

ORDINANCE NO. 2023-135

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE RUBIDOUX
COMMUNITY SERVICES DISTRICT AMENDING AND SETTING CERTAIN USER
CHARGES FOR THE DELIVERY OF POTABLE WATER TO RESIDENTIAL,
COMMERCIAL, AND INDUSTRIAL CUSTOMERS**

WHEREAS, the Rubidoux Community Services District (District) is empowered to provide a reliable potable source of water for the health, welfare and safety of the community and its residents; and,

WHEREAS, new and on-going treatment requirements, energy costs, treatment media, water quality monitoring, infrastructure maintenance and replacement, disinfection requirements, exterior and interior reservoir coatings, and personnel costs have increased and consequently add to the production, treatment, and delivery costs of providing potable water to District residents and customers; and,

WHEREAS, recently enacted State Water Resources Control Board water quality requirements will result in significant additional capital improvement, infrastructure, and treatment operating costs by the District, including additional operating costs associated with new PFAS treatment improvements; and,

WHEREAS, in May 2019 the Board of Directors adopted a 5-year rate plan allowing for adjustments to the District's monthly potable water rates beginning July 1, 2019, with allowable increases every July 1 through 2023; and,

WHEREAS, in 2022 the Rubidoux Community Services District conducted a Comprehensive Cost of Services Study (COSS) to determine if the District's 2019 rate plan was sufficient to meet current and future operational costs, system improvements, and to adequately fund reserves target levels; and,

WHEREAS, Government Code Section 61000 et seq., a community services district must charge for the actual cost of providing certain services or improvements,

including among other things potable water, pumping facilities, reservoir structures, pipeline conveyance, energy charges, personnel costs, treatment facilities, debt and other operational and maintenance costs associated with but not limited to the extraction, storage, delivery, transmission, and treatment of potable water; and,

WHEREAS, to ensure the District has a safe and significant ground water source of potable water for present and future customers and residents, the Board of Directors determined the District's current rate plan is not adequate to meet the District's future financial obligations and approved a new 5-year cost-of-service rate plan; and,

WHEREAS, the Board desires to adopt a new 5-year rate plan which eliminates multiple billings components and cash restrictions and instead provides for rate income to pay for projected operating and capital costs based on budgetary needs for the year; and,

WHEREAS, pursuant to Proposition No. 218, the Rubidoux Community Services District Board of Directors at their October 20, 2022, regular meeting authorized a special mailing of a "Notice of Hearing and Right to Protest" sent to all affected property owners and tenants providing an opportunity to protest against adjustments to the District's monthly potable water charges; and,

WHEREAS, at their December 15, 2022, regular meeting the Rubidoux Community Services District Board of Directors noticed, called, and conducted a Public Hearing for said charges pursuant to Proposition No. 218; and,

WHEREAS, subsequent to the Public Hearing, a majority protest did not exist, which requires 50% plus 1 of affected parcels for the rates to not be considered by the Board and "not take effect"; and,

WHEREAS, on December 15, 2022, the Board considered and adopted the new 5-year rate plan commencing July 1, 2023, with allowable increases every July 1 through 2027; and,

WHEREAS, during preparation of the District’s Fiscal Year 2023|2024 water operating and capital fund budgets, the Board determined rates must be adjusted to the fully noticed year one (1) rates of the new 5-year rate plan; and,

WHEREAS, the Board of Directors directed staff to prepare Ordinance No. 2023-135 and set a Public Hearing for August 3, 2023, on such proposed potable water charges.

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

1. That the Foregoing recitals are true and correct.
2. The Notice of Public Hearing and Protest Vote were compliant to the Requirements of Proposition No. 218.
3. The potable water charges for residential, commercial, and industrial users are more specifically outlined in Exhibit “A” and made a part of this Ordinance.
4. The District will eliminate separate billing components for its water rate including the restriction of cash for the District’s Water Replacement Fund, Water Certificates of Participation Fund, and Field/Administrative Building Fund.
5. Ordinance No. 2023-135 shall supersede Ordinance No. 2022-132 in its entirety and the above assessments shall take effect September 3, 2023.

INTRODUCED on the 20th day, July 2023, **ADOPTED AND APPROVED** on the 3rd day, August 2023, upon the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:



Bernard Murphy, President
Rubidoux Community Services District

(SEAL)

ATTEST:

Brian R. Laddusaw, General Manager-Secretary
Rubidoux Community Services District

APPROVED TO FORM AND CONTENT:

John R. Harper, District General Counsel

**RUBIDOUX COMMUNITY SERVICES DISTRICT
POTABLE WATER
MONTHLY RATES
EFFECTIVE SEPTEMBER 3, 2023
ORDINANCE NO. 2023-135
EXHIBIT "A"**

Customer Class	Existing (Effective July 2022)	Proposed (Effective September 2023)
<u>Fixed Charges (\$/month)</u>		
Residential (meter size)		
5/8"	\$28.62	\$34.33
3/4"	\$37.17	\$39.97
1"	\$52.70	\$51.24
1 1/2"	\$79.88	\$79.41
2"	\$118.73	\$113.22
Non-Residential (meter size)		
5/8"	\$32.31	\$34.33
3/4"	\$43.54	\$39.97
1"	\$63.61	\$51.24
1 1/2"	\$95.26	\$79.41
2"	\$143.12	\$113.22
3"	\$209.81	\$220.29
4"	\$299.73	\$378.07
6"	\$644.01	\$755.61
<u>Additional Dwelling Unit (DU) Charge (\$/DU/month)</u>		
Residential	\$28.62	\$23.06
Non-Residential	\$28.62	\$23.06

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Existing Customer Class (Effective July 2022)	Proposed Customer Class (Effective September 2023)
<u>Variable Rates (\$/HCF*)</u>	
Single-Family Residential	
Tier 1 (0 - 5) \$1.23	Tier 1 (0 - 13) \$2.37
Tier 2 (6 - 12) \$1.88	Tier 2 (14 - 24) \$2.41
Tier 3 (13 - 20) \$2.30	Tier 3 (25+) \$2.60
Tier 4 (21 - 29) \$2.72	
Tier 5 (30+) \$3.39	
Multi-Family Residential	
Tier 1 (0 - 5) \$1.23	Tier 1 (0 - 8) \$2.39
Tier 2 (6 - 12) \$1.88	Tier 2 (9+) \$2.45
Tier 3 (13 - 20) \$2.30	
Tier 4 (21 - 29) \$2.72	
Tier 5 (30+) \$3.39	
Non-Residential	
Tier 1 (0 - 5) \$1.25	Tier 1 (Uniform) \$2.42
Tier 2 (6 - 12) \$1.89	
Tier 3 (13 - 20) \$2.31	
Tier 4 (21 - 29) \$2.74	
Tier 5 (30+) \$3.40	

* 1 HCF is 100 cubic feet, or 748 gallons of water.