

**ORDINANCE NO. 17-01**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF  
THE KIRKWOOD MEADOWS PUBLIC UTILITY DISTRICT  
ON PROPOSED ADJUSTMENT OF  
WATER, WASTEWATER AND IRRIGATION USAGE RATES  
AND SOLID WASTE BASE RATES**

BE IT ENACTED by the Board of Directors of the Kirkwood Meadows Public Utility District as follows:

**Section 1. Purpose and Authority.** The purpose of this ordinance is to increase the Usage Rates for the Water, Wastewater and Irrigation departments, and the Base Rate for the Solid Waste department, to achieve the revenue need forecasted by the 2018-2022 District Budget, to make each fund more self-sufficient and to fund necessary Capital improvements. This ordinance is adopted pursuant to Public Utility Code sections 16461 and 16467, Government Code sections 54344 and 54350, and other applicable law.

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

- a. That the allocations for General and Administration Expenses be changed to better reflect the time spent in support of each department;
- b. That the Wastewater Usage Rate be increased by 19% annually for three years to make this department more self sufficient;
- c. That the Water Usage Rate be increased by 34% annually for three years to make the Water department self-sufficient;
- d. That the Irrigation Usage Rate be increased by 8% annually to make the Water Department self-sufficient;
- e. That the Solid Waste Base Rate be increased by 4% annually for three years to keep this department self-sufficient.
- f. The increased utility service charges implemented by this ordinance have been fixed in an amount sufficient to pay the operating expenses of the particular enterprise activity, including operations, capital improvements, contracts and administrative services.
- h. The increased utility rates and charges are reasonably related to, and do not exceed, the District's cost of providing the particular utility service.

- i. The revenues derived from the utility rates and charges do not exceed the funds required to provide the particular utility service and are not used for any purpose other than the particular utility service.
- j. The amount of the utility rates and charges imposed on each customer's parcel does not exceed the proportional cost of the service attributable to that parcel.
- k. The District water, irrigation, wastewater and solid waste utility services are services that are actually used by and immediately available to the owner of the customer's parcel.
- l. No portion of this fee increase is imposed for general governmental services.
- m. The District Board of Directors has conducted a duly noticed public hearing on this proposed rate increase in accordance with California Constitution article XIII D, and Proposition 218 Omnibus Implementation Act, and the Board did not receive a majority protest against the proposed rate increases.

**Section 3. Water, Wastewater and Irrigation Water Usage Rate, and Solid Waste Base Rate Adjustments.** Kirkwood Meadows Public Utility District Regulation No. 610.01 is hereby amended as shown on the attached. The schedule of solid waste service charges is hereby revised as follows:

2017-2018	\$16.29 per month per residential dwelling unit
2018-2019	\$17.10 per month per residential dwelling unit
2019-2020	\$17.95 per month per residential dwelling unit

The water, wastewater, solid waste and irrigation water rates are to be adjusted as shown in the rate tables, section 4, and Regulation No. 610.01.

**Section 4. Subsequent Cost of Living Adjustments.** Commencing July 1, 2018 and for five years thereafter, the water, wastewater, irrigation, and solid waste rates shall be adjusted annually each July 1 based on the previous year's change (as of May 1) in the Consumer Price Index (U.S. city average) as determined by the U.S. Department of Labor, Bureau of Labor Statistics. The District General Manager shall make this adjustment and keep and maintain a current schedule of applicable water, wastewater and solid waste service rates at the District office. The General Manager also shall provide 30-day prior notice of the rate increase by including a notice in the District's regular monthly billing statement.

**Section 5. CEQA.** The Board of Directors finds that this modification of water and wastewater and solid waste base rates and increase in the water, wastewater and irrigation usage rates is for the purposes of meeting operating expenses of the District water, wastewater and solid waste utility operations (including labor, supplies, equipment and materials), meeting financial reserve needs and requirements of the District water, wastewater and solid waste systems, and obtaining funds for water and wastewater system improvements that are necessary to maintain and enhance water and wastewater services within the existing District service area. Accordingly, the District Board

determines that this fee increase is exempt from the California Environmental Quality Act and CEQA Guidelines. (Public Resources Code section 21080(b) (8); CEQA Guidelines section 15273.)

**Section 6. Effective Date.** This ordinance and the 2017-18 utility service charges shall take effect on September 1, 2017. Subsequent scheduled annual service charge increases shall take effect on July 1 of the year.

**Section 7. Posting.** Within 23 days from the date of passage of this ordinance, the District Secretary shall post a copy of the ordinance in three public places in the District.

PASSED AND ADOPTED by the Board of Directors of the Kirkwood Meadows Public Utility District on the 3 day of June 2017, by the following vote:

AYES: President Epstein, Directors O'Grady, Smith, Richard

NOES: None

ABSTAIN: Director Dombrook

ABSENT: None

  
\_\_\_\_\_  
President

Attest:

  
\_\_\_\_\_  
Secretary