

ORDINANCE NO. 59

**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, THE DEER LODGE PARK WATER SYSTEM
USER CHARGE/CONSUMPTION RATES AND OTHER FEES
AND CHARGES FOR SERVICES**

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 Ordinance No. 57 which adopted the water conservation measures including the Water Conservation Based Tiered Water Rate Structures for residential and commercial customers; and

WHEREAS, the District adopted Ordinance No. 55 which adopted the Water Resource Fee for new connections to the District's water system; 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, including an increase in the Water Resource Fee; 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 and to provide notice of the opportunity to provide oral and written testimony at the Public Hearing of the Board on May 25, 2004: publications in the *Mountain News* on Thursday, May 13, 2004 and Thursday, May 20, 2004; and

WHEREAS, the District held a Public Hearing 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 May 25, 2004; and

WHEREAS, this Ordinance was taken under consideration, by the Board, during its Regular Meeting on May 25, 2004, at which time the Board provided customers and the community with the opportunity to provide public comments and testimony as part of a Public Hearing. In addition to the notices and information described above, notice of the time and date of the Regular Meeting and Public Hearing 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 and other user fees and charges 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 August 1, 2004. 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 No. 58 and shall be implemented in accordance with said Ordinances. Said Ordinances and other water conservation declarations and measures have been adopted in accordance with Water Code Section 350 et seq. and Section 375 et seq. Except as otherwise specifically provided for in this Ordinance 59, the provisions of Ordinance No. 58 shall remain in full force and effect.

(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 August 1, 2004.

(d) It is the intent of the District that incremental fees collected from the tiered rates above the base rate of \$3.82 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

(a) The Board hereby adopts the increased bimonthly User Charge as set forth in 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 Exhibit A attached hereto, shall become effective and shall supercede the previous amount of the bimonthly User Charge as previously set forth in Exhibit A. 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.

(b) The Board hereby adopts the increased in the Wastewater Connection Fee and revise the fixture units per Equivalent Dwelling Unit (EDU) to allow for 74 fixture units per EDU as set forth in Exhibit A of the District's Rules and Regulations. Exhibit A, as revised to include the increased Wastewater Connection Fee, is attached hereto and incorporated herein by reference. Upon the effective date of this Ordinance, the amount of the Wastewater Connection Fee, as set forth in Exhibit A attached hereto, shall become effective and shall supercede the previous amount of the Wastewater Connection Fee as previously set forth in Exhibit A. 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 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 Bi-monthly Billing/Consumption Rates, as set forth in 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 Exhibit C. 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. 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 May 25, 2004 by the following votes:


AYES:	<i>Field, Heyck, Keefe, Kendrick & Whitney</i>
NOES:	<i>None</i>
ABSTENTIONS:	<i>None</i>
ABSENT:	<i>None</i>

LAKE ARROWHEAD COMMUNITY
SERVICES DISTRICT



Bruce Field, President of the Lake Arrowhead
Community Services District.

ATTEST:



P.M. McGonigle, Secretary of the Lake
Arrowhead Community Services District.

(SEAL)

EXHIBIT "A"

A.4 Connection - Administrative and Capacity:

A.4.1 **One (1) EDU Connection.** Minimum fee per dwelling unit, \$5,087.00.
The Equivalent Dwelling Unit (EDU) Value Determination for
Connection Fees:

<u>Fixture Unit Count</u>	<u>EDU Value</u>
Up to 74	1.0
75 and above	2.0

A.12 User Charge

The bi-monthly User Charge, based on assigned Equivalent Dwelling Units (EDU), is \$72.78 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 74	1.0	\$ 72.78
75 and above	2.0	\$145.56

EXHIBIT "B"

B.4.4 Connection – Water Resources Fee

B.4.4.1 \$3,072 per single-family home

B.4.4.2 \$6,144 per AF for commercial development.

B.12 User Charge – Residential

B.12.1 Minimum Bi-monthly Billing

All Meter Sizes, \$44.79 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>
\$0.61 From	-
To	7
\$3.57 From	8
To	25
\$4.76 From	26
To	50
\$5.95 From	51
To	100
\$7.15 From	101
To	200
\$10.72 From	201
To	Above

B.13 User Charge – Commercial

B.13.1 Minimum Bi-monthly Billing

B12.1.1	5/8" Meter	\$ 44.79
B.12.1.2	1" Meter	\$ 95.40
B.12.1.3	1.5" Meter	\$111.98
B.12.1.4	2" Meter	\$179.15
B.12.1.5	3" Meter	\$268.73
B.12.1.6	4" Meter	\$358.31
B.12.1.7	6" Meter	\$537.47

EXHIBIT "B"

B.13.2 Consumption Rates Commercial

Charges Per 100 Cubic Feet		<u>3/4" or smaller</u>	<u>1"</u>	<u>1.5"</u>	<u>2"</u>	<u>3"</u>	<u>4"</u>	<u>6"</u>
		<u>Volume 100 Cu.Ft.</u>	<u>Volume 100 Cu.Ft.</u>	<u>Volume 100 Cu.Ft.</u>	<u>Volume 100 Cu.Ft.</u>	<u>Volume 100 Cu.Ft.</u>	<u>Volume 100 Cu.Ft.</u>	<u>Volume 100 Cu.Ft.</u>
\$0.61	From	-	-	-	-	-	-	-
	To	7	7	7	7	7	7	7
\$3.57	From	8	8	8	8	8	8	8
	To	25	25	125	200	400	625	1,250
\$4.76	From	26	26	126	201	401	626	1,251
	To	50	50	250	400	800	1,250	2,500
\$5.95	From	51	51	251	401	801	1,251	2,501
	To	100	100	500	800	1,600	2,500	5,000
\$7.15	From	101	101	501	801	1,601	2,501	5,001
	To	Above	Above	Above	Above	Above	Above	Above

B.15 Exceptional Use

B.15.1 Hydrant Water Meter Rental Rates

Meter Deposit	\$1,300.
Daily Rental Rate	\$ 2.50
Monthly Rental Rate	\$ 60.
Annual Rental Rate	\$ 450.

B.15.2 Hydrant Water Meter Consumption Rates

Volume Usage Rate (per cubic foot)	\$0.1072
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EXHIBIT "B"

B.27 Fire Flow Testing Fee

B.27.1 Fire Flow Testing Performed by District

The fire flow testing is now performed by the District, the fee is \$105 for the costs associated with this new service.

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

\$43.71 for 0 consumption in a two-month period.

C.2.2 Consumption Rates

\$3.17 per 100 cubic feet for consumption from 0 to 1000 cubic feet in a two-month period.

\$3.79 per 100 cubic feet for consumption over 1000 cubic feet in a two-month period.