

RESOLUTION NO. 2012-06

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ADOPTING DISTRICT WIDE WASTEWATER FEES; WATER FEES, AND SUPPLEMENTAL WATER BUY-IN FEES FOR RESIDENTIAL, COMMERCIAL AND INSTITUTIONAL CUSTOMERS

WHEREAS, the Lake Arrowhead Community Services District ("District") is organized and operates pursuant to the California Government Code Section 61000, *et seq.*; and

WHEREAS, the District is authorized to fix and collect charges for the provision of services and facilities including water and wastewater services pursuant to Government Code Sections 61115 and 61120; and

WHEREAS, the District is authorized to fix and collect a Supplemental Water Buy-In Fee pursuant to Government Code Section 66013; and

WHEREAS, the District has determined that due to requirements for repairing, rehabilitating and replacing existing infrastructure and obtaining additional water sources for the District's customers, it is necessary to implement changes in certain water and wastewater user fees, and adopt a revised supplemental water buy-in fee for customers outside of Deer Lodge Park service area of the District, collectively (the "Fees"); and

WHEREAS, the revenues derived from the proposed changes to the Fees will not exceed the funds required to provide the services and shall be used exclusively for the operation and maintenance of the water and wastewater systems and obtaining additional water sources for the District's customers; and

WHEREAS, the Fees are equitable to all customer classes;

WHEREAS, the amount of the proposed changes to the Fees will not exceed the proportional cost of the services attributable to each parcel upon which they are proposed for imposition; and

WHEREAS, the proposed Fees will not be imposed on a parcel unless the services are actually used by, or immediately available to, the owner of the parcel; and

WHEREAS, Article XIII D, Section 6 of the California Constitution ("Article XIII D") requires that prior to imposing any increase to the Fees, the District shall provide written notice (the "Notice") by mail of the proposed increase to the Fees to the record owner of each parcel upon which the Fees are proposed for imposition and any tenant directly liable for payment of the Fees, the amount of the Fees proposed to be imposed on each parcel, the basis upon which the Fees were calculated, the reason for the Fees, and the date time and location of a public hearing (the "Hearing") on the proposed Fees; and

WHEREAS, pursuant to Article XIII D such Notice is required to be provided to the affected property owners and any tenant directly liable for the payment of the Fees not less than

forty-five days prior to the Hearing on the proposed Fees; and

WHEREAS, the District did provide such Notice to the affected property owners and tenants in compliance with Article XIII D; and

WHEREAS, the Hearing was held on June 12, 2012; and

WHEREAS, the District also discussed the proposed rate and fee changes at regular and special meetings of the Board of Directors to provide additional background information in order to provide customers and the community with information regarding the proposed changes in the Fees, including written notice of proposed rates in compliance with Proposition 218, Article XIII D, requirements which are the subject of this Resolution; and

WHEREAS, at the Hearing, the Board of Directors of the District (“Board”) heard and considered all written materials and oral testimony concerning the establishment and imposition of the proposed increases to the Fees, and at the close of the Hearing the District determined that it did not receive written protests against the establishment and imposition of the proposed increases to the Fees from a majority of the affected property owners and tenants directly liable for the payment of such Fees; and

WHEREAS, the Board of Directors now desires to establish and adopt the proposed Fees.

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 Resolution.

2. Inconsistency with other Fees:

To the extent any Fees established by this Resolution are inconsistent with Fees previously adopted; it is the explicit intention of the Board of Directors of the Lake Arrowhead Community Services District that the Fees adopted in this Resolution shall prevail.

3. Wastewater Fees:

(a) The Board hereby adopts the monthly Residential, Commercial and Institutional Wastewater Fees in the amounts and at the rates set forth in Exhibit A, attached hereto and incorporated herein by reference. The Residential, Commercial and Institutional Wastewater Fees set forth in Exhibit A shall be effective and applied to services provided on and after July 1, 2012.

4. Water Fees:

(a) The Board hereby adopts the Monthly Residential, Commercial and Institutional Water Fees in the amounts and at the rates set forth in Exhibit B, attached hereto and incorporated herein by reference. The Monthly Residential, Commercial and Institutional Water Fees set forth in Exhibit B shall be applied to service provided on and after July 1, 2012.

(b) The Board hereby adopts the Supplemental Water Buy-In Fees in the amount and at the rates set forth in Exhibit B, attached hereto. The Supplemental Water Buy-In Fee set forth in Exhibit B shall become effective for applications received on and after July 1, 2012.

5. Deer Lodge Park Water Fees:

(a) The Board hereby adopts the Monthly Residential Water Fees in the amounts and at the rates set forth in Exhibit C, attached hereto and incorporated herein by reference. The Monthly Residential Water Fees set forth in Exhibit C shall be effective and applied to services provided on and after July 1, 2012.

6. CEQA Compliance

The Board of Directors finds that the administration, operation, maintenance, and improvements of the District water and wastewater systems, which are to be funded by the Fees and set forth herein, are necessary to maintain service within the District's existing water and wastewater service areas as described herein. The Board of Directors further finds that the administration, operation, maintenance and improvements of the District water and wastewater systems, to be funded by the Fees, will not expand the District's water and wastewater systems. The Board of Directors further finds that the adoption of the rates and charges is necessary and reasonable to fund the administration, operation, maintenance and improvements of the District water and wastewater systems. Based on these findings, the Board determines that the adoption of the Fees established by this Resolution are exempt from the requirements of the California Environmental Quality Act pursuant to section 21080(b)(8) of the Public Resources Code and section 15273(a) of the State CEQA Guidelines.


7. Severability.

If any section, subsection, clause or phrase in this Resolution No. 2012-06 or the application thereof to any person or circumstances is for any reason held invalid, the validity of the remainder of this Resolution No. 2012-06 or the application of such provisions to other persons or circumstances shall not be affected thereby. The Board hereby declares that it would have passed Resolution No. 2012-06 and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof to any person or circumstance be held invalid.

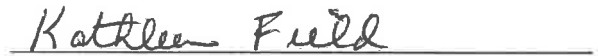
ADOPTED by the Board of Directors of the Lake Arrowhead Community Services District at a regular meeting held on June 12, 2012, by the following vote:

ADOPTED by the Board of Directors of the Lake Arrowhead Community Services District at a regular meeting held on June 12, 2012, by the following vote:

AYES: Butler, Wagner, and Wurm
NOES: Goss
ABSTENTIONS: None
ABSENT: Thompson


Ralph Wagner, President of the Lake
Arrowhead Community Services District
Board of Directors

ATTEST:


Kathleen Field, Secretary of the Lake
Arrowhead Community Services District and
to the Board of Directors

(SEAL)

CERTIFICATION


I, Kathleen Field, Board Secretary of the Lake Arrowhead Community Services District, hereby certify that the foregoing is a full, true and correct copy of the Resolution adopted by the Board of Directors of said Agency at the regular meeting of said Board held on the 12th day of June 2012, by the following vote:

AYES: Butler, Wagner, and Wurm

NOES: Goss

ABSTENTIONS: None

ABSENT: Thompson



Kathleen Field, Secretary to the Lake
Arrowhead Community Services District
and to the Board of Directors

WASTEWATER RATES

Effective 07/01/12

Exhibit A

<u>Residential</u>	FY 11/12	FY 12/13 Budget
Monthly Fixed Fee	\$ 44.16	\$ 45.50

Commercial and Institutional

The commercial rate structure includes a fixed monthly fee and a unit fee based on EDU plus a volume charge

Monthly Fixed Fee	\$ 39.15	\$ 45.50
Unit Fee Per EDU EDU = 1- 74 fixture units	\$ 3.80	\$ -
Volume Fee per CCF*	\$ 5.50	\$ 6.79

*The volume fee only applies to usage greater than 5 CCF

New Development Capacity & Connection Fees

Capacity fee per EDU**	\$ 9,033.00	\$ 9,033.00
Sewer Connection Inspection/Permit	125.00	125.00
Sewer - Saddle	105.00	105.00

EDU: Equivalent Dwelling unit

CCF: One hundred cubic feet or 1 billing unit or 748 gallons

** Note this fee is the same as previously adopted

WATER RATES

Effective 07/01/12

Exhibit B

Residential FY 12/13
FY 11/12 Budget
The residential rate structure includes a fixed monthly meter charge based on meter size plus a four tier volume charge

Monthly Fixed Fee

3/4" or smaller Meter	\$ 25.60	\$ 30.60
1" Meter	62.65	74.97
1 1/2" Meter	125.35	149.94
2" Meter	200.50	239.60
3" Meter	401.05	479.50
4" Meter	626.65	749.09
6" Meter	1,253.25	1,498.18

Volume Charge (4 Tier Structure)

0-4 CCF	\$ 1.18	\$ 1.18	Per CCF within Tier
5-13 CCF	2.24	2.24	Per CCF within Tier
14-30 CCF	6.64	6.64	Per CCF within Tier
31+ CCF	13.84	13.84	Per CCF within Tier

Irrigation Meters Volume Fee (2 Tier Structure)

0-13 CCF	\$ 2.25	\$ 2.25	Per CCF within Tier
14+ CCF	13.84	13.84	Per CCF within Tier

Fire Protection Meters

Monthly Fee

1" or smaller Fire Protection Meter	\$ 12.00	\$ 12.00
1.5" Fire Protection Meter	15.83	15.83
2" Fire Protection Meter	17.76	17.76
3" Fire Protection Meter	27.83	27.83
4" Fire Protection Meter	37.16	37.16
6" Fire Protection Meter	51.33	51.33

Commercial and Institutional

Monthly Fixed Fee

3/4" or smaller Meter	\$ 25.60	\$ 30.60
1" Meter	62.65	74.97
1 1/2" Meter	125.35	149.94
2" Meter	200.50	239.60
3" Meter	401.05	479.50
4" Meter	626.65	749.09
6" Meter	1,253.25	1,498.18

CCF: One hundred cubic feet or 1 billing unit or 748 gallons

WATER RATES
Effective 07/01/12
Exhibit B

<u>Commercial and Institutional (continued)</u>	FY 11/12	FY 12/13 Budget	
Volume Fee* (3 Tier Structure) (These rates are the same as previously adopted)			
3/4" Meter and smaller			
0-42 CCF	\$ 3.11	\$ 3.11	Per CCF within Tier
43-150 CCF	6.21	6.21	Per CCF within Tier
151+ CCF	12.93	12.93	Per CCF within Tier
1" Meter			
0-72 CCF	\$ 3.11	\$ 3.11	Per CCF within Tier
73-250 CCF	6.21	6.21	Per CCF within Tier
251+ CCF	12.93	12.93	Per CCF within Tier
1 1/2" Meter			
0-145 CCF	\$ 3.11	\$ 3.11	Per CCF within Tier
146-500 CCF	6.21	6.21	Per CCF within Tier
501+ CCF	12.93	12.93	Per CCF within Tier
2" Meter			
0-232 CCF	\$ 3.11	\$ 3.11	Per CCF within Tier
233-800 CCF	6.21	6.21	Per CCF within Tier
801+ CCF	12.93	12.93	Per CCF within Tier
3" Meter			
0-464 CCF	\$ 3.11	\$ 3.11	Per CCF within Tier
465-1,600 CCF	6.21	6.21	Per CCF within Tier
1,601+ CCF	12.93	12.93	Per CCF within Tier
4" Meter			
0-725 CCF	\$ 3.11	\$ 3.11	Per CCF within Tier
726-2,500 CCF	6.21	6.21	Per CCF within Tier
2,501+ CCF	12.93	12.93	Per CCF within Tier
6" Meter			
0-1,450 CCF	\$ 3.11	\$ 3.11	Per CCF within Tier
1,451-5,000 CCF	6.21	6.21	Per CCF within Tier
5,001+ CCF	12.93	12.93	Per CCF within Tier

*Volume in each tier dependent on meter size
 CCF: One hundred cubic feet or 1 billing unit or 748 Gallons

WATER RATES

Effective 07/01/12

Exhibit B

<u>New Development Capacity Fees</u>	FY 11/12	FY 12/13 Budget
New Capacity Fee by Meter Size (These fees are the same as previously adopted)		
3/4" Meter	\$ 14,895.00	\$ 14,895.00
1" Meter	24,825.00	24,825.00
1 1/2" Meter	49,650.00	49,650.00
2" Meter	79,440.00	79,440.00
3" Meter	158,880.00	158,880.00
4" Meter	248,250.00	248,250.00
6" Meter	496,500.00	496,500.00

Supplemental Water Buy-in Fee: \$ 1,962.04 \$ 2,223.18 **

**Future years calculations will be based on the fixed fees to date plus an adjustment for accumulated interest. Please see Ordinance 61, Exhibit "A" for fee calculation.

Physical Connection Fees

Connection Fee by Meter Size (These fees are the same as previously adopted)		
3/4" Meter	\$ 3,470.00	\$ 3,470.00
3/4" Meter w/1" Fire Protection Meter	4,010.00	4,010.00
1" Meter	3,520.00	3,520.00
1" Meter w/1" Fire Protection Meter	4,060.00	4,060.00
1 1/2" Meter	4,760.00	4,760.00
2" Meter	5,320.00	5,320.00
1" Fire Protection Meter Only	3,520.00	3,520.00

Larger meters require a deposit and will be billed at actual installation cost.

Other Services

Service Availability Letter	\$ 172.00	\$ 172.00
Reapplication-SA Letter	73.00	73.00
Feasability Study - SFR & Small Comcl	625.00	625.00
Feasability Study - Large Commercial	1,070.00	1,070.00
Plan Check	625.00	625.00
Reconnection	30.00	30.00
Hydrant Rental Deposit	1,300.00	1,300.00
Hydrant Daily Rental Rate	2.50	2.50
Hydrant Monthly Rental Rate	60.00	60.00
Hydrant Yearly Rental Rate	450.00	450.00
Hydrant Volume Usage per CCF	12.93	12.93
Fire Flow Test	350.00	350.00
Encroachment Permits/Easement Quit Claims	300.00	300.00

DEER LODGE PARK WATER RATES

Effective 07/01/12

Exhibit C

<u>Residential</u>	FY 11/12	FY 12/13 Budget	
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The residential rate structure includes a fixed monthly meter charge based on meter size plus a two tier volume charge

Monthly Fixed Fee

3/4" or smaller Meter	\$	22.52	\$	23.19	
1" Meter		56.29		56.82	
1 1/2" Meter		112.58		113.63	
2" Meter		180.09		181.58	

Volume Charge (2 Tier Structure) (These fees are the same as previously adopted)

0-10 CCF	\$	3.27	\$	3.27	Per CCF within Tier
11+ CCF		3.90		3.90	Per CCF within Tier

Fire Protection Meters

Monthly Fee

1" or smaller Fire Protection Meter	\$	12.00	\$	12.00	
1.5" Fire Protection Meter		15.83		15.83	
2" Fire Protection Meter		17.76		17.76	
3" Fire Protection Meter		27.83		27.83	
4" Fire Protection Meter		37.16		37.16	
6" Fire Protection Meter		51.33		51.33	

New Development Capacity Fees (These fees are the same as previously adopted)

3/4" Meter	\$	9,023.00	\$	9,023.00	
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Physical Connection Fees (These fees are the same as previously adopted)

3/4" Meter	\$	3,470.00	\$	3,470.00	
3/4" meter w/1" Fire Protection Meter		4,010.00		4,010.00	
1" Fire Protection Meter Only		3,520.00		3,520.00	

EDU: Equivalent Dwelling unit

CCF: One hundred cubic feet or 1 billing unit or 748 gallons