

Indian Creek-Westridge Community Services District Special Board Meeting
May 1, 2018
Christian Science Church, West Line Street and Grandview Drive, Bishop, CA

The meeting was called to order at 6:00 p.m. by Board Chairperson Luis Elias. Present were Directors Jeff Anderson and George Batchelder, District Manager Terry Tye, Secretary Kathy Anderson, and Stephanie Sheltz.

Introduction of Ordinance #05-08-2018: A public hearing on this ordinance is scheduled for the regular Board meeting of May 8, 2018. All directors have a copy of the ordinance. A motion was made by Jeff Anderson, and seconded by George Batchelder, to waive the reading of the ordinance. The motion passed unanimously.

Another motion to accept Ordinance #05-08-2018 as written was made by Jeff Anderson and seconded by George Batchelder. This motion also passed unanimously.

Before approving the third and final motion, the board had a short discussion of the reasons for the proposed increase in water rates. There is agreement that the imposition by the state of the necessity of forming the Owens Valley Groundwater Authority has added significantly to the financial demands made on the district. Furthermore, the District Manager pointed out that water testing requirements have increased, both in the types of tests required and their frequency. Board President Elias made suggestions as to which documents should be available at the May 8 meeting to present the recent financial history of the district, as well as current financial obligations.

A motion was made by Jeff Anderson to declare the Board's intent to adopt Ordinance #05-08-2018 at the May 8, 2018 Board meeting. George Batchelder seconded the motion, which was then passed unanimously.

The meeting was adjourned at 6:35 p.m.

Minutes submitted by Kathy Anderson, approved by _____

ORDINANCE NO. 5-8-18
AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE INDIAN CREEK-WESTRIDGE COMMUNITY SERVICES DISTRICT
ADOPTING WATER RATES, FEES AND CHARGES AND
STREET LIGHTING FEES AND CHARGES AND REPEALING ORDINACE 2-11-13

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE INDIAN CREEK-WESTRIDGE COMMUNITY SERVICES DISTRICT ("DISTRICT") as follows:

1. Purpose

As provided by law, the District may establish water rates, fees and charges. When establishing those rates, the Board must consider and include the costs to operate and maintain the water system, and to replace worn out components as needed to preserve and upgrade the water system. This ordinance adopts revised rates for residential and non-residential customers, according to the recommendations of the District's Engineer.

2. Findings

- a. Pursuant to Government Code section 61140, the Board of Directors of Indian Creek-Westridge Community Services District has formed a Westridge Zone and an Indian Creek Zone, only water service is provided.
- b. The rates, fees and charges set forth herein are for the purpose of:
 - i. Meeting operating expenses, including employee wage rates. All costs, rates and fees shall be calculated according to the previous year's actual expenses, and per established capital replacement payment schedules; and
 - ii. Purchasing or leasing supplies, equipment or materials.
- c. Rates, fees and charges include an amount necessary to fund the operation and maintenance of the District, and to establish and maintain an appropriate Capital Replacement Fund for the District. Allowance for the annual property tax reimbursement for the Westridge Zone is calculated for portions of the monthly Westridge water rate in order to implement uniform water rates throughout the District.
- d. On the basis of Title 14 of the California Code of Regulations section 15273, the District finds that the California Environmental Quality Act does not apply to this ordinance or the establishment, modification, structuring, restructuring or approval of the rates, fees, and charges set forth herein.

3. Water and Street Lighting Rates

The following water rates are effective July 1, 2018:

- a. Residential Water and Operation Rates
 - i. Indian Creek Zone: Water Operation and Maintenance rates for single family residential customers are \$54.00 per month. Capital replacement is \$20.00 per month. Total combined rate is \$74.00 per month.
 - ii. Westridge Zone: Water Operation and Maintenance rates for single family residential customers are \$54.00 per month. Capital replacement is \$20.00 per month. Total combined rate is \$74.00 per month.

b. Westridge Zone Street Lighting Rates

The amount of the monthly charge for street lighting services will be amount of the monthly electrical bill from Southern California Edison divided by the number of customers in

the Westridge Zone. As a result of legislation that was enacted following the passage of Proposition 13, because of its status as a public entity at the time of the passage of Proposition 13, the former Westridge Community Services District received annual payment to compensate for the decrease in its property tax revenue. The annual payments that were formerly made to Westridge Community Services District are now made to the consolidated District. In the Westridge Zone, a portion of these payments will be applied as a credit to offset partially the amount of each customer's monthly water billing.

c. Non-Residential Water Rates

Indian Creek Zone and Westridge Zone: Operation and Maintenance rates for non-residential customers are \$18.75 per month or the District's rate of \$1.24 per 1000 gallons, whichever is greater. Capital replacement rates are equivalent to the pro-rata basis of residential customers, defined as actual metered gallons used compared to an average single family residence. For fiscal year 2009/2010, the average single family usage amount is the ratio of \$20.00 per each 34,500 gallons, or fraction thereof (refer to Pinyon Engineering Report 4-24-07).

4. **Fee Billing and Payments – Water and Street Lighting**

- a. Water and Street Lighting fee payments are payable on a monthly basis, and are due within 30 days of the billing date.
- b. A finance charge of 1.5% will be added to accounts not paid within 30 days of the billing date.
- c. A 10% penalty will be applied to accounts remaining unpaid after 60 days.
- d. Residential customers making a full annual payment during the month of July (the first month of each fiscal year) will receive a 5% discount on the Operations and Maintenance portion of that year's total bill.

5. **Miscellaneous Water Fees**

- a. Application for service
A new application for water service shall be accompanied by an advance security deposit equivalent to the first month's water bill for residential premises, and \$15.00 for non-residential premises.
- b. New Service connections
The charge for a new service connection is \$1,250.00 plus the costs of the meter, valves, pipelines, labor and materials.
- c. Discontinuance of service – reconnection of service
For accounts over 120 days past due, the disconnection and re-connection (shut-off and turn-on) fees shall be a minimum of \$100.00 plus costs of labor, materials, and any other related costs.
- d. Cross connection control valves
All costs for the installation, testing, maintenance, and replacement of cross connection control valves shall be borne by the customer (or owner or the owner's agent), and said amount will be applied to the customer's account.
- e. Insufficient fund payments
If a payment is made by a check that is returned to the District for "non-Payment due to Insufficient Fund," an administrative penalty fee of \$25.00 will be applied to the customer's account.
- f. Lien recording fees
For accounts over 90 days past due, the District may attach a lien of "Notice of Delinquent Assessment" to the record of the owner, recorded on the deed by the Inyo

County Recorder, in the amount of the unpaid balance. All costs incurred by the District for execution of said process shall be included in the account balance.

6. Annual Rate Review

Prior to the end of each fiscal year, the Board of Directors will review the rates and charges for both the Operations and Maintenance costs and for the Capital Replacement Fund, and may adjust those rates and charges based on the previous year's actual costs.

7. Effective Date

This ordinance becomes effective on June 5, 2018.

8. Repeal of Ordinance

Indian Creek-Westridge Community Services District Ordinance No. 2-11-13 is hereby repealed.

PASSED, APPROVED AND ADOPTED ON May 8, 2018 **by the following vote:**

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

President

ATTEST

Dated: _____

Secretary _____ or District Manager, Terrence L. Tye

PROOF OF PUBLICATION

(2015.5 C.C.P.)

This space is for County Clerk's Filing Stamp

STATE OF CALIFORNIA,
COUNTY OF INYO

I am a citizen of the United States
and a resident of the County aforesaid.
I am over the age of eighteen years,
And not a party to or interested in the
above-entitled matter. I am the principal
clerk of the printer of the
The Inyo Register

County of Inyo

The Inyo Register has been adjudged a newspaper of general circulation by the Superior Court of the County of Inyo, State of California, under date of Oct. 5, 1953, Case Number 5414; that the notice, of which the annexed is a printed copy (set in type not smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof, on the following date, to with:

MAY 12TH

In the year of **2018**

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Bishop, California, on this
12TH DAY OF MAY 2018


Signature

Proof of Publication of Public Notice

THE INDIAN
CREEK-WESTRIDGE
COMMUNITY SERVICES
DISTRICT
BOARD OF DIRECTORS
SUMMARY OF ORDINANCE
05-08-2018
AND NOTICE OF ORDINANCE
ADOPTION

The ICWCSD Board of directors have considered and adopted the following ordinance. Ordinance #05-08-2018 an ordinance of the Board of Directors of the Indian Creek-Westridge Community Services District adopting water rates, fees and charges and street lighting fees and charges and repealing ordinance #02-11-2013.

A copy of the full text of the adopted ordinance is available for review in the District offices at 324 Grove St, Bishop, CA.

Summary of ordinance: The adopted ordinance increases monthly billing rate from \$59.00 to \$74.00. It also establishes Fee billing and payments and miscellaneous water fees.

The Indian Creek-Westridge CSD Board of Directors adopted Ordinance #05-08-2018 on May 8, 2018 by the following vote:

Ayes: 3

Directors Elias, Anderson, Williams

Noes: 0

Abstain: 0

Absent: 2

Directors Mappus, Batchelder
(IR 5/12/18, #13342)