

ORDINANCE NO. 20-02

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE KIRKWOOD MEADOWS PUBLIC UTILITY DISTRICT ADOPTING CHANGES IN WATER AND WASTEWATER RATES AND REVISIONS TO THE RATE STRUCTURE

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 change the water and wastewater rates and revise the rate structure for Water and Wastewater, to achieve the revenue need forecasted by the 2020-2025 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 finds and determines as follows:

1. The District provides water and wastewater service within the Kirkwood service area as approved by Alpine County Local Agency Formation Commission.
2. The increased utility rates and charges are reasonably related to, and do not exceed, the District's cost of providing the particular utility service.
3. 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.
4. 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.
5. The District water and wastewater utility services are services that are actually used by and immediately available to the owner of the parcel.
6. 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 regulations, and the Board did not receive a majority protest against the proposed rate increases.
7. The ordinance adopts and effects adjusted water and wastewater charges.

SECTION 3. Water and Wastewater Rate Adjustments. Kirkwood Meadows Public Utility District Policies and Regulation 610.01 is hereby amended and made part of this ordinance. The water and wastewater rates are to be adjusted as shown in the Water and Wastewater Rate Study Report dated April 1, 2020 attached.

SECTION 4. CEQA. The Board of Directors finds that this modification of water and wastewater rates is for the purposes of meeting operating expenses of the District water and wastewater waste utility operations (including labor, supplies, equipment and materials), meeting financial reserve needs and requirements of the District water and wastewater 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 5. Effective Date. This ordinance shall take effect on July 1, 2020.

SECTION 6. Posting. Within 17 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 13th day of June 2020, by the following vote:

AYES: *President Richert, Directors Epstein, O'Grady, and Perraud*

NOES: *None*

ABSTAIN: *Director Dornbrook*

ABSENT: *None*



President

Attest:



Secretary

Drafted: 7/2/85
Enacted: 7/3/85
Modified: 3/20/86, 11/29/90, 10/8/98,
01/25/00, 03/22/01, 12/13/01,
11/11/10, 10/12/13, 06/03/17
06/13/20

Deleted:

**REGULATION NO. 610.01
KIRKWOOD MEADOWS PUBLIC UTILITY DISTRICT
RATES - WATER AND WASTEWATER SERVICE**

1. WATER SERVICE

- a. General
 - i. Service is established, and customers are charged, upon installation of a water meter.
 - ii. Customers are charged a Base Rate, Meter Charge, and Usage Rate.
 - 1. Base Rates vary as per below.
 - 2. Meter Charge is charged per meter.
 - 3. Usage Rate is charged per unit of usage (100 cubic feet / 748 gallons).
 - iii. There are no shutoff privileges. Once an account is established, service continues in perpetuity.
- b. Residential Domestic (Indoor) Service
 - i. Rates apply to single and multiple family dwellings.
 - ii. Base Rate is charged per Dwelling Unit ('DU').
- c. Residential Irrigation Service
 - i. Applies to irrigation water that does not enter the wastewater system.
 - ii. Rates apply to single and multiple family dwellings irrigation services.
 - iii. Base Rate assessed per DU and is charged one-third (1/3) of the Residential Domestic Service Base Rate.
- d. Commercial Domestic (Indoor) Service
 - i. Rates apply to all commercial and non-residential accounts.
 - ii. Base Rate is charged per Equivalent Dwelling Unit ('EDU').
 - 1. An EDU is defined as equal to the average monthly Residential Domestic water use, calculated annually.
 - 2. EDUs are assigned based on the average water usage of Commercial Domestic accounts over the past three (3) years or anticipated usage where sufficient data does not exist.
 - 3. A minimum of one (1) EDU is assigned to each commercial account.
- e. Commercial Irrigation Service
 - i. Applies to irrigation water that does not enter the wastewater system.
 - ii. Rates apply to all commercial and non-residential irrigation accounts.
 - iii. Base Rate is charged per EDU as defined above.
- f. Construction Service:
 - i. Applies to waster used for construction purposes to reduce dust, clean tools, and general construction activities and that does not enter the wastewater system.
 - ii. No Base Rate shall apply.
 - iii. Meter Charge for temporary Hydrant Meters shall be as periodically adopted by the Board and is not included in this Regulation.

Water Rates over the next 5 years are summarized below:

	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
Monthly Meter Charge (per meter)	\$3.35	\$3.65	\$3.98	\$4.34	\$4.43
Monthly Domestic Base Rate ^(a)	\$29.29	\$31.93	\$34.80	\$37.93	\$38.69
Monthly Irrigation Base Rate ^(b)	\$9.76	\$10.64	\$11.60	\$12.64	\$12.89
Usage Rate (per 100 CF)	\$10.40	\$11.34	\$12.36	\$13.47	\$13.74

^(a) Charged per dwelling unit for residential and per EDU for commercial

^(b) Charged per dwelling unit for residential irrigation and per IEDU for commercial Irrigation

2. WASTEWATER SERVICE

a. General

- i. Service is established, and customers are charged, upon installation of a water meter and connection to the wastewater collection system.
- ii. High Strength wastewater is defined as wastewater containing
 - 1) greater amounts of fats, oils, and greases (FOG) or other organic components than residential wastewater;
 - 2) greater amounts of suspended solids or high amounts of certain chemicals than residential wastewater;
 - 3) greater amounts of any components can interfere with the normal biological processes of the wastewater facilities than residential wastewater;
 - or 4) wastewater with measured concentrations of
 1. Biochemical Oxygen Demand ('BOD') greater than 175 milligrams per liter ('mg/l').
 2. Suspended Solids greater than 175 mg/l.
- iii. There are no shutoff privileges, once an account is established, service continues in perpetuity.

b. Residential Wastewater Service

- i. Rates apply to single and multiple family dwellings.
- ii. Base Rate is charged per DU as defined above.
- iii. Usage Rate is charged per unit of Residential Domestic water usage.

c. Commercial Wastewater Service

- i. Rates apply to non-High Strength commercial and non-residential accounts.
- ii. Base Rate is charged per EDU as defined above.
- iii. Usage Rate is charged per unit of Commercial Domestic water usage.

d. Commercial High-Strength Wastewater Service

- i. Rates apply to High Strength commercial and non-residential accounts.
- ii. Base Rate is charged per EDU as defined above.
- iii. High Strength Usage Rate is charged per unit of Commercial Domestic water usage.
- iv. For any new commercial or other non-residential account, the District General Manager shall determine and establish appropriate EDUs for the account by applying current, generally accepted engineering practices plus strength factor as appropriate.

Wastewater Rates over the next 5 years are summarized below:

	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
Monthly Base Rate (per DU or EDU)	\$53.05	\$57.82	\$63.02	\$68.69	\$74.87
Usage Rate (per 100 CF) Residential & Commercial	\$30.07	\$32.78	\$35.73	\$38.95	\$42.46
Usage Rate (per 100 CF) High Strength Commercial	\$93.84	\$102.29	\$111.50	\$121.54	\$132.48