

**CIBCSD ORDINANCE NO.79**

**AN ORDINANCE AMENDING RATES AND FEES RELATED TO THE  
PROVISION  
OF WATER AND WASTEWATER SERVICES WITHIN  
THE SERVICE AREA OF THE CHANNEL  
ISLANDS BEACH COMMUNITY SERVICES DISTRICT**

**WHEREAS**, the Channel Islands Beach Community Services District (hereinafter "District") is empowered to provide a number of public services in accordance with provisions of **California Government Code Section 61000, et seq**, and

**WHEREAS**, Government Code Section 61600 enumerates the powers that the District may exercise, among them the following: (1) to supply the inhabitants of the district with water for domestic use, irrigation, sanitation, industrial use, fire protection and recreation, (2) to collect, treat or dispose of sewage (wastewater), waste and storm water of the district and its inhabitants, and (3) to collect or dispose of garbage and refuse matter; and

**WHEREAS**, Government Code Section 61621 provides that the District may prescribe, revise and collect rates or other charges for services and facilities provided by it, such as the above-referenced supply of water sewage and garbage collection and disposal services; and

**WHEREAS**, the District requires all properties within the District's service area desiring any one of the above utility services to obtain all of these services, as evidenced by the connection of the property to the District's water mains via appropriately sized, metered, service lateral connections and to any appropriate sewer connections; and

**WHEREAS**, the District has established procedures for the collection of appropriate service charges for the above-referenced services by a number of ordinances and utility billing policies now in effect; and

**WHEREAS**, the District's Board of Directors conducted a duly noticed public hearing on the Recommended Fiscal Year 2010-11 Annual Budget during their July 13, 2010 Meeting, concluding in the adoption of the Fiscal Year 2010-11 Annual Budget during the July 13, 2010 Meeting; and

**WHEREAS**, the adoption of a Final Fiscal Year 2010-11 Annual Budget for the District requires periodic adjustments to existing water, wastewater and/or trash utility rates and fees in order to balance revenue projections with expenditure requirements; and

**WHEREAS**, the District has provided written notice pursuant to California Proposition 218 to all customers in the District's area regarding the proposed adjustment to the water, wastewater, and trash utility rates and fees, and held and conducted a public hearing regarding the proposed adjustment on July 13, 2010.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CHANNEL ISLANDS BEACH COMMUNITY SERVICES DISTRICT AS FOLLOWS:

**SECTION 1: Short Title** - The Short Title of this Ordinance shall be known as the **CIBCS D 2010/2011 Water and Wastewater Utility Service Fee and Charges Adjustments Ordinance**, and may be cited as such. This ordinance is effective upon adoption by a majority vote of the Board of Directors.

**SECTION 2: General Purpose** - The general purpose of this Ordinance is to adjust existing water and wastewater charges in order to balance revenue projections with expenditure requirements found in the adopted Fiscal Year 2010-11 Budget.

**SECTION 3: Findings** - The CIBCS D Board of Directors finds that adjustments to existing water and wastewater utility rates are for the purpose of covering direct and indirect costs incurred in the provision of water and wastewater utility services to its customers, including, but not limited to: (1) administrative overhead, (2) contract service charges and rates, (3) general building, equipment and grounds maintenance expenses, (4) salaries and benefit costs, (5) professional service rates, (6) adequate contributions to the capital facilities and improvements repair and replacement fund to offset depreciation of fixed assets, and (7) providing adequate appropriations for contingency reserve.

**SECTION 4: CEQA Findings** - In adopting the provisions of this Ordinance pertaining to revised water, and wastewater, rates and charges, the Board of Directors finds that applicable provisions found in **Public Resources Code 21000, et seq., Section 15273 CEQA Guidelines** do not apply due to the fact that these fees, and specific adjustments to these fees contained in this Ordinance, are to be used for the following exempt purposes: (1) meeting general administrative and operating costs incurred in the provision of said services, as enumerated in Section 3 above, (2) purchasing or leasing of supplies, equipment or materials, and (3) meeting financial reserve needs and requirements.

**SECTION 5: Repeal of Ordinances** - Ordinance No. 76 regarding the above-referenced fees and charges now in effect is hereby repealed.

**SECTION 6: Water Utility Service Charges** - The Board of Directors find that the following fixed base monthly water service charges, 3-tiered-increasing Block Metered consumption rates and Uniform Flat Usage rates are for the purpose of meeting the District's direct and indirect expenses incurred in the provision of potable water service to its customers including, but not limited to: (1) water production expenses, (2) water quality control expenses, (3) technical service expenses, (4) water system operations and maintenance expenses, (5) water system equipment and supply purchases, (6) water meter installation, service and repair expenses, (7) water conservation program expenses, (8) general administrative overhead expenses associated with the provision of water services, (9) adequate contributions to the capital facilities and improvements repair and replacement fund to offset depreciation of fixed assets, and (10) debt service payments required by loan agreements and bond covenants.

The following rates are effective August 15, 2010, and shall be subject to periodic review and adjustment by the Board of Directors:

**1. Base Monthly Service Charge**

**\$25.59** per Month for Each Residential Dwelling Unit or Commercial, Governmental and Industrial Service User Served by a  $\frac{3}{4}$  " **Meter**.

**\$50.79** per Month for Each Residential Dwelling Unit or Commercial, Governmental and Industrial Service User Served by a **1" Meter**.

**\$98.66** per Month for Each Residential Dwelling Unit or Commercial, Governmental and Industrial Service User Served by a **1½" Meter**.

**\$161.87** per Month for Each Residential Dwelling Unit or Commercial, Governmental and Industrial Service User Served by a **2" Meter**.

**\$360.74** per Month for Each Residential Dwelling Unit or Commercial, Governmental and Industrial Service User Served by a **3" Meter**.

**\$721.48** per Month for Each Residential Dwelling Unit or Commercial, Governmental and Industrial Service User Served by a **4" Meter**.

**\$12.33** per Month for Each Additional Single or Multiple-Family Residential Dwelling Unit.

**\$2.06** per Month **Fire Line Charge** in addition to the base monthly water rate for Each Residential Connection served by a **1"** or less water meter with a Fire Sprinkler System Installed in the Residence.

\$50.00 per Month for each Fire Hydrant Construction Meter. A minimum charge of \$50.00 shall apply to anyone requesting a Hydrant meter. After the first full billing period the \$50.00 per month charge may be pro rated to reflect actual days of service.

**2. Three (3) Tiered-Increasing -Block-Metered Consumption Rates Residential Customers**

**TIER 1: \$2.24** per Hundred Cubic Foot (HCF) Unit for Water Consumed Between 0-5 HCF/Month.

**TIER 2: \$3.21** per Hundred Cubic Foot (HCF) Unit for Water Consumed Between 6-12 HCF/Month.

**TIER 3: \$4.14** per Hundred Cubic Foot (HCF) Unit for Water Consumed Above 13 HCF/Month.

**3. Uniformed Flat Usage Rate for Consumption on Commercial Users (Including Construction Meter Billing)**

All Usage: \$3.84 per Hundred Cubic Foot (HCF)

**4. Dedicated Fire Line Monthly Service Charges**

\$15.00/month for each 1" connection dedicated solely to the provision of fire protection

\$20.00/month for each 2" connection dedicated solely to the provision of fire protection

\$35.00/month for each 3" connection dedicated solely to the provision of fire protection

\$50.00/month for each 4" connection dedicated solely to the provision of fire protection

\$75.00/month for each 6" connection dedicated solely to the provision of fire protection

\$100.00/month for each 8" connection dedicated solely to the provision of fire protection

**5. Relocation and/or Abandonment of Metered Service – Service Charges**

Charges for all meter relocation services will be billed at actual cost to the District, plus a 15% administrative fee to cover handling and billing costs on all materials or external costs incurred by the District. An estimate of costs for each relocation or abandonment can be obtained upon request from the District General Manager.

**6. Connection Charges (Outside of the Harbor)**

| Meter/Connection Size | Equivalency Factor | Connection Fee |
|-----------------------|--------------------|----------------|
| ¾ Inch                | 1                  | \$6,064.00     |
| 1 Inch                | 2                  | \$12,128.00    |
| 1-1/2 Inch            | 4                  | \$24,252.00    |
| 2 Inch                | 7                  | \$43,909.00    |
| 3 Inch                | 15                 | \$90,946.00    |
| 4 Inch                | 30                 | \$181,893.00   |
| 6 Inch                | 60                 | \$363,786.00   |

Connection fees are applicable to new construction, not to rebuild or replace existing facilities or structures of like usage.

**7. Fire Sprinkler System Service Connections – Service Charges**

Ventura County Fire Protection District Ordinance (VCFPD) #25 requires new homes and/or remodeled homes to install fire sprinkler systems under certain specific conditions. The design of said sprinkler systems will be determined by the VCFPD.

Charges for all water service modifications or installations required to accommodate fire sprinkler installations will be billed at actual cost to the District, plus a 15% administrative fee to cover handling and billing costs on all materials or external costs incurred by the District. An estimate of costs for each installation can be obtained upon request from the District General Manager.

**SECTION 7: Sewer Service Charges** - The Board of Directors finds that the following base monthly sewer service rates for residential and commercial sewer utility users are for the purpose of (1) meeting contractual expenses incurred by the City of Port Hueneme/City of Oxnard to accept, transport and treat sewer effluent generated by the District's customers at the Oxnard Regional Wastewater Treatment Plant, (2) meeting contractual expenses incurred by the Ventura Regional Sanitation District (VRSD) in the operation and maintenance of the District's sewer collection system (3) meeting the District's general and administrative expenses, including billing and accounting expenses, associated with the administration of the Agreement for the Disposal of Wastewater and Sewage with the City of Port Hueneme; and (4) funding professional consulting and engineering service charges incurred by the District in the provision of sewer utility services to its customers.

For purposes of this section, the terms:

- (a) "Equivalent Residential Unit" (ERU) shall mean:
  - (i) One separate single-family residence; or
  - (ii) Residential duplexes and single-family residences with accessory dwelling units, one ERU per single-family unit.
- (b) "Commercial Sewer Service User" shall mean any premises used for commercial or business purposes.
- (c) "HCF" shall mean hundred cubic feet.

The following sewer utility service rates are effective July 15, 2010 and shall be subject to periodic review and adjustment by the Board of Directors:

**1. Minimum Flat Rate -- Residential & Commercial Sewer Users:**

**\$41.52** Per Month for Each Residential Dwelling Unit and/or Commercial Sewer Service User.

**Meter Consumption Rate for Commercial Sewer Users - Public Schools:**

**\$1.01** Per HCF Per Month for Each Meter Connection. (The minimum flat rate monthly charge of **\$41.52** per each metered connection must be met.)

**Meter Consumption Rate for Commercial Sewer Users - Public Restrooms:**

**\$3.02** Per HCF Per Month for Each Meter Connection. (The minimum flat rate monthly charge of **\$41.52** per each metered connection must be met.)

**Meter Consumption Rate for Commercial Sewer Users - Other Commercial Users:**

**\$3.02** Per HCF Per Month for Each Meter Connection. (The minimum flat rate monthly charge of **\$41.52** per each metered connection must be met.)

**Meter Consumption Rate for Commercial Sewer Users - Restaurants:**

**\$5.01** Per HCF Per Month for Each Meter Connection. (The minimum flat rate monthly charge of **\$41.52** per each metered connection must be met.)

**2. Connection Charge**

Channel Islands Beach Community Services District connection charges are \$8,656.00 for each residential/commercial unit to be connected directly to the District collection system. Connection fees are applicable to new construction, not to rebuild or replace existing structures.

**SECTION 8: Effective Date** - This Ordinance shall become effective at **12:01 a.m. on August 15, 2010.**

**SECTION 9: Publication** – Upon adoption, this Ordinance shall be published in title and general description only in a newspaper of general circulation within the District's general area of service.

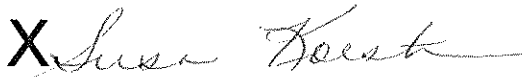
**SECTION 10: Severability Provision** - In the event that any section, clause or portion of this Ordinance is found to be invalid, the validity of the remaining sections of the Ordinance shall not be affected.

**PASSED, APPROVED and ADOPTED** by the Channel Islands Beach Community Services District Board of Directors on this **13th day of July, 2010**, by the following vote:

**AYES:**Directors: Koesterer, Marcus, Spiegel, Moore

**NOES:**Directors: None

**ABSENT:**Directors: Hensley

**X** 

SUSAN KOESTERER, PRESIDENT

**ATTEST:**



**JARED BOUCHARD, SECRETARY**  
BOARD OF DIRECTORS

**APPROVED AS TO FORM:**



**JOHN MATHEWS**  
GENERAL COUNSEL

