

ORDINANCE NO. 3412

ORDINANCE ESTABLISHING WATER SERVICE CHARGES
FOR SAN LUIS OBISPO COUNTY SERVICE AREA NO. 16
(SHANDON)

The Board of Supervisors of the County of San Luis Obispo, State of California, Sitting as the Governing Board of San Luis Obispo County Service Area No. 16, do ordain as follows:

SECTION 1: Pursuant to Government Code Section 25215.5, and in accordance with Article XIID of the California Constitution and the Proposition 218 Omnibus Implementation Act (commencing with Section 53750 of the California Government Code), there are hereby established within San Luis Obispo County Service Area No. 16, those various service charges, installation charges, deposits and other charges specified in Exhibit A hereto, which Exhibit "A" is incorporated herein by this reference, for the purpose of providing water service.

SECTION 2: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declare that they would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 3: This Ordinance is exempt from the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., because it can be seen with certainty that there is no possibility that the enactment of this Ordinance would have a significant effect on the environment (Pub. Resources Code Section 21065; CEQA Guidelines Sections 15378(b)(4), 15061(b)(3)) and because the Ordinance involves the approval of government revenues to fund existing services (Pub. Resources Code Section 21080(b)(8); CEQA Guidelines Section 15273(a)(4).

SECTION 4: This ordinance shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of San Luis Obispo, State of California.

INTRODUCED at a regular meeting of the Board of Supervisors held on the 28th day of January, 2020, and PASSED, APPROVED and ADOPTED by the Board of Supervisors of the COUNTY OF SAN LUIS OBISPO, this 24th day of March, 2020, by the following roll call vote, to wit:

AYES: Supervisors John Peschong, Debbie Arnold, Bruce S. Gibson and Vice-Chairperson Lynn Compton

NOES: None

ABSENT: Chairperson Adam Hill

ABSTAINING: None

The foregoing ordinance is hereby adopted:

Lynn Compton
Vice-Chairperson of the Board of Supervisors of
the County of San Luis Obispo State of
California Sitting as the Governing Board of
San Luis Obispo County Service Area No. 16

ATTEST:

WADE HORTON
Ex-Officio Clerk of the Board of Supervisors
County of San Luis Obispo, State of California

By: T'Ana Christiansen
Deputy Clerk

[SEAL]

ORDINANCE CODE PROVISION APPROVED
AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By: /s/ Jon Ansolabehere
Chief Deputy County Counsel

Dated: December 24, 2019

STATE OF CALIFORNIA) ss.
COUNTY OF SAN LUIS OBISPO)
I, **WADE HORTON**, Ex-Officio Clerk of the Board of Supervisors thereof, do hereby certify the foregoing to be a full, true and correct copy of an order entered in the minutes of said Board of Supervisors, and now remaining of record in my office.
Witness, my hand and seal of said Board of Supervisors on March 31, 2020.
WADE HORTON,
Ex-Officio Clerk of the Board of Supervisors
By: T'Ana N. Christiansen
Deputy Clerk

EXHIBIT "A"
SCHEDULE OF CHARGES FOR
SAN LUIS OBISPO COUNTY SERVICE AREA NO. 16

1. Charges for Water Service (per water service connection):

a) Basic Bi-Monthly Charge for Water Service.

The Basic Bi-Monthly Charge for Water Service shall consist of a bi-monthly minimum charge and a usage charge, and shall be calculated as follows:

\$133.21 per bi-monthly period minimum charge per account or dwelling

plus, \$1.56 per unit of 100 cubic feet of water bi-monthly period for up to and including 1,000 cubic feet;

plus, \$5.86 per unit of 100 cubic feet of water, or fraction thereof, for the bi-monthly use of water over 1,000 cubic feet, up to and including 1,600 cubic feet;

plus, \$7.30 per unit of 100 cubic feet of water, or fraction thereof, for the bi-monthly use of water over 1,600 cubic feet.

b) Beginning July 1, 2021 and on July 1st every year thereafter, until five years from the Effective Date of this Ordinance, all of the dollar amounts for the Basic Bi-monthly Charge for Water Service shall be increased by 3%.

2. Charges for Establishing a Water Service Connection:

Before any parcel of real property shall receive service from the San Luis Obispo County Service Area No. 16 Water System, the County shall be paid both a meter charge and basic charge, computed as follows:

a) Meter Charge Component of Water Service Connection Charge

The meter charge component of the service charge for water service connection shall be based on the size of the meter.

<u>Size of Water Meter</u>	<u>Service Charge</u>
1 Inch Meter	\$575.00
1 1/2 Inch Meter	\$1284.00

The above meter charges are for water meter installation where the service lateral connection, appurtenant facilities, curb stop, and meter box have been installed at owner's/developer's expense. Where this is not the case, and for meters larger than 1 1/2 inch, the meter charge component of service charge for water service connection will be the actual cost of all labor and materials related to the installation of the service lateral connection, appurtenant facilities, curb stop, and meter box.

b) Basic Charge for Establishing Water Service Connection

As a contribution to the capital cost of County improvements, supplemental water supply, and District reserves, there shall be a minimum basic charge for establishing a water service connection of \$2,800 per service connection. For any service connection with a dwelling unit equivalent (DUE) greater than one (1), as determined by the County Director of Public Works, the basic service charge for establishing a water service connection shall be \$2,800 per DUE. (For example, if a service connection has 1.5 DUE's, the basic service charge shall be \$4,200.)

The County Director of Public Works shall use the following criteria in determining the number of DUE's per service connection:

- i. In residential areas, each single-family home or lot will be counted as one (1) DUE. Each unit of a multi-family dwelling will be counted as one-half (1/2) of a DUE.
- ii. In commercial and industrial areas, each acre (including storage and parking area) will be counted as a minimum of five (5) DUEs.
- iii. In parks and landscaped areas, each acre of land will be counted as two (2) DUE's.
- iv. In a mobile home subdivision, each unit or space will be counted as three-quarters (3/4) of a DUE

c) Basic Charge for Modifying Water Service Connection or Meter Size

If, at any time after a water service connection is established, there is an increase in the number of DUE (as determined by the County Director of Public Works consistent with section 2.b) being served on the property due to a change in land use or other development of the property, then an additional charge of \$2,800 per each additional DUE on the property shall be applied as a contribution to the capital cost of County improvements, supplemental water supply, and County reserves.

If, at any time when a water service connection is established, a property desires to change its meter size, there will be a charge equal to all labor and material costs of the County related to changing the meter size.

3. Other Charges

- a) Deposit for Water Service to Non-Owner or Renter: \$60.00
- b) Charge for Non-Sufficient Fund Checks:
Per County Treasury Department Fee (Updated Annually)
- c) Charge for Notification of Water Shut-Off Due to Non-Payment \$17.00
- d) Charge for Water Service Reconnection: \$291.00
- e) Charge for Repairs to District Facilities Damaged by Others:

Any customer, person or entity (i.e., individual, construction or utility companies, etc.) causing damage to district facilities will be charged for the full replacement cost including material, labor, equipment and operating overhead.

- f) Charge for Violation of the Control of Maximum Usage Limits During Emergency:
 - i. \$10.00 per one hundred cubic feet of water used, or fraction thereof, for the bi-monthly use of water over maximum usage limits specified during an emergency, so long as the water is not used in a manner or for a purpose that is restricted by the County.
 - ii. For the privilege of making use of water in a manner or for a purpose that is restricted by the County during times of water shortage, a charge of \$60.00 per 100 cubic feet in addition to all other charges provided for herein.
- g) Service Charges for Furnishing Water Through Fire Hydrant:

Applicants for temporary water service shall be subject to the requirement of a refundable deposit for use of a fire hydrant meter and backflow prevention device loaned to the applicant by the County as well as a non-refundable hydrant meter set up fee as follows:

Meter Size	Deposit Amount
3" Meter + Backflow Prevention Device	\$1,500 (refundable)
	Fee
Hydrant Meter Set Up	\$340 (non-refundable)

All fire hydrant meters will be issued for a period of not to exceed eleven months. Fire hydrant meter accounts not terminated by the stated due date will

be subject to a field investigation/follow-up charge of \$291.00. Upon termination of service and return of the hydrant meter to the County, the County shall refund the deposit, less any unpaid water usage, field investigation/follow-up and hydrant meter repair charges.

Fire Hydrant Meters may only be connected to public fire hydrants which are owned and operated by the County and which are integral to the County's public water distribution system (as determined by County Director of Public Works). Water obtained must be used within the CSA 16 boundaries.

On a bimonthly basis, the County shall issue to each fire hydrant meter customer a bill for all metered water usage from the fire hydrant meter consistent with the rate schedule identified in Section 1(a) that includes both the minimum charge and usage charge.

h) Charge for Meter Testing:

Actual fees incurred by County from testing service provider.