

ORDINANCE NO. 57

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT,
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA
INCREASING THE WATER CONSERVATION BASED TIERED RATE
STRUCTURES, THE BI-MONTHLY WASTEWATER SYSTEM USER CHARGE, AND
THE DEER LODGE PARK WATER SYSTEM USER CHARGE/CONSUMPTION
RATES**

WHEREAS, the District's service-related fees and charges for water and wastewater service are set forth in the Rules and Regulations for Water and Wastewater Service ("Rules and Regulations"); and

WHEREAS, the District adopted Resolution Nos. 2002-02, 2002-05 and 2002-10, which adopted the water conservation measures of Water Conservation Based Tiered Water Rate Structures for residential and commercial customers; and

WHEREAS, the District desires to adopt increases in certain service-related fees and charges in order to reflect the increased costs of providing the applicable service; and

WHEREAS, the District conducted the following public awareness activity in order to provide customers and the community with information regarding the proposed increases in the service-related fees and charges which are the subject of this Ordinance; published in the *Mountain News* on Thursday, June 19, 2003; and

WHEREAS, the District held a public meeting and conducted a presentation during which information was provided regarding the proposed increases in the service-related fees and charges which are the subject of this Ordinance on June 10, 2003; and

WHEREAS, this Ordinance was taken under consideration by the Board during its Regular Meeting on June 24, 2003, at which time the Board provided customers and the community with the opportunity to provide public comments and testimony. Notice of the time and date of the Regular Meeting was given in accordance with the requirements of California law for the posting of the notice and agenda for such a Regular Meeting.

THE BOARD OF DIRECTORS OF THE LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:

1. Incorporation of Recitals The Recitals set forth above are incorporated herein and made an operative part of this Ordinance.

2. Water Conservation Based Tiered Water Rate Structures

(a) The Board hereby adopts the increased Water Conservation Based Tiered Water Rate Structures, as set forth in Exhibit B attached hereto and incorporated herein by reference, for residential and commercial customers. Said Water Conservation Based Tiered Water Rate Structures shall be effective beginning with bills mailed on or after September 1, 2003. Unless otherwise determined by the Board, the increased Water Conservation Based Tiered Water Rate Structures shall remain in effect, as water conservation measures, for the duration of the current Third Stage of Drought and Third Restriction Stage for Water Treatment Plant Production Capacity, and any other such stages greater than the First Stage.

(b) The water conservation measures set forth in this Ordinance are authorized pursuant to Ordinances Nos. 48, 49, 51, 52 and 53 and shall be implemented in accordance with said Ordinances.

(c) Pursuant to Water Code Section 376, this Ordinance shall be effective upon adoption, however, the Water Conservation Based Tiered Water Rate Structures and Deer Lodge Park water rates shall be effective beginning with bills mailed on or after September 1, 2003. The rate structures in Resolutions Nos. 2002-02, 2002-05 and 2002-10 shall be of no further force or effect as of the effective date of the rate structures set forth in this Ordinance.

(d) It is the intent of the District that incremental fees collected from the tiered rates above the base rate of \$3.34 per 100 cubic feet will be applied toward the funding of current and potential projects and programs for implementation of the District's policy to reduce and ultimately eliminate reliance on Lake Arrowhead as the sole source of water supply for service to District customers.

3. Bimonthly Wastewater System User Charge The Board hereby adopts the increased bimonthly User Charge as set forth in Section A.12 of Exhibit A of the District's Rules and Regulations. Exhibit A, as revised to include the increased bimonthly User Charge, is attached hereto and incorporated herein by reference. Upon the effective date of this Ordinance, the amount of the bimonthly User Charge, as set forth in Section A.12 of Exhibit 1 attached hereto, shall become effective and shall supercede the previous amount of the bimonthly User Charge as previously set forth in Section A.12. Except as otherwise specifically set forth in this Ordinance, Exhibit A of the District's Rules and Regulations shall remain in full force and effect.

4. Deer Lodge Park Water System Minimum Bimonthly Billing/Consumption Rates The Board hereby adopts the increased Minimum Bimonthly Billing/Consumption Rates as set forth in Section C.2 of Exhibit C of the District's Rules and Regulations. Exhibit C, as revised to include the increased Minimum Bimonthly Billing/Consumption Rates, is attached hereto and incorporated herein by reference. Upon the effective date of this Ordinance, the amount of the Minimum Bimonthly Billing/Consumption Rates, as set forth in Section C.2 of Exhibit C attached hereto, shall become effective and shall supercede the previous amount of the Minimum Bimonthly Billing/Consumption Rates as previously set forth in Section C.2. Except as otherwise specifically set forth in this Ordinance, Exhibit C of the District's Rules and Regulations shall remain in full force and effect.

5. The Fees and Charges are Service-Related The fees and charges set forth in this Ordinance are all service-related and shall be imposed as an incident of a request for service and not as an incident of property ownership. The District hereby finds that the amount of the increases in the fees and charges are reasonably related to the cost of the service provided. Information regarding the increased costs of providing the applicable service, for which the fees and charges are being increased, is available for public review at the District offices. Said information establishes that the amount of the fees and charge will not exceed the estimated reasonable cost of providing the service for which the fee and charges are imposed.

6. Notice This Ordinance was introduced at a meeting of the Board held on June 24, 2003, the notice of which was given in accordance with the requirements of California law for the posting of the notice and agenda for such a Regular Meeting.

7. Effective Date This Ordinance shall be effective upon adoption. Within ten (10) days from the date of adoption, this Ordinance shall be published one time in a newspaper of general circulation.

ADOPTED by the Board of Directors of the Lake Arrowhead Community Services District at a Regular Meeting held on June 24, 2003, by the following votes:

AYES:

Huber, Keefe, Kendrick and Whitney

NOES:

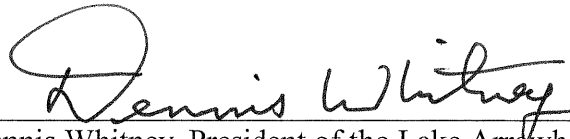
None

ABSTENTIONS:

None

ABSENT:

Field



Dennis Whitney, President of the Lake Arrowhead Community Services District and of the Board of Directors thereof.

ATTEST:



P.M. McGonigle, Secretary of the Lake Arrowhead Community Services District and of the Board of Directors thereof.

SEAL

EXHIBIT "A"

A.12 User Charge

The bi-monthly User Charge, based on assigned Equivalent Dwelling Units (EDU), is \$68.66 every two months per EDU, based on the following Fixture Unit Count based on EDU Value determination.

A.12.1 EDU Value Determination for User Charges

<u>Fixture Unit Count</u>	<u>EDU Value</u>	<u>Bi-monthly Rate</u>
Up to 44	1.0	\$ 68.66
45 to 74	1.1	\$ 75.52
75 to 104	2.1	\$144.18
105 to 134	2.7	\$185.38
135 and above	3.3	\$226.58

EXHIBIT "B"

B.12 USER CHARGE – RESIDENTIAL

B.12.1 Minimum Bi-monthly Billing

All Meter Sizes, \$41.86 in a two-month period.

B.12.2 Consumption Rates

<u>Charges Per</u> <u>100 cubic feet</u>	<u>Volume 100</u> <u>cubic feet</u>
\$0.57 From	-
To	10
\$3.34 From	11
To	25
\$4.45 From	26
To	50
\$5.56 From	51
To	100
\$6.68 From	101
To	200
\$10.02 From	201
To	Above

B.13 USER CHARGE – COMMERCIAL

B.13.1 Minimum Bi-monthly Billing

B12.1.1	5/8" Meter	\$ 41.86
B.12.1.2	1" Meter	\$ 83.72
B.12.1.3	1.5" Meter	\$104.65
B.12.1.4	2" Meter	\$167.43
B.12.1.5	3" Meter	\$251.15
B.12.1.6	4" Meter	\$334.87
B.12.1.7	6" Meter	\$502.30

EXHIBIT "C"

DEAR LODGE PARK WATER SYSTEM FEES AND CHARGES

C.2 User Charge

For any incremental increase in the use of water service requiring an upgraded service meter, the difference in cost to upgrade the meter connection from one size to another, as identified in Section C.1 to these Rules and Regulations, will be assessed:

C.2.1 Minimum Bi-monthly Billings

\$42.44 for 0 consumption in a two-month period.

C.2.2 Consumption Rates

\$3.08 per 100 cubic feet for consumption from 0 to 1000 cubic feet in a two-month period.

\$3.68 per 100 cubic feet for consumption over 1000 cubic feet in a two-month period.