</p> <p>(b) Service interruptions</p> <p>The City reserves the right to interrupt service while making improvements and repairs required in the operation of the water system. Whenever it is necessary to schedule an interruption to its service, the Department will endeavor to notify all account holders to be affected by the interruption, stating the approximate time and anticipated duration of the interruption. The City shall not be liable for damage which may result from an interruption in service.</p> <p>(c) Pressure</p> <p>It is the applicant's responsibility to obtain information from the Department concerning the water pressures that may be expected in their area and to provide and maintain any plumbing and protective devices necessary to use the available water at whatever operating pressure is available in the system. Applicants and Customers shall accept such conditions of pressure and service as are provided by the City's distribution system at the location of the proposed service connection, and hold the City harmless for damage arising out of low, high or fluctuating pressure conditions.</p>	
	<p>(2) Types of Service. The types of service available from the water department are:</p> <p>(A) Flat rate;</p> <p>(B) Metered rate;</p> <p>(C) Temporary.</p>	16.04.030	<p>TYPES OF SERVICE</p> <p>(a) <u>Regular Water Service</u> is provided to a property through installed piping from a City water main through water meter(s) to the property's water facilities. Such service shall be established and charged for through an active Customer account.</p>	

EXISTING	PROPOSED	COMMENTS
	<p>(b) <u>Bulk Water Service</u> is provided on an occasional or intermittent basis through bulk water stations. Such service shall be authorized and charged for through permits issued by the Water Department.</p> <p>(c) <u>Hydrant Meter Service</u> may only be available on a short term basis for non-potable purposes only from a public fire hydrant through a portable meter issued by the Water Department. Such service shall be authorized and charged for by the Water Department.</p> <p>(d) <u>Public Fire Protection Service</u> is water service provided through fire hydrants to organized fire protection agencies under agreements entered into between such agency and the City. Fire hydrants are for use by organized fire protection agencies and by the Water Department.</p> <p>(e) <u>Private Fire Protection Service</u> is a separate water service provided to property for the specific purpose of fire protection, as permitted by the Water Department and the fire protection agency within whose jurisdiction the property falls.</p>	
<p>(3) Unusually Large Quantities of Water. Arrangements shall be made with the water department prior to using an unusually large quantity of water. Water department approval may be given provided delivery of the unusually large amount of water through the city's facilities can be accomplished safely and without inconvenience to other customers.</p>	<p>Move to new chapter, 16.15 WATER USE: (c) <u>Unusually Large Quantities of Water</u>. Account holders shall make arrangements with the Water Department prior to using an unusually large quantity of water. Water Department approval may be given if delivery of the water through the City's water facilities can be accomplished safely and without inconvenience to other account holders.</p>	<p>Also see definition 16.15.010 (d): "Unusually large quantity of water" means an amount that is substantially in excess of and in addition to a customer's average daily water usage and that occurs on an infrequent basis.</p>
<p>(4) Availability of Service. Water service will generally be made available by extending or replacing a main if a principal part of the premises to be served does not lie along an available water main of adequate capacity and under proper pressure. However, water service will not be provided by the extension of a water main where the meter or meters for the premises concerned will be located at an elevation of less than one hundred feet below the overflow level of the reservoir supplying such main.</p>	<p>Move to new chapter, 16.09 WATER SERVICE IMPROVEMENTS: MAIN REPLACEMENTS AND SYSTEM EXTENSIONS When an application for service cannot be met from existing water facilities, a main replacement or system extension will be required before service can be provided. In such situations, the following general conditions and standards apply: (a) In determining whether the applicant's property can be served from existing water facilities, the director's decision shall be considered final.</p>	

EXISTING		PROPOSED	COMMENTS
		<p>(b) Water service will not be provided by the extension of a water main where the meter(s) for the property concerned will be located at an elevation of less than one hundred (100) feet below the overflow level of the reservoir supplying such main.</p> <p>(c) The City will determine sizes, materials, types and locations of all necessary and proposed water facilities.</p> <p>(d) The City may choose, at its discretion, to install the necessary water facilities itself or to require the Applicant to install such facilities under the terms and conditions of an agreement between the Applicant and the City.</p> <p>(e) Water mains will be installed in 20-foot minimum width rights-of-way capable of accommodating City vehicles and equipment.</p> <p>(f) No water facilities shall be installed until all rights-of-way for the installation, operation and maintenance of the facilities are provided to/obtained by the City in a form satisfactory to the Director.</p> <p>(g) When the installation is completed by the applicant, title to the installation shall be transferred to the City upon acceptance of such installation by the City.</p>	
16.04.040	<p>APPLICATION FOR SERVICE Application for service to premises for which a service connection has already been installed may be made as hereinafter set forth. Such application will signify the consumer's willingness and intention to comply with these regulations and to make payment for water service rendered.</p> <p>If application is made for service to property where no service connection has been installed, but a distribution main of adequate capacity is adjacent to the property, the applicant, in addition to making application for service shall comply with the regulations governing the installation of service.</p>	Delete	Already included in new section 16.09.020 for Main Replacements and System Extensions

EXISTING		PROPOSED	COMMENTS
<p>16.04.040</p> <p>If a principal part of the premises to be served does not front on an available main of adequate capacity, replacement of this main to the applicant's premises will be required before an application for service may be accepted. In determining whether the portion of an applicant's premises lying directly along the main constitutes principal frontage, the water department director's decision shall be final.</p>	<p>(a) Application. Each applicant for water service shall be required to sign an application form provided by the water department or make application by letter showing the date of application, location of premises to be served, mailing address, date applicant desires service, and such other information as may be required.</p> <p>(b) Payment for Previous Service. An application for service will not be accepted unless payment in full has been made for water service previously rendered to the applicant by the city.</p> <p>(c) Deposits. Each applicant known to be a credit risk, before receiving service, shall be required to establish credit by depositing with the water department an amount of money equal to the estimated average periodic bill for water, garbage and sewer services. Examples of credit risks which would require deposit are three or more late utility payments in the past twelve months or previous default on utility accounts.</p>	<p>16.11.020</p> <p>Move to new chapter, 16.11 WATER SERVICE ACCOUNTS: APPLICATION FOR SERVICE ACCOUNT</p> <p>(a) Application. Each Applicant desiring to initiate service whether anew or after service has been discontinued by the Department or the Customer, or to change an existing water service must make application to the City Water Department on forms provided by the Department, provide required information, pay required fees, and meet the conditions set forth in these municipal codes and in the City standard specifications, Water Department standard specifications or other applicable policies and procedures approved by the City Council or the Director. The application form shall indicate the applicant's willingness and intention to comply with all applicable regulations and policies and to make payment for water services rendered. Applicants for a commercial account inside the City of Santa Cruz must present proof they have obtained a City business license.</p> <p>(b) Payment for Previous Service. An application for service will not be accepted unless payment in full has been made for all utility services previously rendered to the Applicant by the City, and all taxes, fees or assessments previously rendered to or levied on the Applicant by the City.</p> <p>(c) Deposits. Before receiving services, each Applicant determined to be a credit risk shall be required to establish credit by depositing with the Water Department an amount of money equal to the estimated cost of providing utility services, including,</p>	<p>Referenced Department Policy: 1) Credit Risk 2) Application for Service</p>

EXISTING		PROPOSED	COMMENTS
16.04.041	<p>SYSTEM DEVELOPMENT CHARGE</p> <p>(a) Purpose. To mitigate the water supply impacts caused by new development in the city of Santa Cruz water service area, certain public water system improvements must be or have been constructed in order to accommodate system expansion. A System Development Charge shall be assessed to pay the proportional share of the costs of new and existing water facilities necessary to meet the demand resulting from new or enlarged water services.</p> <p>(b) Charges. A System Development Charge is payable upon the issuance of any permit, or similar grant of authority, for any of the following activities: installation of a new service connection, the addition of a new or additional residential dwelling unit onto an existing service, the upsizing of an existing service connection, or any other increased demand on the water system. The System Development Charge shall be reviewed to determine whether the charge amounts are reasonably related to</p>	<p>but not limited to, an average periodic bill and the expense of providing materials and equipment to initiate service.</p> <p>(d) Incorrect or withdrawn application. The Applicant is responsible for the expenditures made by the Department as a result of the submission of the application, even if the Applicant incorrectly describes the location where water service is desired or withdraws the application prior to the initiation of water service.</p> <p>(e) Change of Account Holder Without Application. A person taking possession of property and using water from an active connection without having made application for utility service shall be liable for the services delivered from the date of the last recorded meter reading. If application for utility service is not made upon notification by the Department, and if bills for service from the date of the last recorded meter reading are not paid immediately, the service may be discontinued without further notice.</p>	<p>No changes to code language. Recent updates approved by Council 6/9/15.</p>
		16.14.040	Move to new chapter 16.14 SYSTEM DEVELOPMENT CHARGES

EXISTING	PROPOSED	COMMENTS
<p>the impacts created by new or additional demand and whether the listing of system expansion improvements to be financed by system development charge revenues is accurate. Such review shall occur no less than every five years and shall result in a report containing the following:</p> <ul style="list-style-type: none"> (1) The specific amount of the charge, including its development methodology; (2) A list of the specific improvements to be financed by the charge, including the estimated cost of such improvements; and (3) A description of the correlation between the charge and new development and the benefits from the improvements enabled by the charge. The System Development Charge shall be as adopted by resolution of the City Council and shall be adjusted annually to keep pace with inflation. <p>(c) Use of Charge Revenues. System Development Charge revenues shall be placed in a separate and special account and such revenues, along with any interest earnings on that account, shall be used exclusively for the following purposes:</p> <ul style="list-style-type: none"> (1) To pay for the city's future construction of system expansion and improvements (2) To reimburse developers who have installed system development financed water facilities which are larger than needed for the certain development and are subject to the terms of a reimbursement agreement; or (3) To pay for water conservation programs approved by the city council which have the net effect of increasing the amount of water supply available for allocation to new or additional demand. 		
16.04.050	16.04.060	<p>SERVICE CONNECTION INSTALLATION</p> <p>The installation of service connections shall be at the applicant's expense and shall conform to standard specifications, requirements, and the payment of applicable fees published by the City. The Director shall establish criteria for the issuance of permits and acceptance of work by the City upon completion. The Department may charge fees for issuance of a permit as</p>

EXISTING	PROPOSED	COMMENTS
<p>the service installation will be made under the direction of the water department regulations as he may provide for effective service of the parcel in question and the surrounding service area.</p> <p>(2) Water service connections from water department mains to customer's premises may be installed only by duly authorized employees or agents of the water department or by persons to whom a water service installation permit has been issued. The water department director may issue water service installation permits when the issuance of such permits would be consistent with the public interest. The water department director shall establish criteria for the issuance of such permits relating to the qualifications of applicants, the performance of work, inspections, and approval and acceptance of work by the city upon completion. The director may charge such fee for issuance of a permit as may be established by resolution of the city council. Service connections installed pursuant to the water service installation permit shall, upon completion of the work, become the property of the city, to the same extent as though installed by city employees or agents.</p>	<p>established by resolution of the City Council.</p> <p>(a) Size and Number. Service connections will generally be installed in the size and number requested by the Applicant where such requests are determined by the Department to be reasonable for effective and efficient service of the parcel in question and the surrounding service area.</p> <p>(b) Location. Service connections will be installed along principal frontage as near as possible to the location requested by the Applicant where such location is readily accessible by rights-of-way capable of accommodating City vehicles and equipment as determined by the Department.</p> <p>(c) Installers. Service connections may be installed only by duly authorized employees or agents of the Water Department or by a contractor from the Water Department's pre-approved installer list, to whom a Water Service Installation Permit has been issued by the Water Department.</p> <p>(d) Warranty. Service connections installed pursuant to the water service installation permit shall, upon acceptance of the work, be subject to a contractor-guaranteed warranty. The duration of the warranty shall be established by the Department-issued Service Installation Permit.</p> <p>(e) Control Valve. The property owner shall provide and maintain control valve(s) on the property side of the service connection for their use, and as required by the Water Department. Customers shall not operate the City owned control valve. Only Department personnel or other authorized representative may operate the City owned control valve.</p> <p>(f) Customer Owned Plumbing. Privately owned water service facilities shall be equipped with pressure regulating, absorbing, and relief devices as required by</p>	

EXISTING		PROPOSED		COMMENTS
16.04.051	<p>MINIMUM STANDARDS FOR SERVICE</p> <p>Water connection permits may be granted only if the water department director finds that the premises can be connected to a water main of adequate size to provide sufficient pressure and flow to meet the applicant's needs without adversely affecting service to any existing customers in accordance with the following conditions:</p> <p>(1) Fireflow requirements are met as follows: (a) Standard Within the City. The premises complies with the standards set in the Insurance Service Office "Guide for Determination of Required Fire Flow," 1974 Guidelines and Instructions; or (b) Standard Outside the City. The premises meets fireflow requirements adopted by resolution of the fire protection district in which the premises is located; and</p> <p>(2) Minimum flow at anticipated peak demand will be sufficient for safe, dependable supply of all existing domestic, commercial and industrial users; and</p> <p>(3) Water pressure will not fall below thirty-five pounds per square inch gauge (35 p.s.i.g.) during the hour of maximum water use for the city's system.</p>	16.04.050	<p>California Plumbing Code.</p> <p>SERVICE CONNECTION REQUIREMENTS</p> <p>(a) Building Permit. In order to be eligible to receive a Water Service Installation Permit, an Applicant must possess an approved building permit for the parcel on which the service is requested. The application must include evidence of the building permit. If a new service connection is requested for irrigation services, irrigation and landscape plans are required and shall meet water conservation requirements.</p> <p>(b) Particular Property. Applications for new service connections must be for a particular and identified property. Service is not assignable to other property, nor transferable between properties.</p> <p>(c) Principal Frontage. A principal part of the property to be served must front on an available water main. In determining whether the portion of an applicant's property lying directly along the main constitutes principal frontage, the director's decision shall be considered final.</p> <p>(d) Elevation. New service connections will not be considered for properties where meter(s) will be located at an elevation of less than one hundred (100) feet below the overflow level of the reservoir supplying water to the main from which the connection will be made.</p> <p>(e) Minimum Standards. Water connection permits may be granted only if the Water Department determines that the property can be connected to a water main of adequate size to provide sufficient pressure and flow to meet the applicant's needs without directly or indirectly causing service to any existing account holder to fall below the following minimum service standards: (1) Water pressure must not fall below thirty-five pounds per square inch (35 p.s.i.) during peak hour demand for the City's system. (2) Minimum flow at anticipated peak hour demand must be sufficient for safe, dependable supply of all</p>	<p>Referenced Department Policies: 1) Master Water Meter Use 2) Cross-parcel Connections</p>

EXISTING	PROPOSED	COMMENTS
<p>16.04-051A</p> <p>MAIN REPLACEMENT The city will pay the cost of replacing water mains found inadequate to satisfy the minimum standards for service, subject</p>	<p>existing domestic, commercial and industrial users.</p> <p>(3) Fireflow requirements as determined by the fire protection district in which the property is located must be met.</p> <p>(f) Multiple Units. Service to multiple residential or commercial units located on the same or adjoining parcels will generally be provided through separately metered connections. Use of a master meter is prohibited when each unit can be plumbed independently and sold separately. However, when the size and/or shape of the property create practical difficulties for (or severely limit) such a development, the Director may approve use of a master meter to serve all units, in accordance with Department policies and procedures.</p> <p>(g) One Parcel. Not more than one parcel of real property shall be served from a single service connection. The Director may allow for the continuation of a cross-parcel service in certain limited circumstances in accordance with Department policies and procedures.</p> <p>(h) Private Fire Protection.</p> <p>a. There shall be no connections between a fire protection system and any other water distribution system on the property. There shall be no water used through the fire protection service except to extinguish fires or for testing and maintaining the fire service and appurtenances. Domestic service to the property may be discontinued for violation of the regulations set forth in this section.</p> <p>b. The City shall not be responsible for the design or adequacy of any private fire protection system.</p> <p>(i) Authority. The Director retains final authority to determine the size, number, configuration, and location of all service connections.</p>	<p>Referenced Department Policy: 1) Water Main Sizing 2) System Extension Agreements</p>
<p>16.09.030</p>	<p>MAIN REPLACEMENT TO ACCOMMODATE NEW DEVELOPMENT The City may pay the cost of replacing existing water mains found inadequate to satisfy the minimum standards for service</p>	

EXISTING		PROPOSED	COMMENTS
16.04.052	<p>to the limitations in this section. Applications for service requiring a main replacement will be acted upon in the order received during each fiscal year, until main replacement funds appropriated for that year have been fully expended. Applications will be considered after all development approvals have been obtained. Applications which cannot be funded during a fiscal year will be carried forward to the next fiscal year on a seniority based waiting list. The city will not reimburse for any new service connections, fire hydrants or other fire protection facilities such as storage tanks, booster pump stations and the like. Where the city is unable to complete a main replacement within a period convenient to the service applicant, the applicant may undertake the replacement, subject to administrative regulations promulgated by the director. The city is not obliged to reimburse customers for the cost of privately financed main replacements unless (a) the replacement becomes eligible for city installation during the same fiscal year that it was privately installed; and (b) adequate funds remain to reimburse the cost. The director may, however, reimburse private main replacement expenses in a subsequent year if adequate funds are available for that purpose and all applications for main replacement or reimbursement filed previous to the application under consideration have been satisfied.</p> <p>CONDITIONS IMPOSED ON APPLICANT Where any of the standards for service connection as set forth in Section <u>16.04.051</u> are not met, the water director may approve a new or larger-capacity service connection only upon finding that conditions imposed upon the applicant will, if carried out, cause those standards to be met. Examples of these conditions may include installation of distribution or transmission mains, booster pumps, storage tanks or other facilities made necessary by the applicant's proposed use.</p> <p>NUMBER OF SERVICES PER PREMISES The applicant may apply for as many services as may be reasonably required for his premises. If the pipeline systems from each service are interconnected, then the applicant will be required to install, at each meter connection, backflow protection devices approved by the water department.</p>	<p>shown in section 16.04.040, subject to Department policies and procedures and annual funding approved by the City Council.</p> <p>If the City is unable to fund a main replacement, the Applicant may undertake the replacement at his or her own cost, under terms established in a main replacement agreement between the Applicant and the City. The City may reimburse applicants for main replacement construction costs when funds are available, in accordance with Department policies and procedures.</p>	<p>Already included in new section 16.09.020 for Main Replacements and System Extensions</p>
16.04.060	<p>Delete</p>	<p>Delete</p>	<p>Referenced Department Policies: 1) E-1990.3 Backflow Protection</p>
	<p>Delete</p>	<p>Delete</p>	<p>Referenced Department Policies: 1) E-1990.3 Backflow Protection</p>

EXISTING		PROPOSED	COMMENTS
16.04.061	<p>SIZE AND LOCATION OF SERVICE CONNECTIONS. The water department may determine the size and number of the service connections and their locations in relation to the boundaries of the premises to be served and the point of connection to the customer's facilities. The customer's installation of pipe to the service connection location should not be laid until the service connection is installed; provided however, that in the event the customer's pipe is laid prior to the time the service connection is installed and the customer's pipe location does not correspond to that of the service connection, the customer shall provide for connecting to the service connection at his own expense.</p>	<p>16.15.050 (b)</p> <p>(b) Where Protection is required. In accordance with Department policies and procedures, an approved backflow protection device shall be installed and maintained at every service connection where the Department determines there is an actual or potential risk to the public water supply of contamination, pollution, or deterioration in water quality. The level of protection required and the type of device required shall be determined by the Department in relation to the degree of the actual or potential hazard. The Director's decisions on such determinations shall be considered final.</p>	<p>Already included in section 16.04.060</p>
16.04.065	<p>CONDITIONS FOR USE OF MASTER WATER METERS Whenever the water department director has determined that a master water meter or meters may be installed on any premises, but there is no single unit of ownership of the property to be served which will be responsible for payment of the bill, he may permit the installation of a master water meter or meters only on the following terms and conditions. No such master water meter shall be installed until the applicant has agreed to accept responsibility for payment of all water bills and has posted a cash or corporate surety bond, whichever shall be specified by the water department director, with the city in an amount equal to double the estimated periodic municipal utility service charge as determined by the water department director to assure the city against any water bill delinquency, and has further agreed that in the event of nonpayment as provided in Section 16.04.320 of this chapter for a period of time sufficient to warrant discontinuance</p>	<p>16.04.050 (f)</p> <p>(f) Multiple Units. Service to multiple residential or commercial units located on the same or adjoining parcels will generally be provided through separately metered connections. Use of a master meter is prohibited when each unit can be plumbed independently and sold separately. However, when the size and/or shape of the property create practical difficulties for (or severely limit) such a development, the Director may approve use of a master meter to serve all units, in accordance with Department policies and procedures.</p>	<p>Referenced Department Policy: 1) Master Water Meter Use</p>

EXISTING		PROPOSED	COMMENTS
16.04.070	<p>of service, that the city may discontinue such service without liability to applicant or any other person. The execution and filing of an application for a master water meter or meters, accompanied by cash or a corporate surety bond, as required by this section, shall be sufficient to constitute the agreement required by this section, and by executing said application applicant binds himself, his principals, his successors and assigns, to abide by the terms and conditions of such agreement, and all of the rules and regulations of the water department.</p> <p>RESALE OF WATER No water received from the city may be resold without special approval from the city. This section shall be inapplicable to any public utility company certified by the California Public Utilities Commission.</p>	<p>GENERAL WATER USE</p> <p>(a) Use on Other Properties. The account holder shall not use or allow the use of any significant quantity of water from his/her connection on any property not specifically included in his or her application for service.</p> <p>(b) Resale of Water. No water received from the City may be resold without special approval from the Water Department.</p> <p>(c) Unusually Large Quantities of Water. Account holders shall make arrangements with the Water Department prior to using an unusually large quantity of water. Water Department approval may be given if delivery of the water through the City's water facilities can be accomplished safely and without inconvenience to other account holders.</p> <p>(d) Use of Water Outside the Service Area. No water received from the City may be used outside the system's service area without prior approval from the City</p>	
16.04.075	<p>SUPPLY TO SEPARATE PREMISES</p> <p>(a) Subject to the exception set forth in subsection (b) not more than one premises shall be served from each connection. The customer shall not permit the use of any of the water received by him or her from the city on any premises other than those specified in his or her application for service.</p> <p>(b) A customer which is a federal or state agency devoting its premises to coastal-dependent uses as defined in the city's General Plan glossary may share its service with other federal or state agencies on adjoining premises which also devote their</p>	<p>Delete</p>	<p>Delete</p> <p>Already addressed in section 16.04.050, Service Connection Requirements, and section 16.15.030, General Water Use.</p>

EXISTING		PROPOSED		COMMENTS
16.04.080	<p>premises to coastal dependent uses when the city council, in the exercise of its discretion, determines that the service in question has the capacity to serve the principal and adjoining premises, that to require a separate service would be impractical, that to require a separate service would serve to create excess service capacity, and that the customer will execute an agreement holding the city harmless against any and all claims that might be asserted by the agency occupying the adjoining premises for interruption of service occasioned by the customer's failure to properly maintain its service or abide by the provisions of the customer's service agreement.</p> <p>METER INSTALLATIONS Meters will be installed at the curb, property line or in sidewalk basements, and shall be owned by the city.</p>	Delete	Delete	Included in section 16.04.060 (b) and 16.04.070 (a)
16.04.090	<p>CHANGE IN LOCATION OF METERS Meters moved for the convenience of the customer will be relocated at the customer's expense. Meters moved to protect the city's property will be moved at its expense. If the lateral distance which the customer desires to have the meter moved exceeds eight feet, he will be required to pay for a new service at the desired location.</p>	16.04.080	<p>SERVICE CONNECTION CHANGES Requests from Customers to move or resize meters, service laterals, or service connections must be approved by the Department in accordance with Department policies and procedures.</p> <p>The Department may require that a Customer's existing service connection(s) be relocated and/or resized in accordance with Department policies and procedures to ensure safe, adequate service, and accurate metering corresponding to documented or planned water use.</p> <p>Fees and charges for relocation and resizing of water services, water meters or service connections shall be as adopted by resolution of City Council.</p>	Referenced Department Policy: 1) Water Service Design Criteria
16.04.100	<p>CHANGE IN SIZE OF METER A requested change to a smaller-size meter must be approved by the water department and will be made without charge to the applicant. A requested increase in the size of the meter must be approved by the water department. The charge will be based on the actual cost of installing the new meter, less the salvage value of the materials recovered and shall be subject to additional system development charges. Customers with flow rates exceeding the AWWA maximum peak flow or having an average rate exceeding the safe maximum operating capacity or AWWA continuous flow rate for the meter shall be required to upsize the water service and shall be responsible for the payment of all applicable charges including, but not limited to, installation of new pipes, meter, review, and inspection fees, and additional system development charges.</p>			
16.04.110	<p>OWNERSHIP The meters, lines and other fixtures associated with water service and installed by the city, whether located on public or private</p>	16.04.070	<p>SERVICE CONNECTION OWNERSHIP AND MAINTENANCE (a) City Owned Water Service Facilities. All service</p>	

EXISTING		PROPOSED	COMMENTS
<p>property, are the property of the city, and the city reserves the right to repair, replace and maintain such fixtures, as well as to remove them upon discontinuance of service or abandonment. Water service lines and fixtures located on the property side of the water meter, hereinafter known as customer water service facilities, are owned by the property owner, and are the responsibility of the property owner to repair, replace and maintain.</p>	<p>connection facilities (except fire services) located between the meter and the water main, including the meter, meter box, and other pipes and fixtures, whether located on public or private property, are the property of the City. The City is responsible for maintaining, repairing, and replacing such facilities. The property owner shall use reasonable care in the protection of these City-owned water facilities and shall be held responsible for damage to the City's property when such damage is caused by the property owner, account holder, contractor, or Customer or from causes originating on the owner's property.</p>		
<p>16.04.120</p> <p>MAINTENANCE</p> <p>(a) The city is responsible for repairing and maintaining, at its own expense, the water service meter, box and all pipe and other fixtures between the meter and the water main. The property owner is responsible for repairing and maintaining all customer water service facilities, including all pipes and other fixtures beyond the meter.</p> <p>(b) Customer water service facilities must be maintained by the property owner in good condition to safely withstand construction and maintenance activities related to the water service without damage. The above-described construction and maintenance activities include, but are not limited to, meter repair and replacement and water service renewal. The customer water service facilities must be able to withstand sudden changes in pressure in accordance with the Uniform Plumbing Code.</p> <p>(c) The property owner shall indemnify and defend the City of Santa Cruz from any liability or loss resulting in any manner from the customer water service facilities or their care or maintenance.</p>	<p>(b) Privately Owned Facilities. All service connection facilities located on the property side of the water meter, including the connection from the meter to said facilities, are owned by the property owner and are the responsibility of the property owner to repair, replace and maintain. Property side water service facilities must be maintained by the property owner in good condition to safely withstand fluctuations in pressure and construction and maintenance activities related to the water service including, but not limited to, meter repair and replacement and service connection renewal.</p> <p>(c) Fire Service Facility Ownership. All fire service connection facilities located in the public right of way are the property of the City. The City is responsible for maintaining, repairing, and replacing such facilities. The fire service meter and associated electronics and wiring is also the property of the City, regardless of location.</p> <p>(d) City Access. Representatives of the Water Department shall have access to any City-owned meters, service connections, and other water facilities located on private property for purposes reasonably associated with the furnishing of water service. Such access shall be without notice or interference from the owner or</p>		

EXISTING		PROPOSED		COMMENTS
16.04.130	<p>TEMPORARY SERVICE Temporary service will be furnished in conformity with the general regulations applicable and as additionally specified in this regulation.</p>	Delete	Delete	Representatives of the Water Department shall have access at reasonable hours (except in emergencies) to property side water facilities such as shut-off valves and exterior hose bibs for purposes reasonably associated with the furnishing of water service. Such access shall be with notice except in the case of emergency.
16.04.140	<p>INSTALLATION CHARGES AND DEPOSITS The applicant shall deposit, in advance, the estimated cost of installing and removing the facilities required to furnish said service, exclusive of the cost of salvageable material. Upon discontinuance of service the actual cost shall be determined and an adjustment made as an additional charge, refund or credit.</p>	Delete	Delete	Already addressed in section 16.04.030
16.04.150	<p>SERVICE THROUGH FIRE HYDRANTS The city may grant permission to use water through specified fire hydrants by issuing a permit. Application for a permit should be made at least twenty-four hours before service is required. No person or persons shall operate or draw water from a fire hydrant without a permit.</p>	Delete	Delete	Already addressed in section 16.04.030
16.04.160	<p>CHARGE FOR WATER SERVED The rates for regular service shall be applicable for water used on a metered basis. Where it is not practical to install a meter the water consumption shall be estimated on a basis agreeable to both the customer and water department. The applicant shall pay the estimated cost of water in advance or shall be otherwise required to establish credit. The minimum charge for water shall be \$2.00.</p>	Delete	Delete	No longer applicable
16.04.170	<p>RESPONSIBILITY FOR METERS AND INSTALLATION All facilities for temporary service to the customer connection shall be made by the water department and shall be operated in accordance with its instructions. The customer shall use all possible care to prevent damage to the meter or to any other loaned facilities of the water department which are involved in furnishing temporary service from the time they are installed until</p>	Delete	Delete	Addressed in section 16.04.070, Service Connection Ownership and Maintenance

EXISTING		PROPOSED		COMMENTS
16.04.180	<p>they are removed, or until forty-eight hours' notice in writing has been given to the water department that the contractor or other person is through with the meter or meters and the installation. If the meter or other facilities are damaged, the cost of making repairs shall be paid by the customer.</p> <p>ANNUAL PERMITS The director of the water department is authorized to issue annual permits to users of temporary service through bulk water stations, on such terms and conditions, and with such limitations, as he deems appropriate. A flat fee shall be assessed upon the issuance of such permit, based on an estimate agreeable to both the customer and water department director.</p>	Delete	Delete	Addressed in section 16.04.030, Types of Service, subsection (b), Bulk Water Service
16.04.190	<p>PRIVATE FIRE PROTECTION SERVICE Private fire protection service will be furnished in conformity with applicable general regulations, and as additionally specified in this section.</p> <p>(1) Installation and Charges. The installation of private fire services shall conform to standard specifications, details and requirements published by the city. When private fire services are to be installed by city forces, the applicant shall pay, in advance, a fixed fee as established by resolution of the city council. When installed by a contractor, the applicant shall, in advance, obtain a permit from the city and pay an inspection fee as established by resolution of city council.</p> <p>(2) Restrictions on Use of Service. There shall be no connections between a fire protection system and any other water distribution system on the premises. There shall be no water used through the fire protection service except to extinguish accidental fires or for testing the fire service and appurtenances. Service to the premises, including the domestic service, may be discontinued for violation of the regulations set forth in this section.</p> <p>(3) Pressure and Supply. The city shall not be responsible for the design or adequacy of any private fire protection system, nor for any loss or damage due to of lack of water pressure. The city shall only be required to furnish such quantities and pressures as are available in its general distribution system. Any private fire service is subject to shutdowns and variations in pressure as are</p>	16.04.050 (h)	<p>(a) Private Fire Protection.</p> <p>a. There shall be no connections between a fire protection system and any other water distribution system on the property. There shall be no water used through the fire protection service except to extinguish fires or for testing and maintaining the fire service and appurtenances. Domestic service to the property may be discontinued for violation of the regulations set forth in this section.</p> <p>b. The City shall not be responsible for the design or adequacy of any private fire protection system.</p>	Identified as type of service in section 16.04.020

EXISTING		PROPOSED		COMMENTS
16.04.200	<p>incidental to the operation of the public water system.</p> <p>PUBLIC FIRE PROTECTION SERVICE Fire hydrants and other facilities will be installed for use by organized fire protection agencies under agreement entered into by such agency and the city.</p> <p>(1) Installation Charges. The organized fire protection agency requesting the installation of fire hydrants shall pay the entire cost of installation of such fire hydrants in accordance with charges as may be established from time to time by the city council;</p> <p>(2) Monthly Charges. The monthly standby rates for fire hydrants and other facilities shall be as established by resolution of the city council.</p>	16.04.090	<p>FIRE HYDRANTS</p> <p>(a) New Fire Hydrants. Where required by the fire protection agency within whose jurisdiction the property falls, new fire hydrants shall be installed at the applicant's expense and shall conform to standard specifications, requirements, and the payment of applicable fees and charges adopted by resolution of City Council.</p> <p>(b) Relocation of Existing Fire Hydrants. Requests to relocate an existing fire hydrant must be approved by the appropriate fire protection district, the appropriate public works Department and the Water Department in accordance with Department policies and procedures and may be subject to applicable charges as adopted by resolution of City Council. The relocation of an existing fire hydrant shall be at the expense of the requestor.</p>	<p>Identified as type of service in section 16.04.030</p> <p>Referenced Department Policy:</p> <p>1) Fire Hydrants</p>
16.04.210	<p>GENERAL REQUIREMENTS –EXTENSION OF WATER SYSTEM Whenever a principal part of a premises to be served does not have service from an adequate distribution storage reservoir or booster pumping station, a water main extension, construction of an adequate distribution storage reservoir and booster pumping station, or such of them as may be necessary to serve the premises, will be required at the applicant's expense. Extension of water mains and construction of distribution storage reservoirs and booster pumping stations may be arranged by applicants upon entering into a "Water System Extension Agreement" prepared in accordance with the terms and conditions of this chapter.</p>	Delete	Delete	<p>Already included in new section 16.09.020 for Main Replacements and System Extensions</p>
16.04.211	<p>DESIGN OF FACILITIES The city will determine sizes, materials, types and locations of all pipes, pumping plants, storage reservoirs, and all other facilities necessary and required for proposed extensions to the city's existing system.</p>	Delete	Delete	<p>Already included in new section 16.09.020 for Main Replacements and System Extensions, subsection c</p>
16.04.212	<p>INSTALLATION OF FACILITIES (a) All system extensions and other facilities shall be installed by the city or under its supervision, in accordance with its specifications, and to its satisfaction.</p> <p>The city, at its discretion, may undertake the installation of</p>	Delete	Delete	<p>Already included in new section 16.09.020 for Main Replacements and System Extensions</p>

EXISTING		PROPOSED	COMMENTS	
16.04.213	<p>facilities in accordance with the provisions of the City Charter, or it may require the applicant to install the system extensions and facilities under terms and conditions of an agreement between the applicant and the city.</p> <p>(b) No pipelines, or other facilities, shall be installed until all rights-of-way for pipelines, pumping plant sites, and storage reservoir sites required for the installation, operation, and maintenance of the facilities are furnished by the city in a form satisfactory to the director of the water department.</p> <p>ACREAGE COST RECOVERY/ REIMBURSEMENT Where major new water facilities such as transmission mains, storage tanks and pump stations are requested by an applicant to serve new development in undeveloped areas, the cost of such facilities shall be borne by the applicant-developer under terms established in a water extension agreement. Reimbursement to applicants for facilities installed in accordance with a water extension agreement shall be determined in accordance with the following provisions:</p> <p>(a) An acreage charge is to be determined by dividing the total cost of the new facilities by the acreage which can be served from those facilities.</p> <p>(b) The applicant or applicants who have financed the new water system facilities considered in this section are entitled to the acreage charge collected by the water department for permitting the connection of each regular service, or a private fire service, to such system facilities. The amount that is collected will be refunded within ninety days following the collection. No acreage charge refund will be made after ten years from the date of the execution of the contract except those refunds which have accrued during such ten-year period.</p> <p>(c) In the case of extension of the water system by means of a booster pumping station or a new reservoir system, the acreage charge allocated to each applicant's development within the service area will be refunded by the city to the applicant over a period of fifteen years in equal annual payments. If the acreage developed annually within any particular development is less than</p>	16.09.040	<p>SYSTEM EXTENSION AGREEMENTS</p> <p>(a) Paid by Applicant. When an application for service requires extension of an existing water main or construction of other new water facilities, the Applicant shall pay the cost of such installations under terms established in a water system extension agreement between the Applicant and the City in accordance with the terms and conditions of this chapter and Department policies and procedures.</p> <p>(b) Cost Recovery. The City may provide cost recovery to the water system extension agreement holder at the discretion of the Director, in accordance with Department policies and procedures based on the following provisions:</p> <p>(1) The Water Department shall establish an extension fee to be charged to all new service connections made to the new water facilities installed under the system extension agreement. Such fee shall be based on the pro rata benefit to be derived by potential users of the new water facilities as estimated by the Department at its sole discretion.</p> <p>(2) For water system extensions, the City shall charge the established extension fee on all new service connections made to the water system extensions for a period of ten (10) years from the date of the extension agreement, or until the cost of the water system extensions is fully reimbursed, whichever comes first; and shall reimburse all such extension fees collected to the extension agreement holder.</p>	<p>Referenced Department Policy: 1) System Extension Agreements</p>

EXISTING		PROPOSED	COMMENTS
16.04.2.13A	<p>one-fifteenth of the total acreage in the development, the refund shall be reduced accordingly. Development shall be deemed to have taken place when an active regular service connection is made to serve a particular parcel of property within the development. No refunds are to be made after the expiration of fifteen years.</p> <p>(d) In the case of the extension of the system by means of a transmission main only, the city will sustain that portion of the cost of the system extension which exceeds the cost of the minimum size mains or other facilities required to serve the applicant, as determined by the city. The contribution by the city will be made to the applicant only as service connections are made to the extension and charges therefor have been collected by city.</p>	<p>(3) For facility extensions including a tank, pump station, or pressure reducing station, the City shall charge the established extension fee on all new service connections made to the new water facilities for a period of fifteen (15) years from the date of the extension agreement, or until the cost of the facility extension is fully reimbursed, whichever comes first; and shall reimburse all such extension fees collected to the extension agreement holder.</p> <p>(4) Reimbursement fees shall be calculated based on the cost of water facilities required to meet the minimum service standards defined in section 16.04.040. Should an Applicant desire the installation of larger or more costly water facilities to meet specialized service or fire flow requirements, the cost of those extra facilities shall be borne by the applicant. Should the City desire to install water facilities in excess of those minimum standards, the cost of the extra facilities shall be borne by the Department.</p> <p>(5) If installation of some or all of the extended facility is included in the Department's capital improvement plan during the specified period of reimbursement, the City will refund the cost of that section of the facility to the agreement holder at such time as it is budgeted.</p>	
	<p>WATER SYSTEM EXTENSIONS ZONE – COST RECOVERY/ REIMBURSEMENT</p> <p>(a) From time to time the city council may determine that the capacity of the water system should be extended so as to provide the availability of future water service to areas which are either undeveloped or only partially developed. If the council determines that the construction of the water system extension will either not benefit, or benefit only to a limited degree, the existing water system, the council may establish the limits of a zone within which the capacity provided by the water system extension will permit new service connections, or additional capacity to existing customers.</p>	<p>SYSTEM EXTENSION ZONES</p> <p>The City Council may determine that the capacity of the water system should be extended so as to provide the availability of future water service to areas which are either undeveloped or only partially developed. If the Council determines that the construction of the water system extension will have little or no benefit to the existing water system, the Council may establish the limits of a zone within which the capacity provided by the water system extension will permit new or larger service connections.</p> <p>If such a water system extension zone is established, the Council</p>	
		16.09.050	

EXISTING	PROPOSED	COMMENTS
<p>(b) If such a water system extension zone is established, the council may, by resolution, impose a zone capacity fee within such zone, for the purpose of defraying the actual cost of acquiring and constructing the water system extension necessary to provide the capacity to permit additional service connections within said zone. The amount of said zone capacity fee shall be based upon the number of additional connections which will be permitted within the zone, and shall be calculated by dividing the total cost of the water system extension by the number of estimated future permitted connections. If the size of a connection exceeds the standard size of a five-eighths-inch connection, the zone capacity fee shall be increased proportionately to the increased size of the connection.</p> <p>(c) The city may participate in the cost of a water service extension as follows: costs for a water system extension which will both serve new developments and correct deficiencies to existing customers may be shared by the city, in those cases where the director determines that there is a present need for additional capacity to serve existing customers, and the project can be adequately funded with available water department funds. The limit to which the city may participate in the cost of the water system extension shall be in proportion to the additional capacity required to serve existing customers as compared to the total capacity of the water system extension.</p> <p>(d) The cost of the water system extension, for purposes of calculating the zone capacity fee, shall be deemed to include all property acquisition costs, engineering, construction, and debt service cost if appropriate. Costs associated with correcting any existing capacity deficiencies within the water system shall be excluded for purposes of determining the zone capacity fee.</p> <p>(e) The zone capacity fee imposed on any property at the time of connection to the water system, shall not exceed the pro rata share of the amount of the total cost of the water system extension within such zone which would be assessable on such property if such costs were apportioned uniformly upon a per-acre basis.</p> <p>(f) Separate funds shall be established for each zone established</p>	<p>may, by resolution, impose a zone capacity fee to all service connections within such zone, for the purpose of defraying the cost of the water system extension. The resolution shall define the costs involved, the manner of calculating the zone capacity fee, and method of collecting the zone capacity fee.</p> <p>Separate funds shall be established for each zone established pursuant to this section. Moneys in such funds shall be expended solely for water system extensions within the zone from which the fees are collected.</p> <p>The City may advance money, or may incur indebtedness, for the acquisition and construction of the water system extension within the zone. A reasonable interest cost, or the cost of servicing such indebtedness, may be included as a part of the cost of the water system extension for purposes of determining the zone capacity fee.</p>	

EXISTING		PROPOSED	COMMENTS
16.04.214	<p>pursuant to this section. Moneys in such funds shall be expended solely for the acquisition and construction, or reimbursement for the acquisition and construction, of water system extensions within the zone from which the fees comprising the fund are collected.</p> <p>(g) The city may advance money, or may incur indebtedness, for the acquisition and construction of the water system extension within the zone, and a reasonable interest cost, or the cost of servicing such indebtedness, may be included as a part of the cost of the water system extension for purposes of determining the zone capacity fee.</p> <p>DISTRIBUTION MAIN EXTENSIONS OR REPLACEMENTS When a distribution main extension or replacement is required, the following general conditions apply:</p> <p>(a) Six-inch pipe shall be the minimum size considered for general use. Four-inch pipe may only be used on cul-de-sac streets three hundred feet or less in length. The director may not permit connection to a main smaller than six inches except as provided in this section.</p> <p>(b) If a main larger than six inches is required, the city will sustain that portion of the costs of an extension which exceeds the cost of the main required to serve the applicant, as determined by the city in accordance with a reimbursement schedule established from time to time by resolution of the city council.</p> <p>APPLICANT-INSTALLED FACILITIES The following conditions apply in the case of applicant-installed facilities made under a main extension agreement.</p> <p>(a) The material installed and the work performed must comply with the plans and specifications furnished or approved by the city and shall be subject to city inspection at all times.</p> <p>(b) The applicant must furnish adequate security to assure completion of the project. Such security may be in the form of a bond, letter of credit, escrow deposit or other surety acceptable to the city. Upon completion of the installation, in accordance with the agreement, title to the installation shall be transferred to the city by the applicant upon acceptance of such installation by the city.</p>	Delete	Already addressed in Section 16.09.020
16.04.215	<p>APPLICANT-INSTALLED FACILITIES The following conditions apply in the case of applicant-installed facilities made under a main extension agreement.</p> <p>(a) The material installed and the work performed must comply with the plans and specifications furnished or approved by the city and shall be subject to city inspection at all times.</p> <p>(b) The applicant must furnish adequate security to assure completion of the project. Such security may be in the form of a bond, letter of credit, escrow deposit or other surety acceptable to the city. Upon completion of the installation, in accordance with the agreement, title to the installation shall be transferred to the city by the applicant upon acceptance of such installation by the city.</p>	Delete	Addressed in 16.09.030 Main Replacements to Accommodate New Development and 16.09.040 System Extension Agreements

EXISTING		PROPOSED	COMMENTS
16.04.216	<p>(c) When materials, engineering and inspection services are furnished by the city, applicant will be required to pay in advance the charges for material, overhead, engineering and inspection services furnished by the city, in accordance with such rates as may be established from time to time by the water department director.</p> <p>(d) When engineering is performed by the applicant and materials are furnished by the applicant, applicant will be required to pay the cost of inspection services furnished by the city.</p> <p>(e) Applicant shall furnish to city within ninety days after completion of all improvements, a detailed cost breakdown of all facilities installed by applicant, in such form and detail as may be required by the water department director.</p> <p>FRONT-FOOT COST RECOVERY/ REIMBURSEMENT Where a water main extension is required under Section <u>16.04.052</u> to satisfy the standards set in Section <u>16.04.051</u>, the cost of installation of such new mains shall be borne by the applicant under terms established in a water extension agreement. The water extension agreement shall provide for cost recovery and reimbursement based on a front-foot assessment levied against owners of undeveloped land fronting on the main at the time they connect to it. Whether a main extension is financed by an applicant or by the city, the front-foot charge will be determined by dividing the cost of the extension by the front footage of the premises which lie along and may be served directly from the extension. The front-foot charge shall not be applied more than once to any premises. The cost of the extension for purposes of determining the front-foot charge shall be the charge that would be made to the applicant for extending a main not exceeding six inches in diameter. Premises already served at the date of installation will be excluded in determining the front-foot charge and will be exempt from such payment. The water department will collect the front-foot charge, where applicable, before granting a service or private fire service to the premises which lie along and may be served directly by a main extension. The front-foot charge for a main extension shall be in effect for a</p>	Delete	Delete
		Delete	Addressed in 16.09.040 System Extension Agreements

EXISTING		PROPOSED		COMMENTS
16.04.217	<p>period of ten years from the date of execution of the contract if the extension is financed by an applicant, or the date of the official completion of the extension if financed by the city.</p> <p>FRONT-FOOT CHARGE REFUNDS</p> <p>The applicant who has financed a main extension under Section 16.04.216 shall be reimbursed the front-foot charges collected by the water department from persons permitted to make a regular service or a private fire service connection to such extension. The amounts collected will be refunded within ninety days following the date of collection. No front-foot charge refunds will be made after ten years from the date of execution of the contract for an applicant-financed extension, except those refunds which have accrued during such ten-year period. The total amount of all refunds made by the water department to the applicant who financed a main extension may not exceed the cost of the main extension less the applicant's share.</p>	Delete	Delete	Addressed in 16.09.040 System Extension Agreements
16.04.220	<p>NOTICES</p> <p>(a) Notice to Customers. Notices from the water department to a customer will normally be given in writing, and either delivered or mailed to him at his last known address.</p> <p>Where conditions warrant and in emergencies, the water department may resort to notification either by telephone or messenger.</p> <p>(b) Notices from Customers. Notice from the customer to the water department may be given by him or his authorized representative orally or in writing:</p> <p>(1) At the water department's office;</p> <p>(2) To an employee of the water department; or</p> <p>(3) To an agent duly authorized to receive notices or complaints.</p>	16.11.040	<p>ACCOUNT NOTICES</p> <p>(a) Notice to Account Holders. Notices from the Water Department to an Account holder will be given in writing, and either delivered or mailed to the account holder's address.</p> <p>Where conditions warrant and in emergencies, the Water Department may use other means of notification.</p> <p>(b) Change of Information. It is the responsibility of the Account holder to notify the Department of any change of customer name, address or other contact information.</p> <p>(c) Notice to Customers. When a notice to an Account holder involves an interruption to service or water quality issue, it is the responsibility of the Account holder to inform Customers that may be affected.</p> <p>(d) Notices from Customers. Notice from the Customer to the Water Department may be given by the Customer orally or in writing:</p> <p>(1) at the Water Department's office;</p> <p>(2) to an employee of the Water Department; or</p> <p>(3) to an agent duly authorized to receive notices or</p>	

EXISTING		PROPOSED		COMMENTS
16.04.230	METER READINGS Meters will be read as nearly as possible on the same day of each month. Billing periods containing less than twenty-seven days or more than thirty-three days, for bills rendered monthly or less than fifty-four days and more than sixty-six days for bills rendered bimonthly, will be prorated.	16.11.060 (a)	(a) Reading. Meters will be read as nearly as possible on the same day of each month. When the time between meter reads is less than 27 days or more than 33 days, bills will be prorated according to Department procedures.	Referenced Department Policy: 1) Meter Reading and Billing
16.04.240	BILLING PERIOD The regular billing period will be monthly or bimonthly at the option of the water department unless otherwise directed by the city manager.	16.11.050	ACCOUNT BILLING (a) Frequency. The regular billing period will be monthly or bimonthly as established by the Director. (b) Opening and Closing. Opening and closing bills for less than the normal billing period shall be prorated for all rates, fees and charges. (c) Date Due. The rates, fees and charges provided for by this chapter shall be due and payable upon presentation of the bill. The bill shall be considered delinquent after the date for payment set forth in the billing statement. (d) Equivalent Capacity. Accounts shall be billed in accordance with the equivalent capacity assigned to the account regardless of the number or size of physical meters associated with the account. (e) Application of Deposit. A deposit shall be applied to the account after the account has been without any late charges for one 12-month period; or returned to the Customer upon closure of the account after the closing balance has been paid. (f) Failure to Receive a Bill. Failure to receive a bill does not relieve a Customer of liability for payment. (g) Account Type. Account type, as defined by 16.11.030, shall be assigned by the Department . (h) Billing Changes. Changes to the account that effect service charges shall be made at the start of the next billing period. Billing changes to current or previous service periods will be made at the sole discretion of the Director.	
16.04.250	OPENING AND CLOSING BILLS Opening and closing bills for less than the normal billing period shall be prorated both as to minimum charges and quantity blocks. Closing bills may be estimated by the water department for the final period as an expediency to permit the customer to pay the closing bill at the time service is discontinued.			
16.04.260	BILLINGS The fees and charges provided for by this chapter shall be rendered at the end of each billing period in accordance with the provisions of Chapter 16.13 of this code. Flat rates are payable in advance.			

EXISTING		PROPOSED		COMMENTS
16.04.270	<p>BILLING OF SEPARATE WATER METERS Separate bills will be rendered for each meter installation, except where the water department has, under the conditions herein set forth, approved combined billing for multiple meters upon a single premises. The water department shall determine whether a premises upon which multiple meters have been installed is a single premises, and in so doing shall exclude any noncontiguous properties. In the event a combined billing is approved by the water department, the minimum charge to be made to the customer shall consist of the sum of the minimum charges for the various sized meters combined, as in the current rate schedule. The amount of water to be included within the minimum charge shall be five hundred cubic feet per month.</p> <p>BATTERIES OF METERS For all metered services, a battery of meters installed on one service shall be billed in accordance with a schedule fixed by the director of the water department, which schedule shall establish equivalent capacity between a single meter and a battery of meters.</p>	Delete	Delete	Addressed in 16.04.040 Service Connection Requirements
16.04.280	<p>METER ERROR TESTS All meters will be tested prior to installation and no meter will be installed which registers more than two percent fast.</p> <p>If the customer desires to have the meter serving his premises tested, he shall first deposit with the water department the charge established by resolution of the city council. He shall be present when the meter is tested in the meter shop of the water department. Should the meter register more than two percent fast, the deposit will be refunded, but should the meter register less than two percent fast, the deposit will be retained by the water department.</p>	Delete	Delete	
16.04.290	<p>ADJUSTMENT OF BILLS FOR METER ERRORS If a meter tested at the request of a customer is found to be more than two percent fast, the excess charges for the time service was rendered such customer, or for a period of six months, whichever is less, shall be refunded to the customer.</p> <p>NONREGISTERING METERS If a meter is found to be not registering, the charges for service shall be based on the estimated consumption. Such estimates shall be made from previous consumption for a comparable</p>	16.11.060	<p>METER READING AND TESTING</p> <p>(a) Reading. Meters will be read as nearly as possible on the same day of each month. When the time between meter reads is less than 27 days or more than 33 days, bills will be prorated according to Department procedures.</p> <p>(b) Testing. All meters will be tested prior to installation and no meter will be installed which does not meet Department standards. The Water Department shall maintain a procedure for the testing of meter accuracy at the request of the account holder. Fees and charges for meter testing shall be as established by resolution of City Council.</p> <p>(c) Meter Not Registering. If a meter is found to be under-registering or not registering water use due to a malfunction or other disablement, the charges for service shall be based on the estimated consumption. Such estimates shall be made from previous consumption records for a comparable time period. Should the subsequent reading indicate that the estimate is materially in error, an adjustment shall be made in the subsequent</p>	Addressed in 16.11.040, Account Billing
16.04.300				Referenced Department Policy: 1) Meter Reading and Billing
16.04.310				

EXISTING		PROPOSED		COMMENTS
	period or by some other equitable method.		bill. (d) Meter Cannot be Read. If a meter in working condition cannot be read, the charges for service shall be based on the estimated consumption. Such estimates shall be made from previous consumption records for a comparable time period.	
16.04.320	PENALTIES FOR DELINQUENCY AND NONPAYMENT In the event that any account becomes delinquent, or any billing is not paid, penalties may be assessed in accordance with the provisions of Chapter <u>16.13</u> of this code.	Delete	Delete	Already addressed in SCMC Chapter 16.13, UNIFIED UTILITIES BILLING SYSTEM
16.04.330	DISCONTINUANCE OF SERVICE BECAUSE OF UNSAFE APPARATUS Water service may be refused or discontinued to any premises where apparatus or appliances are in use which will endanger the service to other customers.	Delete	Delete	Addressed below in new section 16.11.070, Account Discontinuance
16.04.331	IMPAIRMENT OF WATER SERVICE TO OTHER CUSTOMERS Where the use of water is unusually intermittent or subject to violent fluctuations of a character that impairs service to other customers, the water department may require the customer to provide, at his own expense, suitable equipment to reasonably limit fluctuations in use and pressures caused by the customer's equipment or operations.	16.15.040	IMPAIRMENT OF WATER SERVICE TO OTHER CUSTOMERS Where a Customer's consumption is intermittent or subject to extreme fluctuations thereby impairing service to other Customers, the Water Department may require the Customer to provide, at the Customer's expense, suitable equipment to reasonably limit fluctuations in use or pressures caused by the Customer's use.	
16.04.340	DISCONTINUANCE BECAUSE OF CROSS-CONNECTIONS Water service may be refused or discontinued to any premises where there exists a cross-connection in violation of state or federal laws.	16.11.070	ACCOUNT DISCONTINUANCE (a) City initiated. In addition to service connection determinations described elsewhere in this chapter, water service may be refused or discontinued to any property where any of the following conditions apply: (1) Apparatus or appliances are in use which may endanger water facilities or public health. (2) There exists a cross-connection. (3) The Department determines that conditions at the property could jeopardize the safety and reliability of the water service system. (4) Plumbing on the property is found defective or leaking. (5) It is necessary to protect the City against fraud practiced by a Customer.	Referenced Department Policy: 1) Account Discontinuance
16.04.350	DISCONTINUANCE FOR FRAUD OR ABUSE Service may be discontinued if necessary to protect the city against fraud practiced by the customer.			
16.04.360	DISCONTINUANCE UPON VACATING PREMISES (a) Customers desiring to discontinue service should so notify the water department two days prior to vacating the premises. Unless discontinuance of service is ordered, the customer shall be liable for charges whether or not any water is used. (b) Notwithstanding the twenty-four consecutive month abandonment policy, those services which are demonstrated to have been discontinued as a direct result of the October 17, 1989, Loma Prieta Earthquake, between the period of October 17, 1989, and March 31, 1990, shall be deemed abandoned if water has not			

EXISTING	PROPOSED	COMMENTS
<p>been used or bimonthly readiness-to-serve charges paid for sixty consecutive months from the date of abandonment of service.</p>	<p>(6) A service bill has not been paid.</p> <p>a. Prior to such water service shutoff, the customer shall be mailed a final notice informing him or her that the shutoff will be enforced if payment is not made within the time specified in the notice. The final notice shall be given, and the noticed date of shutoff shall be calculated, in accordance with the applicable provisions of Division 5, Chapter 1, Section 10010.1 of the California Public Utilities Code.</p> <p>(7) Applicable statutes, regulations and/or policies have been violated.</p> <p>(b) Account Holder Initiated. Account holders desiring to discontinue service should so notify the Water Department at least two business days prior to the desired date of discontinued service. Unless the account is closed or transferred to another responsible party in accordance with Department policies and procedures, the account holder of record shall be liable for charges due or that become due whether or not any water is used. It shall be the account holder's responsibility to obtain confirmation of the disconnection order from the Department.</p>	
<p>16.04.370</p> <p>RESTORATION CHARGE</p> <p>Where service has been discontinued for violation of the Municipal Code, or for non-payment of bills, the water department will make a charge for restoration of service and/or to set or remove a meter due to unauthorized use in accordance with a schedule to be established by resolution of the city council.</p>	<p>16.11.080</p> <p>ACCOUNT RESTORATION</p> <p>Where service has been discontinued for violation of applicable statutes, regulations, and/or policies or for non-payment of bills, the Water Department will impose a charge for restoration of service and/or to install or remove a meter in accordance with the fee schedule established by resolution of the City Council.</p>	
<p>16.04.380</p> <p>FIRE HYDRANTS</p> <p>(1) Use. Fire hydrants are for use by organized fire protection agencies and by the water department. Other parties desiring to use fire hydrants for any purpose must first obtain written permission from the water department prior to use and shall operate the hydrant in accordance with instructions issued by the water department.</p> <p>(2) Moving. Fire hydrants will be moved at the request of</p>	<p>16.04.090</p> <p>FIRE HYDRANTS</p> <p>(a) New Fire Hydrants. Where required by the fire protection agency within whose jurisdiction the property falls, new fire hydrants shall be installed at the applicant's expense and shall conform to standard specifications, requirements, and the payment of applicable fees and charges adopted by resolution of City Council.</p>	<p>Referenced Department Policy:</p> <p>1) Fire Hydrants</p>

EXISTING		PROPOSED		COMMENTS
16.04.390	<p>property owners where such requests are reasonable. All costs shall be borne by the party requesting such relocation.</p> <p>RESPONSIBILITY FOR EQUIPMENT All facilities installed on private property by the water department for the purpose of rendering water service shall remain the property of the city and may be maintained, repaired or replaced by the water department without consent or interference of the owner or occupant of the property. The property owner shall use reasonable care in the protection of the facilities. No payment shall be made for placing or maintaining said facilities on private property.</p> <p>DAMAGE TO WATER SYSTEM FACILITIES The customer and/or property owner shall be jointly liable for any damage to the city-owned water service facilities when such damage is from causes originating on the owner's premises.</p> <p>CONTROL VALVE The property owner shall provide a valve on his or her side of the service installation to control the flow of water to the piping on his or her premises. The property owner or customer shall not use the city service curb stop to turn water on and off for his or her convenience. However, should the property owner or customer damage the service curb stop, he or she shall be responsible for payment of damages charged by the water department in accordance with the service fee structure.</p> <p>CROSS-CONNECTION CONTROL AND BACKFLOW PROTECTION.* * Editor's Note: Prior to its repeal by Section 1 of Ord. 95-27, Section <u>16.04.420</u> (Cross-Connection Control and Backflow Prevention) was set out in Prior Code Section 7417, as amended by Ord. 72-10 § 1 and Ord. 80-30 § 2. (a) Definitions. As used in this section, certain terms are defined as follows: (1) "Backflow" means the flow of water or other substances from the customer's plumbing into the public</p>	<p>(b) Relocation of Existing Fire Hydrants. Requests to relocate an existing fire hydrant must be approved by the appropriate fire protection district, the appropriate public works Department and the Water Department in accordance with Department policies and procedures and may be subject to applicable charges as adopted by resolution of City Council. The relocation of an existing fire hydrant shall be at the expense of the requestor.</p> <p>Delete</p>	<p>Already addressed in section 16.04.070, Service Connection Ownership and Maintenance</p>	
16.04.400		Delete	Delete	Conflicts with section 16.04.070, Service Connection Ownership and Maintenance
16.04.410		Delete	Delete	Already addressed in 16.04.060 (e) and 16.04.070
16.04.420		16.15.050	<p>CROSS CONNECTION CONTROL AND BACKFLOW PROTECTION (a) Incorporation of California Title 17. The regulations of the Department of Public Health, Title 17 of the California Code of Regulations, Section 7583 through 7605, as amended from time to time, are hereby adopted, incorporated by reference and made a part hereof, insofar as the same are applicable to the protection of the City water system. (b) Where Protection is required. In accordance with Department policies and procedures, an approved backflow</p>	<p>Referenced Department Policies: 1) E-1990.3 Backflow Protection</p>

EXISTING	PROPOSED	COMMENTS
<p>water system.</p> <p>(2) "Approved backflow protection device" or "device" means a device specifically designed to prevent the occurrence of backflow, and which is specifically approved by the State of California, Department of Health Services, for that purpose.</p> <p>(3) "Contamination" means the impairment of the quality of the water in the city's water system through the introduction of any foreign substance into the public water system, including water previously delivered to a customer through the city water system.</p> <p>(4) "Customer" means any person, business, or other entity receiving water service from the city of Santa Cruz as designated on the current billing records of the city of Santa Cruz water department.</p> <p>(5) "Director" means the director of the city of Santa Cruz water department, or his/her authorized representative.</p> <p>(6) "Department" means the city of Santa Cruz water department.</p> <p>(b) Where Protection Required. An approved backflow protection device shall be installed and maintained at every service connection to a premises when it is determined by the director that there exists on the premises, or the plumbing system connected thereto, a risk to the public water supply of contamination or deterioration in water quality. The risk to the public water supply may be real or potential, and the department shall maintain a written policy, approved by the director, that specifies the circumstances, conditions, or instances where the installation of a backflow prevention device shall be required.</p> <p>(c) Level of Protection Required. The level of protection required, and the type of device required, shall be determined by the director in relation to the degree of the actual or potential hazard present on the premises or the plumbing system connected thereto. The department shall maintain a written policy, approved by the director, that provides specific guidelines for the determination of the degree of hazard and level of protection required.</p> <p>(d) Responsibility. It shall be the responsibility of the customer on whose premises a backflow protection device is required under</p>	<p>protection device shall be installed and maintained at every service connection where the Department determines there is an actual or potential risk to the public water supply of contamination, pollution, or deterioration in water quality. The level of protection required and the type of device required shall be determined by the Department in relation to the degree of the actual or potential hazard. The Director's decisions on such determinations shall be considered final.</p> <p>(c) Ownership and Responsibility. Any backflow protection devices installed pursuant to the requirements of this section are the sole property and responsibility of the account holder. It shall be the responsibility of the account holder to furnish, inspect, install, and test the device, and to maintain the device in proper working condition at all times. The City shall not be liable for any injury to people or damage to property which may result directly or indirectly from the installation, malfunction, testing or repair of any backflow device.</p> <p>(d) Enforcement. Water service may be discontinued immediately and without notice to the Customer if the Department determines that the City water supply is being contaminated or is in immediate danger of contamination. The Director's decisions on such determinations shall be considered final.</p> <p>(e) Policies and Procedures. The Department shall maintain written policies and procedures, approved by the director, which specify:</p> <ol style="list-style-type: none"> (1) circumstances and conditions under which the installation of a backflow prevention device shall be required; (2) guidelines for the determination of the degree of hazard and level of protection required; (3) requirements for inspection, testing and maintenance of backflow devices; and 	

EXISTING	PROPOSED	COMMENTS
<p>this section to furnish and install the device and maintain the device in good working condition. Any backflow protection devices installed pursuant to the requirements of this section are the sole property and responsibility of the customer.</p> <p>(e) Testing of Devices.</p> <p>(1) The customer is responsible for having any devices installed under this section periodically inspected and tested by a person approved by the director to perform such inspections and tests. Devices shall be tested at least once per year, or at the minimum time interval specified by Title 17 of the California Code of Regulations (latest revision), whichever is more frequent. The customer will be notified by the department when inspections and tests are required, and records of such inspections and tests shall be reported to the director when completed. The cost of any inspections required under this section shall be the sole responsibility of the customer.</p> <p>(2) If the customer fails to have any of the inspections or tests made as required herein, or fails to make the records of such inspections or tests available, the director shall have the right to have the device inspected or tested and shall bill the customer for the direct cost thereof plus 15% administrative overhead. The cost of any inspection or test made by the director may be included in an ensuing water bill for the premises in question.</p> <p>(f) Specific Installation Requirements. The department shall maintain written standard specifications and/or details, approved by the director, that define specific requirements for the location and installation of devices.</p> <p>(g) Enforcement.</p> <p>(1) No water service connection shall be installed on the premises of any customer unless the city water system is protected as required by this section.</p> <p>(2) Water service to the premises of any customer may be discontinued by the director if any backflow protection device required by this section has not been installed, inspected, tested, and maintained; or, if it is defective or has been removed or bypassed. Prior to</p>	<p>(4) notices and other enforcement actions that will be taken by the City regarding these requirements.</p>	

EXISTING	PROPOSED	COMMENTS
<p>discontinuance of service, the department will provide the customer with written notice describing the conditions or defects that must be corrected, and the date on or after which the service will be discontinued, should the conditions or defects not be corrected.</p> <p>(3) Water service may be discontinued immediately and without notice to the customer if the director determines that the city water supply is being contaminated or is in immediate danger of contamination from conditions that exist on the customer's premises or the plumbing connected thereto.</p> <p>A reasonable attempt to notify the customer of the discontinuance of the water service will be made by the department, but failure to provide such notice will not prevent the discontinuance of the service.</p> <p>(4) Water service discontinued under subsections (2) and (3), above, shall not be resumed until any backflow protection device required by this section is properly installed or repaired to the satisfaction of the director, or until conditions on the premises causing the contamination, or danger of contamination, have been abated or corrected to the satisfaction of the director.</p> <p>(h) Notification. Notwithstanding the provisions of subsection (g)(3), above, the department shall provide the following notice regarding the enforcement of this section.</p> <p>(1) Testing of Devices. When testing of a device is due, the department shall send written notice to the customer. The customer shall have thirty days from the date of the notice to complete the testing. If a completed test report is not received by the department from the customer within that thirty-day period, a second notice will be sent. If a completed test report is not received by the department within thirty days of the second notice, water service to the premises will be discontinued upon provision of a forty-eight-hour written final notice.</p> <p>(2) Installation (Retrofit) of Devices on Existing Services.</p> <p>(A) When it is determined by the department that the installation of a backflow prevention device is required on an existing service, the department shall provide written notice of the requirement to the customer. The</p>		

EXISTING	PROPOSED	COMMENTS
<p>customer shall then have forty-five days from the date of the notice to complete the installation. If the installation is not completed within the forty-five-day period, the department will send the customer a second notice. If the installation is not completed within fourteen days of the date of the second notice, water service to the premises will be discontinued upon provision of a forty-eight-hour written final notice.</p> <p>(B) Following the installation of the device, the city will provide the customer with written notice to have the new device initially tested. The customer shall have thirty days from the date of the notice to complete the initial testing. If a completed test report is not received by the department within this thirty-day period, service to the premises will be discontinued upon provision of a forty-eight-hour written final notice.</p> <p>(3) Installation of Devices on New Services. (A) When it is determined that a backflow prevention device is required to be installed on a new service, the device must be installed in conformance with the department's standard specifications and/or details prior to acceptance of the new service by the department. Notification of the need for the device will be provided during the normal plan and/or service application review process.</p> <p>(B) Following the acceptance of the new service, the city will provide the customer with written notice to have the new device initially tested. The customer shall have thirty days from the date of the notice to complete the initial testing. If a completed test report is not received by the department within this thirty-day period, service to the premises will be discontinued upon provision of a forty-eight-hour written final notice.</p> <p>(4) Removal or Bypassing a Device. Upon discovery, the department will provide the customer written notice of the requirement to restore the device and have it tested within forty-five days. If the device is not restored and tested within the forty-five day period, the department will send the customer a second notice. If the device is not restored and tested within fourteen days of the date of the second notice, water service to the premises will be discontinued upon provision of a forty-eight-hour</p>		

EXISTING		PROPOSED		COMMENTS
16.04.430	<p>INTERRUPTIONS IN SERVICE</p> <p>The city shall not be liable for damage which may result from an interruption in service from a cause beyond the control of the water department. Temporary shutdowns may be made by the water department to make improvements and repairs. Whenever possible and as time permits all customers affected will be notified prior to making such shutdowns.</p>	16.04.040 (a) & (b)	<p>(a) Supply. The Water Department will exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to the Customer at sufficient pressure, and to avoid shortages or interruptions in delivery.</p> <p>(b) Service interruptions. The City reserves the right to interrupt service while making improvements and repairs required in the operation of the water system. Whenever it is necessary to schedule an interruption to its service, the Department will endeavor to notify all account holders to be affected by the interruption, stating the approximate time and anticipated duration of the interruption. The City shall not be liable for damage which may result from an interruption in service.</p>	
16.04.440	<p>INGRESS AND EGRESS</p> <p>Representatives from the water department shall have the right of ingress and egress to the customer's premises at reasonable hours for any purpose reasonably associated with the furnishing of water service.</p>	16.04.070 (d)	<p>(d) City Access. Representatives of the Water Department shall have access to any City-owned meters, service connections, and other water facilities located on private property for purposes reasonably associated with the furnishing of water service. Such access shall be without notice or interference from the owner or occupant of the property.</p> <p>Representatives of the Water Department shall have access at reasonable hours (except in emergencies) to property side water facilities such as shut-off valves and exterior hose bibs for purposes reasonably associated with the furnishing of water service. Such access shall be with notice except in the case of emergency.</p>	
16.04.450	<p>RATES</p> <p>The rates to be charged and collected from consumers of water supplied by the city to any person are those established by a resolution of the city council.</p>	16.14.030	<p>SERVICE RATES AND FEES</p> <p>The rates and fees charged by the City for water services shall be established by resolution of the City Council. The Applicant or Account holder is responsible for payment of such rates and fees.</p>	
16.04.460	<p>ALLOCATION OF INCOME FROM WATER SYSTEM</p> <p>The rents, income and receipts from the water system of the city shall be used solely and exclusively for the purposes provided for in this chapter; provided, however, that notwithstanding any other provision of this chapter, while any revenue bonds payable from the revenues of the water system of the city are</p>	16.14.020	<p>SYSTEM INCOME ALLOCATION</p> <p>The revenues collected from the City water system shall be used solely and exclusively for the operation, maintenance, construction, improvement, extension, enlargement and upkeep of that water system; provided, however, that such revenues shall be first applied to the payment and liquidation of the</p>	

EXISTING	PROPOSED	COMMENTS
<p>outstanding, such rents, income and receipts from the water system shall be first used and applied for the payment of principal, interest, reserve fund, and sinking fund requirements of such revenue bonds and for maintenance and operation of the water system, in the manner provided in the resolution provided for the issuance of such revenue bonds.</p> <p>(1) For the operation, maintenance, construction, improvement, extension, enlargement and upkeep thereof, and for the payment and liquidation of the principal and interest of any bonded indebtedness, now existing, or which may hereafter be created, for the operation, maintenance, construction, improvement, extension, enlargement or upkeep of the water system.</p> <p>(2) For the equipment, operation and maintenance of the fire department, including the establishment of an auxiliary fire station on the east side of the city, not to exceed the sum of fifteen thousand dollars in any one year.</p> <p>(3) For the completion of the construction of a new city hall building not to exceed in the aggregate the sum of \$75,000.00.</p> <p>Provided, that the charges, expenses and matters provided for in the preceding sections shall have priority over those provided herein, and no water system funds shall be taken for this purpose except from the surplus over \$25,000.00, which sum is established as a waterworks fund.</p> <p>Provided further, that any funds taken for city hall construction purposes under this chapter shall and must be returned and transferred from other funds of the city to water system funds at the rate of not less than \$8,000.00 annually until fully returned. Provided further, that of the income, collections and receipts from municipal license fees and taxes, the sum of \$8,000.00 thereof annually shall and must be used solely and exclusively for water system purposes until the aggregate amount taken from the water system funds under authority of this section has been fully returned. The sums so set apart for water system purposes under this paragraph shall constitute a special fund and none of the income, receipts and collections from said municipal fees and</p>	<p>principal and interest of any bonded indebtedness incurred for the water system, as provided in the resolution for the issuance of such revenue bonds.</p>	

EXISTING		PROPOSED	COMMENTS
16.04.470	<p>taxes shall be used for any other purpose until and unless the sum of \$8,000.00 has been used for water system purposes as aforesaid.</p> <p>(4) For the erection, building and construction of new fire department buildings upon both the east and west sides of the city and acquiring sites therefor. Provided, that of the rents, income and receipts from the water system the proceeds derived from the sale of lands authorized by Ordinance No. 1540 only shall be used for these purposes.</p> <p>UNDERTAKING MAIN REPLACEMENT OR EXTENSION IMPROVEMENTS The water department director is hereby authorized to undertake the construction and installation of water main replacements or extensions through the use of personnel and equipment of the city of Santa Cruz pursuant to the rules and regulations provided by Section <u>16.04.210</u> (1) through (6), in conformity with the detailed plans, specifications and estimates of costs thereof where, in the opinion of the water department director, the undertaking of the work of improvement can most economically be prosecuted by the city of Santa Cruz within the limits set by Santa Cruz City Charter Section 1415.</p>	Delete	Such authority already given to Water Director, including but not limited to, 16.04.020, 16.04.050 (f), 16.09.020
16.04.480	<p>USAGE OF WATER FOR AGRICULTURAL, DOMESTIC AND OTHER PURPOSES The city council is hereby authorized, by resolution, to regulate the use of water within the corporate limits of the city as it deems necessary to conserve the water supply of the city of Santa Cruz and provide, during a water shortage, for limitations on use of the water supply of the city for all purposes. The city council is empowered to prohibit the use of water for any purposes not directly connected with the preservation of the public health, welfare and safety of the inhabitants of the city of Santa Cruz.</p> <p>The water department director is authorized and directed to provide for limitation and curtailment of usage of water in the service area of the Santa Cruz water department outside the corporate limits of the city of Santa Cruz pursuant to any resolution enacted and adopted by the city council pursuant to this section.</p>	Delete	<p>AUTHORITY TO REGULATE The City Council is authorized to regulate, by resolution, the use of water within the corporate limits of the City as it deems necessary to conserve the water supply of the City of Santa Cruz and provide, during a water shortage, for limitations on use of the water supply of the City for all purposes. The City Council is empowered to prohibit the use of water for any purposes not directly connected with the preservation of the public health, welfare and safety of the inhabitants of the City of Santa Cruz.</p> <p>The Director is authorized and directed to provide for limitation and curtailment of usage of water in the service area of the Santa Cruz Water Department outside the corporate limits of the City of Santa Cruz in accordance with resolution adopted by the City Council.</p> <p>Resolutions adopted by the City Council establishing water use</p>

	EXISTING	PROPOSED	COMMENTS
	Resolutions adopted by the city council establishing water use regulations shall be effective immediately after their publication in a newspaper of general circulation published in the city of Santa Cruz.	regulations shall be effective immediately after their publication in a newspaper of general circulation distributed in the City of Santa Cruz.	

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANTA CRUZ
AMENDING CHAPTER 16.04 PERTAINING TO WATER SERVICES
AND ADDING CHAPTERS 16.00 FOR GENERAL TITLE 16 WATER SERVICE DEFINITIONS,
16.09 PERTAINING TO WATER SERVICE IMPROVEMENTS, 16.11 PERTAINING TO WATER
SERVICE ACCOUNTS, 16.14 PERTAINING TO SYSTEM DEVELOPMENT CHARGES, AND 16.15
PERTAINING TO WATER USE

BE IT ORDAINED by the City Council of the City of Santa Cruz as follows:

SECTION 1: Chapter 16.00 of the Santa Cruz Municipal Code is hereby enacted to read as follows:

“CHAPTER 16.00 GENERAL WATER SERVICES DEFINITIONS

16.00.010	Definitions of Terms
16.00.020	Account Holder
16.00.030	Applicant
16.00.040	City
16.00.050	Customer
16.00.060	Department or Water Department
16.00.070	Director or Water Director
16.00.080	Dwelling Unit
16.00.090	Fire Flow
16.00.100	Person
16.00.110	Property
16.00.120	Service Connection
16.00.130	Water
16.00.140	Water Main or Main
16.00.150	Water Service or Service

16.00.010 DEFINITIONS OF TERMS

Unless the context requires otherwise, the following definitions shall be used in the interpretation of all chapters within Title 16 pertaining to water services with the exception of chapters 16.08, 16.12, 16.18, 16.19, and 16.20 pertaining to sewer, storm water, and municipal solar.

16.00.020 ACCOUNT HOLDER

“Account holder” means the person, business, or organization as designated and verified on the billing records of the City Water Department that is financially responsible for water used through a water service.

16.00.030 APPLICANT

“Applicant” means individual, business or organization applying for water service.

16.00.040 CITY

“City” refers to the city of Santa Cruz.

16.00.050 CUSTOMER

“Customer” shall refer to any account customer of the city of Santa Cruz water department as well as to any consumer of city water who may not be a city of Santa Cruz water department account customer.

16.00.060 DEPARTMENT OR WATER DEPARTMENT

“Department” or “Water department” refers to the city of Santa Cruz water department or its duly authorized representatives.

16.00.070 DIRECTOR OR WATER DIRECTOR

“Director” or “Water Director” refers to the director of the city of Santa Cruz water department, or his or her designated representative.

16.00.080 DWELLING UNIT

“Dwelling unit” is a building or portion of a building including one or more rooms which is/are designed or used as a residence by one family or housekeeping unit, with facilities for living, sleeping, and eating and food preparation. A dwelling unit shall have only one domestic food preparation facility and shall have interior access between all habitable spaces.

16.00.090 FIRE FLOW

“Fire flow” shall mean the volume of water available from a hydrant for fighting a fire. It is calculated as that flow rate, in gallons per minute, available from the hydrant at a minimum residual pressure of twenty pounds per square inch measured at an open flowing hydrant with all other hydrants on the same main closed.

16.00.100 PERSON

“Person” shall mean any individual, firm, partnership, association, corporation, or political entity.

16.00.110 PROPERTY

“Property” means one parcel of real property and the buildings on it, which is determined by the Department to be a single unit for purposes of receiving, using and paying for water service.

16.00.120 SERVICE CONNECTION

“Service connection” means the pipe, tubing, fittings, valves, meters and meter boxes which convey water from the water main to a served property.

16.00.130 WATER

“Water” shall mean any water obtained from the water department of the City of Santa Cruz.

16.00.140 WATER MAIN OR MAIN

“Water main” or “main” means water lines in streets and rights of way used for transmission or distribution of water.

16.00.150 WATER SERVICE OR SERVICE

“Water service” or “service” refers to the furnishing of water to a property for domestic, irrigation, or fire service use.”

SECTION 2: Chapter 16.04 of the Santa Cruz Municipal Code is hereby enacted to read as follows:

“CHAPTER 16.04 WATER SERVICES

16.04.010 Chapter Definitions

16.04.020 Service Area

16.04.030	Types of Service
16.04.040	System Supply and Pressure
16.04.050	Service Connection Requirements
16.04.060	Service Connection Installations
16.04.070	Service Connection Ownership and Maintenance
16.04.080	Service Connection Changes
16.04.090	Fire Hydrants

16.04.010 CHAPTER DEFINITIONS

Unless the context requires otherwise, the following definitions shall be used in the interpretation of this chapter.

- (a) “Irrigation service” means the provision of water for agricultural, horticultural or landscape irrigation use only.
- (b) “Property owner” means the legal owner of the real estate to which a service connection is made.

16.04.020 SERVICE AREA

The City will furnish water service in accordance with these regulations to any property within the corporate limits of the City and to such areas outside the City limits which have been designated by the City Council and approved by the Santa Cruz Local Agency Formation Commission for water service from the City’s water system.

The Director shall be responsible for assuring that all water service shall comply with the standards set forth in this chapter wherever water service is provided by the City.

The Director of the City Water Department is authorized to issue such policies and procedures as necessary and appropriate to provide water services throughout the water service area in a safe, efficient and effective manner.

16.04.030 TYPES OF SERVICE

- (a) Regular Water Service is provided to a property through installed piping from a City water main through water meter(s) to the property’s water facilities. Such service shall be established and charged for through an active Customer account.
- (b) Bulk Water Service is provided on an occasional or intermittent basis through bulk water stations. Such service shall be authorized and charged for through permits issued by the Water Department.
- (c) Hydrant Meter Service may only be available on a short term basis for non-potable purposes only from a public fire hydrant through a portable meter issued by the Water Department. Such service shall be authorized and charged for by the Water Department.

- (d) Public Fire Protection Service is water service provided through fire hydrants to organized fire protection agencies under agreements entered into between such agency and the City. Fire hydrants are for use by organized fire protection agencies and by the Water Department.
- (e) Private Fire Protection Service is a separate water service provided to property for the specific purpose of fire protection, as permitted by the Water Department and the fire protection agency within whose jurisdiction the property falls.

16.04.040 SYSTEM SUPPLY AND PRESSURE

- (a) **Supply.** The Water Department will exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to the Customer at sufficient pressure, and to avoid shortages or interruptions in delivery.
- (b) **Service Interruptions.** The City reserves the right to interrupt service while making improvements and repairs required in the operation of the water system. Whenever it is necessary to schedule an interruption to its service, the Department will endeavor to notify all account holders to be affected by the interruption, stating the approximate time and anticipated duration of the interruption. The City shall not be liable for damage which may result from an interruption in service.
- (c) **Pressure.** It is the applicant's responsibility to obtain information from the Department concerning the water pressures that may be expected in their area and to provide and maintain any plumbing and protective devices necessary to use the available water at whatever operating pressure is available in the system. Applicants and Customers shall accept such conditions of pressure and service as are provided by the City's distribution system at the location of the proposed service connection, and hold the City harmless for damage arising out of low, high or fluctuating pressure conditions.

16.04.050 SERVICE CONNECTION REQUIREMENTS

- (a) **Building Permit.** In order to be eligible to receive a Water Service Installation Permit, an Applicant must possess an approved building permit for the parcel on which the service is requested. The application must include evidence of the building permit. If a new service connection is requested for irrigation services, irrigation and landscape plans are required and shall meet water conservation requirements.
- (b) **Particular Property.** Applications for new service connections must be for a particular and identified property. Service is not assignable to other property, nor transferable between properties.
- (c) **Principal Frontage.** A principal part of the property to be served must front on an available water main. In determining whether the portion of an applicant's property lying directly along the main constitutes principal frontage, the director's decision shall be considered final.

- (d) Elevation. New service connections will not be considered for properties where meter(s) will be located at an elevation of less than one hundred (100) feet below the overflow level of the reservoir supplying water to the main from which the connection will be made.
- (e) Minimum Standards. Water connection permits may be granted only if the Water Department determines that the property can be connected to a water main of adequate size to provide sufficient pressure and flow to meet the applicant's needs without directly or indirectly causing service to any existing account holder to fall below the following minimum service standards:
 - (1) Water pressure must not fall below thirty-five pounds per square inch (35 p.s.i.) during peak hour demand for the City's system.
 - (2) Minimum flow at anticipated peak hour demand must be sufficient for safe, dependable supply of all existing domestic, commercial and industrial users.
 - (3) Fire flow requirements as determined by the fire protection district in which the property is located must be met.
- (f) Multiple Units. Service to multiple residential or commercial units located on the same or adjoining parcels will generally be provided through separately metered connections. Use of a master meter is prohibited when each unit can be plumbed independently and sold separately. However, when the size and/or shape of the property create practical difficulties for (or severely limit) such a development, the Director may approve use of a master meter to serve all units, in accordance with Department policies and procedures.
- (g) One Parcel. Not more than one parcel of real property shall be served from a single service connection. The Director may allow for the continuation of a cross-parcel service in certain limited circumstances in accordance with Department policies and procedures.
- (h) Private Fire Protection.
 - a. There shall be no connections between a fire protection system and any other water distribution system on the property. There shall be no water used through the fire protection service except to extinguish fires or for testing and maintaining the fire service and appurtenances. Domestic service to the property may be discontinued for violation of the regulations set forth in this section.
 - b. The City shall not be responsible for the design or adequacy of any private fire protection system.
- (i) Authority. The Director retains final authority to determine the size, number, configuration, and location of all service connections.

16.04.060 SERVICE CONNECTION INSTALLATION

The installation of service connections shall be at the applicant's expense and shall conform to standard specifications, requirements, and the payment of applicable fees published by the City. The Director shall establish criteria for the issuance of permits and acceptance of work by the City upon completion.

The Department may charge fees for issuance of a permit as established by resolution of the City Council.

- (a) **Size and Number.** Service connections will generally be installed in the size and number requested by the Applicant where such requests are determined by the Department to be reasonable for effective and efficient service of the parcel in question and the surrounding service area.
- (b) **Location.** Service connections will be installed along principal frontage as near as possible to the location requested by the Applicant where such location is readily accessible by rights-of-way capable of accommodating City vehicles and equipment as determined by the Department.
- (c) **Installers.** Service connections may be installed only by duly authorized employees or agents of the Water Department or by a contractor from the Water Department's pre-approved installer list, to whom a Water Service Installation Permit has been issued by the Water Department.
- (d) **Warranty.** Service connections installed pursuant to the water service installation permit shall, upon acceptance of the work, be subject to a contractor-guaranteed warranty. The duration of the warranty shall be established by the Department-issued Service Installation Permit.
- (e) **Control Valve.** The property owner shall provide and maintain control valve(s) on the property side of the service connection for their use, and as required by the Water Department. Customers shall not operate the City owned control valve. Only Department personnel or other authorized representative may operate the City owned control valve.
- (f) **Customer Owned Plumbing.** Privately owned water service facilities shall be equipped with pressure regulating, absorbing, and relief devices as required by California Plumbing Code.

16.04.070 SERVICE CONNECTION OWNERSHIP AND MAINTENANCE

- (a) **City Owned Water Service Facilities.** All service connection facilities (except fire services) located between the meter and the water main, including the meter, meter box, and other pipes and fixtures, whether located on public or private property, are the property of the City. The City is responsible for maintaining, repairing, and replacing such facilities. The property owner shall use reasonable care in the protection of these City-owned water facilities and shall be held responsible for damage to the City's property when such damage is caused by the property owner, account holder, contractor, or Customer or from causes originating on the owner's property.
- (b) **Privately Owned Facilities.** All service connection facilities located on the property side of the water meter, including the connection from the meter to said facilities, are owned by the property owner and are the responsibility of the property owner to repair, replace and maintain. Property side water service facilities must be maintained by the property owner in good condition to safely withstand fluctuations in pressure and construction and maintenance activities related to the water service including, but not limited to, meter repair and replacement and service connection renewal.
- (c) **Fire Service Facility Ownership.** All fire service connection facilities located in the public right of way are the property of the City. The City is responsible for maintaining, repairing, and

replacing such facilities. The fire service meter and associated electronics and wiring is also the property of the City, regardless of location.

- (d) City Access. Representatives of the Water Department shall have access to any City-owned meters, service connections, and other water facilities located on private property for purposes reasonably associated with the furnishing of water service. Such access shall be without notice or interference from the owner or occupant of the property.

Representatives of the Water Department shall have access at reasonable hours (except in emergencies) to property side water facilities such as shut-off valves and exterior hose bibs for purposes reasonably associated with the furnishing of water service. Such access shall be with notice except in the case of emergency.

16.04.080 SERVICE CONNECTION CHANGES

Requests from Customers to move or resize meters, service laterals, or service connections must be approved by the Department in accordance with Department policies and procedures.

The Department may require that a Customer’s existing service connection(s) be relocated and/or resized in accordance with Department policies and procedures to ensure safe, adequate service, and accurate metering corresponding to documented or planned water use.

Fees and charges for relocation and resizing of water services, water meters or service connections shall be as adopted by resolution of City Council.

16.04.090 FIRE HYDRANTS

- (a) New Fire Hydrants. Where required by the fire protection agency within whose jurisdiction the property falls, new fire hydrants shall be installed at the applicant’s expense and shall conform to standard specifications, requirements, and the payment of applicable fees and charges adopted by resolution of City Council.
- (b) Relocation of Existing Fire Hydrants. Requests to relocate an existing fire hydrant must be approved by the appropriate fire protection district, the appropriate public works Department and the Water Department in accordance with Department policies and procedures and may be subject to applicable charges as adopted by resolution of City Council. The relocation of an existing fire hydrant shall be at the expense of the requestor.”

SECTION 3: Chapter 16.09 of the Santa Cruz Municipal Code is hereby enacted to read as follows:

“CHAPTER 16.09 WATER SYSTEM IMPROVEMENTS

16.09.010	Chapter Definitions
16.09.020	Main Replacements and System Extensions

16.09.030 Main Replacements to Accommodate New Development

16.09.040 System Extension Agreements

16.09.050 System Extension Zones

16.09.010 CHAPTER DEFINITIONS

Unless the context requires otherwise, the following definitions shall be used in the interpretation of this chapter.

- (a) “Main replacement” shall mean replacement of an existing water main that has been incorporated into the water distribution system.
- (b) “Water System Extension” or “System Extension” means any extension of the physical facilities of the water system, including distribution or transmission mains, booster pumping stations, and distribution storage tanks.
- (c) “Zone capacity fee” means the surcharge to be collected at the time of any new service connection, in addition to the standard connection fee, to pay a proportionate share of the cost of a water system extension within a water system extension zone established by the city council.

16.09.020 MAIN REPLACEMENTS AND SYSTEM EXTENSIONS

When an application for service cannot be met from existing water facilities, a main replacement or system extension will be required before service can be provided. In such situations, the following general conditions and standards apply:

- (a) In determining whether the applicant’s property can be served from existing water facilities, the director’s decision shall be considered final.
- (b) Water service will not be provided by the extension of a water main where the meter(s) for the property concerned will be located at an elevation of less than one hundred (100) feet below the overflow level of the reservoir supplying such main.
- (c) The City will determine sizes, materials, types and locations of all necessary and proposed water facilities.
- (d) The City may choose, at its discretion, to install the necessary water facilities itself or to require the Applicant to install such facilities under the terms and conditions of an agreement between the Applicant and the City.
- (e) Water mains will be installed in 20-foot minimum width rights-of-way capable of accommodating City vehicles and equipment.
- (f) No water facilities shall be installed until all rights-of way for the installation, operation and maintenance of the facilities are provided to/obtained by the City in a form satisfactory to the Director.

- (g) When the installation is completed by the applicant, title to the installation shall be transferred to the City upon acceptance of such installation by the City.

16.09.030 MAIN REPLACEMENTS TO ACCOMMODATE NEW DEVELOPMENT

The City may pay the cost of replacing existing water mains found inadequate to satisfy the minimum standards for service shown in section 16.04.050, subject to Department policies and procedures and annual funding approved by the City Council.

If the City is unable to fund a main replacement, the Applicant may undertake the replacement at his or her own cost, under terms established in a main replacement agreement between the Applicant and the City. The City may reimburse applicants for main replacement construction costs when funds are available, in accordance with Department policies and procedures.

16.09.040 SYSTEM EXTENSION AGREEMENTS

- (a) Paid by Applicant. When an application for service requires extension of an existing water main or construction of other new water facilities, the Applicant shall pay the cost of such installations under terms established in a water system extension agreement between the Applicant and the City in accordance with the terms and conditions of this chapter and Department policies and procedures.
- (b) Cost Recovery. The City may provide cost recovery to the water system extension agreement holder at the discretion of the Director, in accordance with Department policies and procedures based on the following provisions:
 - (1) The Water Department shall establish an extension fee to be charged to all new service connections made to the new water facilities installed under the system extension agreement. Such fee shall be based on the pro rata benefit to be derived by potential users of the new water facilities as estimated by the Department at its sole discretion.
 - (2) For water system extensions, the City shall charge the established extension fee on all new service connections made to the water system extensions for a period of ten (10) years from the date of the extension agreement, or until the cost of the water system extensions is fully reimbursed, whichever comes first; and shall reimburse all such extension fees collected to the extension agreement holder.
 - (3) For facility extensions including a tank, pump station, or pressure reducing station, the City shall charge the established extension fee on all new service connections made to the new water facilities for a period of fifteen (15) years from the date of the extension agreement, or until the cost of the facility extension is fully reimbursed, whichever comes first; and shall reimburse all such extension fees collected to the extension agreement holder.
 - (4) Reimbursement fees shall be calculated based on the cost of water facilities required to meet the minimum service standards defined in section 16.04.040. Should an Applicant desire the installation of larger or more costly water facilities to meet specialized service or fire flow requirements, the cost of those extra facilities shall be borne by the applicant. Should the City

desire to install water facilities in excess of those minimum standards, the cost of the extra facilities shall be borne by the Department.

- (5) If installation of some or all of the extended facility is included in the Department’s capital improvement plan during the specified period of reimbursement, the City will refund the cost of that section of the facility to the agreement holder at such time as it is budgeted.

16.09.050 SYSTEM EXTENSION ZONES

The City Council may determine that the capacity of the water system should be extended so as to provide the availability of future water service to areas which are either undeveloped or only partially developed. If the Council determines that the construction of the water system extension will have little or no benefit to the existing water system, the Council may establish the limits of a zone within which the capacity provided by the water system extension will permit new or larger service connections.

If such a water system extension zone is established, the Council may, by resolution, impose a zone capacity fee to all service connections within such zone, for the purpose of defraying the cost of the water system extension. The resolution shall define the costs involved, the manner of calculating the zone capacity fee, and method of collecting the zone capacity fee.

Separate funds shall be established for each zone established pursuant to this section. Moneys in such funds shall be expended solely for water system extensions within the zone from which the fees are collected.

The City may advance money, or may incur indebtedness, for the acquisition and construction of the water system extension within the zone. A reasonable interest cost, or the cost of servicing such indebtedness, may be included as a part of the cost of the water system extension for purposes of determining the zone capacity fee.”

SECTION 4: Chapter 16.11 of the Santa Cruz Municipal Code is hereby enacted to read as follows:

“CHAPTER 16.11 WATER SERVICE ACCOUNTS

16.11.010	Chapter Definitions
16.11.020	Application for Service Account
16.11.030	Account Classification
16.11.040	Account Notices
16.11.050	Account Billing
16.11.060	Meter Readings and Testing
16.11.070	Account Discontinuance

16.11.080 Account Restoration

16.11.010 CHAPTER DEFINITIONS

Unless the context requires otherwise, the following definitions shall be used in the interpretation of this chapter.

- (a) “Credit risk” means the potential of a Customer not making payments for water service as described in Department policies.

16.11.020 APPLICATION FOR SERVICE ACCOUNT

- (a) Application. Each Applicant desiring to initiate service whether anew or after service has been discontinued by the Department or the Customer, or to change an existing water service must make application to the City Water Department on forms provided by the Department, provide required information, pay required fees, and meet the conditions set forth in these municipal codes and in the City standard specifications, Water Department standard specifications or other applicable policies and procedures approved by the City Council or the Director. The application form shall indicate the applicant’s willingness and intention to comply with all applicable regulations and policies and to make payment for water services rendered. Applicants for a commercial account inside the City of Santa Cruz must present proof they have obtained a City business license.
- (b) Payment for Previous Service. An application for service will not be accepted unless payment in full has been made for all utility services previously rendered to the Applicant by the City, and all taxes, fees or assessments previously rendered to or levied on the Applicant by the City.
- (c) Deposits. Before receiving services, each Applicant determined to be a credit risk shall be required to establish credit by depositing with the Water Department an amount of money equal to the estimated cost of providing utility services, including, but not limited to, an average periodic bill and the expense of providing materials and equipment to initiate service.
- (d) Incorrect or withdrawn application. The Applicant is responsible for the expenditures made by the Department as a result of the submission of the application, even if the Applicant incorrectly describes the location where water service is desired or withdraws the application prior to the initiation of water service.
- (e) Change of Account Holder Without Application. A person taking possession of property and using water from an active connection without having made application for utility service shall be liable for the services delivered from the date of the last recorded meter reading. If application for utility service is not made upon notification by the Department, and if bills for service from the date of the last recorded meter reading are not paid immediately, the service may be discontinued without further notice.

16.11.030 ACCOUNT CLASSIFICATION

Each water account shall be classified as follows based on the customer's ownership or occupation of the following types of property served by the water department:

- (a) Single-Family Residential. Individually metered residential dwelling units, regardless of housing type.
- (b) Multiple-Family Residential. Any residential account with more than one residential dwelling unit served by one water meter, regardless of housing type.
- (c) Business. Commercial establishments including restaurants, hotel/motel, retail, medical, schools, offices, churches and mixed-use buildings. This category also includes county and state government accounts.
- (d) Industry/UCSC. This category is comprised of one primary customer, the University of California, Santa Cruz, and a small number of manufacturing businesses.
- (e) Municipal. This category is comprised of city-owned and operated facilities such as city offices, parks, police and fire stations, water and wastewater treatment plants, street medians, and parking lots.
- (f) Irrigation. Dedicated water services for landscape irrigation associated with large multiple residential complexes and homeowners associations, or with commercial, industrial, and institutional sites, including schools, churches, and parks.
- (g) Golf Irrigation. Accounts serving golf courses in the water service area.
- (h) Coast Irrigation. Agricultural accounts receiving untreated water on the north coast.
- (i) Miscellaneous. Other uses such as temporary construction accounts, hydrant meters, and bulk water sales.

16.11.040 ACCOUNT NOTICES

- (a) Notice to Account Holders. Notices from the Water Department to an Account holder will be given in writing, and either delivered or mailed to the account holder's address. Where conditions warrant and in emergencies, the Water Department may use other means of notification.
- (b) Change of Information. It is the responsibility of the Account holder to notify the Department of any change of customer name, address or other contact information.
- (c) Notice to Customers. When a notice to an Account holder involves an interruption to service or water quality issue, it is the responsibility of the Account holder to inform Customers that may be affected.
- (d) Notices from Customers. Notice from the Customer to the Water Department may be given by the Customer orally or in writing:
 - (1) at the Water Department's office;

- (2) to an employee of the Water Department; or
- (3) to an agent duly authorized to receive notices or complaints.

16.11.050 ACCOUNT BILLING

- (a) Frequency. The regular billing period will be monthly or bimonthly as established by the Director.
- (b) Opening and Closing. Opening and closing bills for less than the normal billing period shall be prorated for all rates, fees and charges.
- (c) Date Due. The rates, fees and charges provided for by this chapter shall be due and payable upon presentation of the bill. The bill shall be considered delinquent after the date for payment set forth in the billing statement.
- (d) Equivalent Capacity. Accounts shall be billed in accordance with the equivalent capacity assigned to the account regardless of the number or size of physical meters associated with the account.
- (e) Application of Deposit. A deposit shall be applied to the account after the account has been without any late charges for one 12-month period; or returned to the Customer upon closure of the account after the closing balance has been paid.
- (f) Failure to Receive a Bill. Failure to receive a bill does not relieve a Customer of liability for payment.
- (g) Account Type. Account type, as defined by 16.11.030, shall be assigned by the Department.
- (h) Billing Changes. Changes to the account that effect service charges shall be made at the start of the next billing period. Billing changes to current or previous service periods will be made at the sole discretion of the Director.

16.11.060 METER READING AND TESTING

- (a) Reading. Meters will be read as nearly as possible on the same day of each month. When the time between meter reads is less than 27 days or more than 33 days, bills will be prorated according to Department procedures.
- (b) Testing. All meters will be tested prior to installation and no meter will be installed which does not meet Department standards. The Water Department shall maintain a procedure for the testing of meter accuracy at the request of the account holder. Fees and charges for meter testing shall be as established by resolution of City Council.
- (c) Meter Not Registering. If a meter is found to be under-registering or not registering water use due to a malfunction or other disablement, the charges for service shall be based on the estimated consumption. Such estimates shall be made from previous consumption records for a comparable time period. Should the subsequent reading indicate that the estimate is materially in error, an adjustment shall be made in the subsequent bill.

- (d) Meter Cannot be Read. If a meter in working condition cannot be read, the charges for service shall be based on the estimated consumption. Such estimates shall be made from previous consumption records for a comparable time period.

16.11.070 ACCOUNT DISCONTINUANCE

- (a) City Initiated. In addition to service connection determinations described elsewhere in this chapter, water service may be refused or discontinued to any property where any of the following conditions apply:

- (1) Apparatus or appliances are in use which may endanger water facilities or public health.
- (2) There exists a cross-connection.
- (3) The Department determines that conditions at the property could jeopardize the safety and reliability of the water service system.
- (4) Plumbing on the property is found defective or leaking.
- (5) It is necessary to protect the City against fraud practiced by a Customer.
- (6) A service bill has not been paid.
 - a. Prior to such water service shutoff, the customer shall be mailed a final notice informing him or her that the shutoff will be enforced if payment is not made within the time specified in the notice. The final notice shall be given, and the noticed date of shutoff shall be calculated, in accordance with the applicable provisions of Division 5, Chapter 1, Section 10010.1 of the California Public Utilities Code.
- (7) Applicable statutes, regulations and/or policies have been violated.

- (b) Account Holder Initiated. Account holders desiring to discontinue service should so notify the Water Department at least two business days prior to the desired date of discontinued service. Unless the account is closed or transferred to another responsible party in accordance with Department policies and procedures, the account holder of record shall be liable for charges due or that become due whether or not any water is used. It shall be the account holder's responsibility to obtain confirmation of the disconnection order from the Department.

16.11.080 ACCOUNT RESTORATION

Where service has been discontinued for violation of applicable statutes, regulations, and/or policies or for non-payment of bills, the Water Department will impose a charge for restoration of service and/or to install or remove a meter in accordance with the fee schedule established by resolution of the City Council.”

SECTION 5: Chapter 16.14 of the Santa Cruz Municipal Code is hereby enacted to read as follows:

“CHAPTER 16.14 SYSTEM DEVELOPMENT CHARGES

16.14.010	Chapter Definitions
16.14.020	System Income Allocation
16.14.030	Service Rates and Fees
16.14.040	System Development Charges

16.14.010 CHAPTER DEFINITIONS

Unless the context requires otherwise, the following definitions shall be used in the interpretation of this chapter.

- (a) “Increased demand” shall mean any change of use on an existing service which requires a service capacity upsize, adds new residential unit(s), changes the number or type of fixtures, or otherwise increases actual or potential demand on the water system, as determined by the Water Department.

16.14.020 SYSTEM INCOME ALLOCATION

The revenues collected from the City water system shall be used solely and exclusively for the operation, maintenance, construction, improvement, extension, enlargement and upkeep of that water system; provided, however, that such revenues shall be first applied to the payment and liquidation of the principal and interest of any bonded indebtedness incurred for the water system, as provided in the resolution for the issuance of such revenue bonds.

16.14.030 SERVICE RATES AND FEES

The rates and fees charged by the City for water services shall be established by resolution of the City Council. The Applicant or Account holder is responsible for payment of such rates and fees.

16.14.040 SYSTEM DEVELOPMENT CHARGES

- (a) Purpose. To mitigate the water supply impacts caused by new development in the city of Santa Cruz water service area, certain public water system improvements must be or have been constructed in order to accommodate system expansion. A System Development Charge shall be assessed to pay the proportional share of the costs of new and existing water facilities necessary to meet the demand resulting from new or enlarged water services.
- (b) Charges. A System Development Charge is payable upon the issuance of any permit, or similar grant of authority, for any of the following activities: installation of a new service connection, the addition of a new or additional residential dwelling unit onto an existing service, the upsizing of an existing service connection, or any other increased demand on the water system.

The System Development Charge shall be reviewed to determine whether the charge amounts are reasonably related to the impacts created by new or additional demand and whether the listing of system expansion improvements to be financed by system development charge

revenues is accurate. Such review shall occur no less than every five years and shall result in a report containing the following:

- (1) The specific amount of the charge, including its development methodology;
- (2) A list of the specific improvements to be financed by the charge, including the estimated cost of such improvements; and
- (3) A description of the correlation between the charge and new development and the benefits from the improvements enabled by the charge.

The System Development Charge shall be as adopted by resolution of the City Council and shall be adjusted annually to keep pace with inflation.

- (c) Use of Charge Revenues. System Development Charge revenues shall be placed in a separate and special account and such revenues, along with any interest earnings on that account, shall be used exclusively for the following purposes:
- (1) To pay for the city’s future construction of system expansion and improvements to be financed by System Development Charge revenues;
 - (2) To reimburse developers who have installed system development financed water facilities which are larger than needed for the certain development and are subject to the terms of a reimbursement agreement; or
 - (3) To pay for water conservation programs approved by the city council which have the net effect of increasing the amount of water supply available for allocation to new or additional demand.”

SECTION 6: Chapter 16.15 of the Santa Cruz Municipal Code is hereby enacted to read as follows:

“CHAPTER 16.15 WATER USE

16.15.010	Chapter Definitions
16.15.020	Authority to Regulate Use
16.15.030	General Water Use
16.15.040	Impairment of Service to Other Customers
16.15.050	Cross Connection Control and Backflow Protection

16.15.010 CHAPTER DEFINITIONS

Unless the context requires otherwise, the following definitions shall be used in the interpretation of this chapter.

- (a) “Backflow protection device” or “device” means an apparatus specifically designed to prevent the occurrence of the flow of water or other substances from the Customer’s plumbing into the public water system, and which is specifically approved by the Foundation for Cross-Connection Control and Hydraulic Research at the University of Southern California, or the State of California’s Department of Public Health, for that purpose.

- (b) “Contamination” means the impairment of the quality of the water in the City’s water system through the introduction of any substance into the public water system, including water previously delivered to a Customer through the City water system.
- (c) “Cross connection” means any unprotected actual or potential connection or structural arrangement between a customer’s water system and any other source or system through which it is possible to introduce into any part of the system any used water, or substance other than the intended water with which the system is supplied. Bypass arrangements, jumper connections, removable pipe sections, swivel or change-over devices and other temporary or permanent devices through which this may occur are considered to be cross-connections.
- (d) “Unusually large quantity of water” means an amount that is substantially in excess of and in addition to a customer’s average daily water usage and that occurs on an infrequent basis.

16.15.020 AUTHORITY TO REGULATE

The City Council is authorized to regulate, by resolution, the use of water within the corporate limits of the City as it deems necessary to conserve the water supply of the City of Santa Cruz and provide, during a water shortage, for limitations on use of the water supply of the City for all purposes. The City Council is empowered to prohibit the use of water for any purposes not directly connected with the preservation of the public health, welfare and safety of the inhabitants of the City of Santa Cruz.

The Director is authorized and directed to provide for limitation and curtailment of usage of water in the service area of the Santa Cruz Water Department outside the corporate limits of the City of Santa Cruz in accordance with resolution adopted by the City Council.

Resolutions adopted by the City Council establishing water use regulations shall be effective immediately after their publication in a newspaper of general circulation distributed in the City of Santa Cruz.

16.15.030 GENERAL WATER USE

- (a) Use on Other Properties. The account holder shall not use or allow the use of any significant quantity of water from his/her connection on any property not specifically included in his or her application for service.
- (b) Resale of Water. No water received from the City may be resold without special approval from the Water Department.
- (c) Unusually Large Quantities of Water. Account holders shall make arrangements with the Water Department prior to using an unusually large quantity of water. Water Department approval may be given if delivery of the water through the City’s water facilities can be accomplished safely and without inconvenience to other account holders.
- (d) Use of Water Outside the Service Area. No water received from the City may be used outside the system’s service area without prior approval from the City.

16.15.040 IMPAIRMENT OF WATER SERVICE TO OTHER CUSTOMERS

Where a Customer's consumption is intermittent or subject to extreme fluctuations thereby impairing service to other Customers, the Water Department may require the Customer to provide, at the Customer's expense, suitable equipment to reasonably limit fluctuations in use or pressures caused by the Customer's use.

16.15.050 CROSS CONNECTION CONTROL AND BACKFLOW PROTECTION

- (a) Incorporation of California Title 17. The regulations of the Department of Public Health, Title 17 of the California Code of Regulations, Section 7583 through 7605, as amended from time to time, are hereby adopted, incorporated by reference and made a part hereof, insofar as the same are applicable to the protection of the City water system.
- (b) Where Protection is required. In accordance with Department policies and procedures, an approved backflow protection device shall be installed and maintained at every service connection where the Department determines there is an actual or potential risk to the public water supply of contamination, pollution, or deterioration in water quality. The level of protection required and the type of device required shall be determined by the Department in relation to the degree of the actual or potential hazard. The Director's decisions on such determinations shall be considered final.
- (c) Ownership and Responsibility. Any backflow protection devices installed pursuant to the requirements of this section are the sole property and responsibility of the account holder. It shall be the responsibility of the account holder to furnish, inspect, install, and test the device, and to maintain the device in proper working condition at all times. The City shall not be liable for any injury to people or damage to property which may result directly or indirectly from the installation, malfunction, testing or repair of any backflow device.
- (d) Enforcement. Water service may be discontinued immediately and without notice to the Customer if the Department determines that the City water supply is being contaminated or is in immediate danger of contamination. The Director's decisions on such determinations shall be considered final.
- (e) Policies and Procedures. The Department shall maintain written policies and procedures, approved by the director, which specify:
 - (1) circumstances and conditions under which the installation of a backflow prevention device shall be required;
 - (2) guidelines for the determination of the degree of hazard and level of protection required;
 - (3) requirements for inspection, testing and maintenance of backflow devices; and
 - (4) notices and other enforcement actions that will be taken by the City regarding these requirements."

original of Ordinance No.
and that it has been published or
posted in accordance with the
Charter of the City of Santa Cruz

City Clerk

DRAFT

List of Policies and Procedures Referenced in Proposed Muni Code

Title	Summary	Reference in revised SCMC	Status
Master Water Meter Use	Establishes policies and procedures for installing a master water meter for multiple residential or commercial units when size and/or shape of property prohibit separate metered connections	16.04.050 (f)	Drafted
Cross-parcel Connections	Establishes policies, procedures, and requirements to permit the continuation of cross parcel connections (a single connection serving multiple parcels)	16.04.050 (g)	Drafted
Water Service Design Criteria	Establishes criteria for the issuance of permits for the installation or change of water service connections	16.04.080	Master Draft, Draft #2, Draft #3
Fire Hydrants	Establishes policies and procedures regarding requests to relocate an existing fire hydrant	16.04.090 (b)	Drafted
Creditworthiness / Credit Risk	Establish uniform procedures and requirements for assessing the credit risk of municipal utility services applicants	16.11.010 (a) and 16.11.020 (a)	Drafted
Water Main Sizing	Establishes the basis for the City to determine the size of new and replacement water mains	16.09.030	Drafted
System Extension Agreements	Establishes policies, procedures and requirements for agreements for main replacements or system extensions	16.09.040 (a) and (b)	Drafted
Application for Service	Identifies the information required to apply for a Santa Cruz Municipal Utilities account	16.11.020 (a)	Drafted
Meter Reading and Billing	Establishes uniform procedures and requirements for determining meter reading and billing frequencies	16.11.060 (a) and (b)	Drafted
Closing / Transferring an Account	Establishes policies and procedures regarding charges due after account discontinuance	16.11.070 (b)	Drafted
Backflow Protection	Establishes and defines the City of Santa Cruz Backflow Prevention and Cross-Connection Control Program. This program seeks to protect the public water system from contamination or pollution resulting from backflow.	16.15.050	Executed: E-1990.3

Authority to issue policies is stated in 16.04.020 of the corresponding proposed muni code:

“The Director of the City Water Department is authorized to issue such policies and procedures as necessary and appropriate to provide water services throughout the water service area in a safe, efficient and effective manner.”

TOC for Title 16 WATER, SEWERS AND OTHER PUBLIC SERVICES

Existing	Change
	Chapter 16.00 DEFINITIONS
Chapter 16.01 WATER SHORTAGE REGULATIONS AND RESTRICTIONS	
Chapter 16.02 WATER CONSERVATION	
Chapter 16.03 PLUMBING FIXTURE RETROFIT REGULATIONS	
Chapter 16.04 WATER SERVICES AND CHARGES	Chapter 16.04 WATER SERVICES
Chapter 16.05 LOCH LOMOND RECREATION AREA, WATERSHED LANDS AND RIPARIAN CONSERVATION AREAS	
Chapter 16.06 REGULATION OF WATER WELLS	
Chapter 16.08 SEWER SYSTEM ORDINANCE	
	Chapter 16.09 WATER SERVICE IMPROVEMENTS
Chapter 16.10 DESALINATION PLANT – VOTER APPROVAL	
	Chapter 16.11 WATER SERVICE ACCOUNTS
Chapter 16.12 SEWER RATES AND CHARGES	
Chapter 16.13 UNIFIED UTILITIES BILLING SYSTEM	
	Chapter 16.14 SYSTEM DEVELOPMENT CHARGES
	Chapter 16.15 WATER USE
Chapter 16.16 WATER-EFFICIENT LANDSCAPING	
Chapter 16.18 STORMWATER MANAGEMENT UTILITY	
Chapter 16.19 STORM WATER AND URBAN RUNOFF POLLUTION CONTROL	
Chapter 16.20 MUNICIPAL SOLAR UTILITY	
Chapter 16.22 IMPACT MITIGATION – UNIVERSITY GROWTH	
Chapter 16.24 UTILITY SERVICE AREA EXPANSION	

Santa Cruz, CA,

August 22, 2015

Dear Water Commissioners,

Please encourage the SC Water Dept. technical staff to investigate the chemical process invented by Enpro AS, of Norway that could solve our water shortages and offer other benefits as well.

Enpro AS is currently constructing a large scale pilot plant in Kollsnes, Norway, that takes in seawater and mixes with CO2 exhaust gases from the adjacent large BKK power plant, thus producing soda ash and other chemicals, solidifying greenhouse gases, and producing unsalted water.

A smaller pilot plant in Abu Dhabi proved the process works with little energy consumption.

The unsalted water byproduct of this process is not mentioned in the literature or in their web site since potable water in Norway is not in short supply but readily available due to much rain, snow and ice.

Dr. Brent Constantz, former UCSC graduate student, founder of Los Gatos based Calera Corp, inventor of bone healing cement from coral, failed to develop a similar process of converting brine and fly ash into valuable chemicals and potable water. He formed the Moss Landing cement Company at the site of the former Kaiser Refractory's plant adjacent to the Duke Energy power plant to develop a similar chemical process. Apparently the process did not work well enough and he had fallout with the owner of the former Kaiser plant. Since then he is pursuing a Reverse Osmosis desalination scheme using water intake from the deep canyon offshore. The small organic matter from the deep would lessen the cost of cleaning the intake water prior to pushing it through the RO membranes. He founded DeepWater Desal to pursue this process. This process may work at the deep canyon off Moss Landing but not here in the Santa Cruz area and would not have the other benefits such as greenhouse gas reduction of the Enpro AS process.

Santa Cruz area has lost almost all industry and its associated employment over the years. Many manufacturers and industrial plants such as as Wrigleys, Lipton, GTE Sylvania, Victor Computer, Watkins-Johnson, Salz Tannery, Arrow, Levi, Intel, Manning, Borland, Giro helmets, Seagate, Davenport Cement, etc. have closed or moved elsewhere. Plantronics designs but no longer manufactures here.

If a desal plant using the Enpro AS process were built in Davenport near the ocean, the cement plant will be put back in operation to provide the needed Carbon Dioxide gas, then there will be a resurgence of cement and chemical production, employment, use of the newly purchased rail operation all the way to Watsonville Junction to transport the cement and other chemicals and paying passengers at other times and valuable reduction of greenhouse gases. The greenhouse gas reduction credits will be a valuable benefit from this process.

Please look into the Enpro AS method of chemical desalination and insist the technical staff of the Water Department contact Enpro AS and their Director and CEO Christian H. Theiste to ascertain the progress being made in Kollsnes, Norway.

Sincerely,

A handwritten signature in black ink that reads "Peter Pethoe". The signature is written in a cursive, flowing style with a large initial "P".

Peter Pethoe,

424 Escalona Dr.,

Santa Cruz, CA 95060

Cell phone: (831)325-3855,

ppethoe@google.com