RESOLUTION NO. 2026-941

RESOLUTION OF THE BOARD OF DIRECTORS OF THE RUBIDOUX COMMUNITY SERVICES DISTRICT ADOPTING WATER AND SEWER CAPACITY FEES

WHEREAS, the Rubidoux Community Services District ("District") is organized and operates pursuant to the California Community Services District Law, Division 3 of Title 6 of the California Government Code commencing with Section 61000. The District is authorized to fix and collect water and sewer capacity fees ("Fees") as a condition for obtaining water and sewer service pursuant to California Government Code Section 66013; and

WHEREAS, the District retained an independent consultant to conduct a cost-of-service analysis and fee study to determine the appropriate level of funding necessary to ensure that new connections pay for their proportionate share of existing and future facilities necessary to provide them with water and sewer service, whereas the study has been on file at the District's office and available for public inspection for at least 10 days prior to this meeting; and

WHEREAS, the study includes data indicating the amount of cost, or estimated cost, required to provide the service for which the proposed Fees are to be levied; and

WHEREAS, the Board of Directors of the District has determined that: (1) the rates of the proposed Fees do not exceed the estimated reasonable cost of the services and facilities for which the Fees will be imposed; and (2) the allocation of those costs are fair or reasonable in relation to the burdens on, or benefits that those who pay the Fees will receive from such services and facilities; and

WHEREAS, the proposed Fees will be imposed upon new water and sewer connections, and upon existing water and sewer connections which require additional capacity to serve the property due to change in use or additional development; and

WHEREAS, the District shall deposit Fee revenue in a separate capital facilities fund with other Fees received, and shall account for and expend such revenues in accordance with applicable law; and

WHEREAS, in accordance with Government Code Sections 66016, notice was provided to any interested person that submitted a written request for notice.

NOW, THEREFORE, be it hereby resolved, determined and ordered by the Board of Directors of the Rubidoux Community Services District as follows:

1. The Recitals set forth above are incorporated herein and made an operative part of this Resolution.

2. The Board has been presented with a study showing the justification for the proposed Fees, a copy of which is available for inspection at the office of the District. Accordingly, the District finds that the schedule of Fees attached hereto as Exhibit “A” will not exceed the value of water and sewer facilities in existence at the time the charge is imposed or new water and sewer facilities to be constructed in the future that are of proportional benefit to the new or increased connections.

3. The Schedule of Fees set forth in Exhibit “A” is hereby adopted and District Staff is hereby authorized and directed to collect Fees according to the Schedule on and after the effective date of the Fees as set forth below.

4. The Board of Directors finds that the Fees are intended to provide reliable water and sewer service for new development and to provide equity between new development and existing customers. These Fees do not commit the District to approve any particular project, program, or capital improvement, but will be placed in a separate fund for potential future projects. These Fees are in response to the District’s projected need for facilities and infrastructure to provide services, to its existing customers and new development. Any activities, including infrastructure improvements, to be funded by Fees will be subject to future environmental review under CEQA, as applicable, prior to approval by the District.

The Board of Directors therefore finds that the Fees are not subject to environmental review under CEQA. First, the Fees, in and of themselves, do not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and therefore are not considered a "project" under CEQA. (Pub. Resources Code, § 21065, 14 Cal. Code Regs., § 15378, subd. (a).) Second, the Fees are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment; here, there is no possibility that the Fees, in and of themselves, may have a significant effect on the environment. (14 Cal. Code Regs., § 15061, subd. (b)(3).) And third, the Fees are considered a government funding mechanism that does not involve any commitment on behalf of the District to any specific project which may result in a potentially significant physical impact on the environment. (14 Cal. Code Regs., § 15378, subd. (b)(4).)

The determination that the Fees are not subject to CEQA review reflects the Board of Directors' independent judgment and analysis.

The documents and materials that constitute the record of proceedings on which these findings have been based are located at 3590 Rubidoux Blvd., Jurupa Valley, CA 92509. The custodian for these records is the General Manager/Board Secretary.

5. If any section, subsection, clause or provision in this Resolution or the application thereof to any person or circumstances is for any reason held invalid, the validity of the remainder of this Resolution or the application of such provisions to other persons or circumstances shall not be affected thereby. The Board hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof to any person or circumstance be held invalid.

6. District Staff is hereby authorized to develop such forms and procedures as may be necessary to implement this Resolution.

7. Beginning July 1, 2027, and annually thereafter, the Fees shall be adjusted based on the percentage change in the Engineering News-Record Construction Cost Index for the Los Angeles region (ENR CCI-LA), comparing the April index for the year of adjustment with the April index of the preceding year. A decrease in the index shall not, however, automatically reduce the Fees; any reduction shall require action by the Board of Directors. The General Manager or designee is authorized to calculate and publish the adjusted fees annually without further Board action. No adjustment shall result in Fees exceeding the estimated reasonable cost of providing capacity under Government Code Section 66013.

8. The Board of Directors hereby adopts the Water and Sewer Capacity Fee Assessment and Payment Policy attached hereto as Exhibit B and incorporated herein by reference. The General Manager or designee is authorized to implement and administer the Policy, including the development of forms and procedures consistent with this Resolution and applicable law.

9. The District is authorized to adopt these Fees by resolution pursuant to Ordinance No. 2026-146. Accordingly, this Resolution shall supersede and otherwise control over the provisions of any other Resolution or policy which may be in conflict with the provisions of this Resolution.

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10. This Resolution shall become effective upon the date of adoption.

ADOPTED, SIGNED AND APPROVED this 19th day of November, 2026, at the regular meeting of the Board of Directors of the Rubidoux Community Services District, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

_____

Diana Leja, President
Rubidoux Community Services District

(SEAL)

ATTEST:

_____

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

APPROVED TO FORM AND CONTENT:

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John R. Harper, District General Counsel

EXHIBIT "A"

SCHEDULE OF FEES

		Effective November 19, 2026	
Meter Size	Capacity Units	Water Charge	Sewer Charge
3/4"	1.00	$ 11,020	$ 8,670
1"	1.67	$ 18,403	$ 14,479
1 1/2"	3.33	$ 36,697	$ 28,871
2"	5.33	$ 58,737	$ 46,211
3"	10.00	$ 110,200	$ 86,700
4"	16.67	$ 183,703	$ 144,529
6"	33.33	$ 367,297	$ 288,971
8"	53.33	$ 587,697	$ 462,371
10"	80.00	$ 881,600	$ 693,600

Notes:

1. Multi-unit residential development without individual unit landscape irrigation will be assessed Water Capacity Charges based on 0.67 capacity units per residential unit.
2. Multi-unit residential development with individual unit landscape irrigation will be assessed Water Capacity Charges based on 1.0 capacity unit per residential unit.
3. Water Capacity Charges for landscape irrigation meters will be based on meter size. This applies to common area landscaping for multi-unit residential development and all separate landscape irrigation meters for all non-residential development.
4. Multi-unit residential development will be assessed Sewer Capacity Charges based on 1.0 capacity unit per residential unit. All other Sewer Capacity Charges will be based on water meter size.
5. Water and Sewer Capacity Charges shall be determined based on the District's adopted fee schedule in effect at the time the charges are assessed for payment, following completion of the applicable water service or sewer lateral construction and installation of the meter box, as applicable, in accordance with the District's Water and Sewer Capacity Fee Assessment and Payment Policy (Exhibit B). Payment shall be required before installation of the water meter or authorization of the sewer service connection, as applicable.

EXHIBIT "B"

RUBIDOUX COMMUNITY SERVICES DISTRICT

WATER AND SEWER CAPACITY FEE

ASSESSMENT AND PAYMENT POLICY

1. PURPOSE

This Water and Sewer Capacity Fee Assessment and Payment Policy establishes uniform administrative procedures for determining, assessing, and collecting water and sewer capacity fees for new or increased service connections within the Rubidoux Community Services District (District). It implements the Schedule of Fees set forth in Exhibit A to Resolution No. 2026-941 (Resolution) and does not independently establish or increase any capacity fee.

2. AUTHORITY AND APPLICABILITY

This Policy applies to applications for new or increased water or sewer capacity, subject to applicable law and District ordinances. If any provision of this Policy conflicts with applicable law, the body of the Resolution, or Exhibit A, the law, Resolution, or Exhibit A governs. The District shall administer this Policy consistently with Government Code section 66013 and all other applicable laws.

3. FEE DETERMINATION

A. The District shall determine the applicable water and sewer capacity charges using the adopted fee schedule and capacity-unit methodology in Exhibit A, including any duly effective annual adjustments and applicable credits or exemptions.

B. An estimate, quotation, will-serve letter, plan review or approval, construction permit, or application submission does not by itself fix the amount of the capacity fee or constitute payment. Staff shall advise applicants that the applicable amount may change before the fee becomes due, subject to applicable law and any enforceable written agreement.

C. Consistent with Note 5 of Exhibit A, the applicable water and sewer capacity charges shall be those on the Schedule of Fees in effect on the date the District assesses the charges for payment following completion of the applicable construction milestone in Section 4.

4. CONSTRUCTION MILESTONE AND PAYMENT

A. Except where applicable law or an approved written agreement requires otherwise, the District shall not require payment of water and sewer capacity fees until completion of construction of the water service and sewer lateral serving the property and installation of the meter box, as applicable to the requested service.

B. Upon confirmation of the applicable construction milestone, District staff shall determine and invoice the charges due under Exhibit A. All applicable capacity charges must be paid before installation of the water meter or authorization of the sewer service connection, as applicable, or before the District otherwise permits service to commence.

C. Completion of applicant-installed facilities does not constitute approval or acceptance of the facilities, authorization to connect, or a guarantee of capacity. All applicable District inspections, approvals, and other service requirements remain in effect.

D. Where a project involves only sewer service, including conversion of a property from septic to sewer service, the construction milestone is completion of construction of the sewer lateral serving the property, and the Sewer Capacity Charge shall be paid before authorization of the sewer service connection. Where a project involves only water service, the construction milestone is completion of construction of the water service and installation of the meter box, and the Water Capacity Charge shall be paid before installation of the water meter.

5. ADVANCE PAYMENTS AND RECALCULATION

A. The District shall not solicit, require, or accept advance payment of capacity charges before the applicable milestone identified in Section 4.A or 4.D.

B. Any refund, additional charge, or recalculation following acceptance of payment shall be determined under applicable law, the Resolution, and any binding written agreement; this Policy does not authorize unilateral repricing of a fee that has been lawfully fixed and paid.

6. ADMINISTRATION AND RECORDKEEPING

The General Manager or designee may adopt forms, checklists, and internal procedures consistent with this Policy and the Resolution. Staff shall maintain documentation of fee calculations, assessment dates, applicable credits or exemptions, construction milestones, invoices, payments, and authorizations to connect. Any exception or dispute involving the applicable fee amount or timing shall be referred to the General Manager or designee and, as necessary, District counsel.

7. APPLICATION

This Policy applies prospectively to applications and payments to the extent permitted by law. Existing completed payments and binding agreements shall be evaluated under the law and District requirements applicable to them.