

ORDINANCE NO. 2013-01

**AN ORDINANCE OF CALAVERAS COUNTY WATER DISTRICT
MODIFYING RATES FOR
WATER AND WASTEWATER SERVICES**

WHEREAS, the Board of Directors of the Calaveras County Water District (District) has responsibility for establishing rates for the provision of District services and corresponding implementation policies; and

WHEREAS, the District has prepared financial and policy information in respect to the provision of water and wastewater services over the next five years for review by the Board of Directors and the public, and caused to be prepared a *Water & Wastewater Rate Study* dated May 2013 that recommended adjustments to water and wastewater rate schedules; and

WHEREAS, the Board of Directors held fifteen public meetings starting in July 2012 on the need to increase water and wastewater rates, including Board meetings on March 13, March 27, April 10, April 24 and May 2, 2013, and held three Town Hall Meetings in various communities throughout the District between June 10 and June 26, 2013 regarding Water and Wastewater financial and rate issues; and

WHEREAS, the Board of Directors has received considerable community input during the public meetings and Town Hall Meetings and has considered this input in formulating the proposed rates; and

WHEREAS, the District has, in accordance with Article XIID, Section 6 of the California State Constitution, provided written notices containing detailed descriptions of proposed water and wastewater rate changes for property owners who receive water and/or wastewater services from the District; and

WHEREAS, the Notice of Proposed Water and Wastewater Rate Increase, mailed May 24, 2013, included notification of a Public Hearing on July 10, 2013 to consider rate increases, said date having been established by Board action at its meeting of May 2, 2013; and

WHEREAS, the official noticed Public Hearing was held on Wednesday, July 10, 2013, and all public present were given an opportunity to comment on the proposed Ordinance; and

WHEREAS, written protests received in accordance with the procedures outlined in Article XIID, Section 6 numbered less than half of the property owners served; and

WHEREAS, the Board of Directors finds that it is now necessary to modify existing rates relative to the provision of water and wastewater services.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Calaveras County Water District as follows:

Section 1. Purpose. The purpose of this Ordinance is to increase water and wastewater rates as necessitated by the cost of providing water and wastewater services, including, but not limited to, operations and maintenance, debt service, the capital improvement program, and meeting financial reserve requirements.

Section 2. Findings. The Board of Directors finds and determines as follows:

- The water and wastewater service rates implemented by this ordinance, in conjunction with other estimated revenue sources, have been fixed in an amount sufficient to pay the operating and maintenance expenses of the District's water and wastewater systems, pay the principal and interest on existing debt, provide sufficient revenues for reserve requirements, and fund the renovation and replacement of the District's existing capital infrastructure.
- The increased water and wastewater rates are reasonably related to, and do not exceed, the District's cost of providing water and wastewater services.
- The revenues derived from the water rates do not exceed the funds required to provide water service, and are not used for any other purpose than in the provision of water services.
- The revenues derived from the wastewater rates do not exceed the funds required to provide wastewater services, and are not used for any other purpose than in the provision of wastewater services.
- The amount of the water and wastewater rates imposed on each water and wastewater service customer does not exceed the proportional cost of the water and/or wastewater service actually delivered or made available to every identified parcel of real property and/or customer within the District's service boundary.
- Every property subject to the rates established by this Ordinance actually uses the underlying service or the service is immediately available for that property's use.
- The District has, in accordance with Article XIID of the California State Constitution, provided written notices containing detailed descriptions of proposed water and wastewater rate changes to District property owners who receive service from the District and written protests presented to the District for the proposed rates did not exceed fifty percent (50%) of the property owners.
- The District conducted a duly noticed Public Hearing on July 10, 2013 concerning the proposed rate increases at which time the public had the opportunity to speak to the Board of Directors regarding the proposed increases and the Board of Directors considered the testimony received prior to making a final decision to implement the rate increases.

Section 3. Water and Wastewater Rate Schedule. The water and wastewater rates are established in accordance with the provisions of EXHIBIT 1 attached hereto and incorporated herein. The rates shown replace monthly water and wastewater charges established and adjusted by previous actions of the Board of Directors.

Section 4. Effect on Existing Policies. Any provision of any ordinance, resolution, fee, charge and/or other policy of the District in conflict with this Ordinance 2013-01 is hereby modified to the extent, and only to the extent, necessary to conform with the requirements provided herein. If any existing fees, charges and/or regulations in effect on the date of adoption of this ordinance are not in conflict herewith, said existing fees, charges and/or regulations shall remain in effect without modification.

Section 5. Use of Additional Revenue. Funds received as a result of a rate increase above the current rates as of July 10, 2013 must be placed in a restricted fund and the funds must be used to fund the renovation and replacement of the District's existing capital infrastructure. The funds in this account cannot be used for any other purpose without a 4/5th vote of the full Board of Directors of the District.

Section 6. Effective Date. Consistent with Water Code Section 31105, this Ordinance shall become effective September 1, 2013.

Section 7. Rates.

The District's water and wastewater rates will be implemented as set forth in this Section.

1.1) **Monthly Water Rates – EXHIBIT 1, Schedule A** attached hereto shall be the basis for minimum water charges to customers receiving service.

1.1.1) **Base Rates – EXHIBIT 1, Table 1 of Schedule A** represents the monthly water base rate charged for sale of potable water through various meter sizes within the District service area.

1.1.1.1) **Effective Date** - The monthly water base rates shown in **EXHIBIT 1, Table 1 of Schedule A** shall become effective September 1 of each year as shown. The first base rate increase shall occur on September 1, 2013.

1.1.2) **Consumptive Rates – EXHIBIT 1, Table 2 of Schedule A** represents the tiered consumptive rates applied to average monthly water usage in cubic feet (**cf**) for various meter sizes. The usage charge is shown in dollars per hundred cubic feet (**\$/hcf**).

1.1.2.1) **Effective Date** - The tiered rates shown become effective September 1, 2013 and remain in effect until changed by subsequent Board action.

1.2) **Monthly Wastewater Rates – EXHIBIT 1, Schedule B** attached hereto represents the monthly wastewater flat rate charged for sanitary sewer service within the District service area.

1.2.1) The table in **EXHIBIT 1, Schedule B** represents the charge for a standard single family residential connection (also referred to in Board policy documents as a single family dwelling equivalent – sfde or equivalent single family unit - esfu).

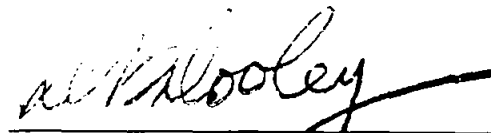
1.2.2) **Effective Date** - The monthly wastewater rates shown in **EXHIBIT 1, Schedule B** shall become effective September 1 of each year shown. The first rate increase shall occur on September 1, 2013.

1.3) **Future Rate Adjustments** - Within six months of September 1, 2018, the District will undertake a water and wastewater rate review.

PASSED AND ADOPTED this 10th day of July 2013, after a noticed Public Hearing by the following vote:

AYES: Directors Ratterman, Davidson, Stump and Dooley
NOES: Director Dean
ABSTAIN: None
ABSENT: None

CALAVERAS COUNTY WATER DISTRICT



Dennis Dooley, President
Board of Directors

ATTEST:



Mona Walker
Clerk to the Board

EXHIBIT 1

Schedule A Monthly Water Rates

The water base rates shall be effective as indicated in Table 1 and shall include up to 500 cubic feet (cf) of water use per month for a 5/8" meter and include proportionately more water for larger meter sizes:

Table 1
Monthly Water Base Rate Charges by Meter Size

Meter Size	Monthly Base Rate Charge				
	Sep 1, 2013	Sep 1, 2014	Sep 1, 2015	Sep 1, 2016	Sep 1, 2017
5/8"	\$49.38	\$56.78	\$61.89	\$61.89	\$61.89
3/4"	\$74.06	\$85.17	\$92.84	\$92.84	\$92.84
1"	\$123.44	\$141.95	\$154.73	\$154.73	\$154.73
1.5"	\$246.88	\$283.91	\$309.46	\$309.46	\$309.46
2"	\$395.00	\$454.25	\$495.13	\$495.13	\$495.13
3"	\$790.00	\$908.50	\$990.27	\$990.27	\$990.27
4"	\$1,234.38	\$1,419.53	\$1,547.29	\$1,547.29	\$1,547.29

In addition to the above Base Rate Charges, the Usage Rate Charges indicated in Table 2 shall apply for each 100 cubic feet of water used based on meter size.

Table 2
Monthly Water Tiered Rate Charges by Meter Size (\$/hcf)

Tiered Rates per 100 cf by Fiscal Year (5/8" meter only)				
Fiscal Year	0 - 500 cf	501 - 3,000 cf	3,001 - 6,000 cf	Over 6,000 cf
FY 13-14	Included	\$1.25	\$1.56	\$2.00
FY 14-15	Included	\$1.44	\$1.80	\$2.30
FY 15-16	Included	\$1.57	\$1.96	\$2.51
FY 16-17	Included	\$1.57	\$1.96	\$2.51
FY 17-18	Included	\$1.57	\$1.96	\$2.51

Tiered Rates per 100 cf by Fiscal Year (3/4" meter only)				
Fiscal Year	0 - 750 cf	751 - 4,500 cf	4,501 - 9,000 cf	Over 9,000 cf
FY 13-14	Included	\$1.25	\$1.56	\$2.00
FY 14-15	Included	\$1.44	\$1.80	\$2.30
FY 15-16	Included	\$1.57	\$1.96	\$2.51
FY 16-17	Included	\$1.57	\$1.96	\$2.51
FY 17-18	Included	\$1.57	\$1.96	\$2.51

Table 2 cont'd

Monthly Water Tiered Rate Charges by Meter Size (\$/hcf)

Tiered Rates per 100 cf by Fiscal Year (1.0" meter only)				
Fiscal Year	0 - 1,250 cf	1,251 - 7,500 cf	7,501 - 15,000 cf	Over 15,000 cf
FY 13-14	Included	\$1.25	\$1.56	\$2.00
FY 14-15	Included	\$1.44	\$1.80	\$2.30
FY 15-16	Included	\$1.57	\$1.96	\$2.51
FY 16-17	Included	\$1.57	\$1.96	\$2.51
FY 17-18	Included	\$1.57	\$1.96	\$2.51

Tiered Rates per 100 cf by Fiscal Year (1.5" meter only)				
Fiscal Year	0 - 2,500 cf	2,501 - 15,000 cf	15,001 - 30,000 cf	Over 30,000 cf
FY 13-14	Included	\$1.25	\$1.56	\$2.00
FY 14-15	Included	\$1.44	\$1.80	\$2.30
FY 15-16	Included	\$1.57	\$1.96	\$2.51
FY 16-17	Included	\$1.57	\$1.96	\$2.51
FY 17-18	Included	\$1.57	\$1.96	\$2.51

Tiered Rates per 100 cf by Fiscal Year (2.0" meter only)				
Fiscal Year	0 - 4,000 cf	4,001 - 24,000 cf	24,001 - 48,000 cf	Over 48,000 cf
FY 13-14	Included	\$1.25	\$1.56	\$2.00
FY 14-15	Included	\$1.44	\$1.80	\$2.30
FY 15-16	Included	\$1.57	\$1.96	\$2.51
FY 16-17	Included	\$1.57	\$1.96	\$2.51
FY 17-18	Included	\$1.57	\$1.96	\$2.51

Tiered Rates per 100 cf by Fiscal Year (3.0" meter only)				
Fiscal Year	0 - 8,000 cf	8,001 - 48,000 cf	48,001 - 96,000 cf	Over 96,000 cf
FY 13-14	Included	\$1.25	\$1.56	\$2.00
FY 14-15	Included	\$1.44	\$1.80	\$2.30
FY 15-16	Included	\$1.57	\$1.96	\$2.51
FY 16-17	Included	\$1.57	\$1.96	\$2.51
FY 17-18	Included	\$1.57	\$1.96	\$2.51

Tiered Rates per 100 cf by Fiscal Year (4.0" meter only)				
Fiscal Year	0 - 12,500 cf	12,501 - 75,000 cf	75,001 - 150,000 cf	Over 150,000 cf
FY 13-14	Included	\$1.25	\$1.56	\$2.00
FY 14-15	Included	\$1.44	\$1.80	\$2.30
FY 15-16	Included	\$1.57	\$1.96	\$2.51
FY 16-17	Included	\$1.57	\$1.96	\$2.51
FY 17-18	Included	\$1.57	\$1.96	\$2.51

Schedule B

The following wastewater rates shall be effective as indicated below:

Monthly Wastewater Rates and Effective Dates of Rate Increases

Monthly Wastewater Rate				
Sep 1, 2013	Sep 1, 2014	Sep 1, 2015	Sep 1, 2016	Sep 1, 2017
\$77.63	\$86.16	\$90.00	\$90.00	\$90.00