ORDINANCE NO. 2023-01

AN ORDINANCE OF CALAVERAS COUNTY WATER DISTRICT MODIFYING RATES FOR WATER AND WASTEWATER SERVICES

WHEREAS, the Board of Directors of the Calaveras County Water District (District) has responsibility for establishing rates for the provision of District services and corresponding implementation policies; and

WHEREAS, the District has prepared financial and policy information in respect to the provision of water and wastewater services over the next five years for review by the Board of Directors and the public, and caused to be prepared the *2023 Cost-of-Service Study* dated July 2023 that recommended adjustments to water and wastewater rate schedules; and

WHEREAS, the Board of Directors held fourteen public meetings starting in October 2022 on the need to increase water and wastewater rates, including Board of Director meetings on October 12, 2022; and March 8, May 3, May 24, July 12, July 26, August 8, August 23, and September 6, 2023, regarding the Water and Wastewater financial and rate issues; and

WHEREAS, the Board of Directors has received considerable community input during the public meetings and town hall community meetings and has considered this input in formulating the proposed rates; and

WHEREAS, the District has, in accordance with Article XIIID, Section 6 of the California State Constitution, provided written notices containing detailed descriptions of proposed water and wastewater rate changes for property owners who receive water and/or wastewater services from the District; and

WHEREAS, the Notice of Proposed Water and Wastewater Rate Increase, mailed July 27, 2023, included notification of a Public Hearing on September 13, 2023, to consider rate increases, said date having been established by Board action at its meeting on July 12, 2023; and

WHEREAS, the officially noticed Public Hearing was held Wednesday, September 13, 2023, and all members of the public present were given an opportunity to comment on the proposed Ordinance; and

WHEREAS, written protests received in accordance with the procedures outlined in Article XIIID, Section 6 numbered less than half of the property owners served; and

WHEREAS, the Board of Directors finds that it is now necessary to modify existing rates relative to the provision of water and wastewater services.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Calaveras County Water District as follows:

Section 1. Purpose. The purpose of this Ordinance is to increase water and wastewater rates as necessitated by the cost of providing and maintaining water and wastewater services, including, but not limited to, operations and maintenance, debt service, the capital improvement program, and meeting financial reserve requirements.

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

- The water and wastewater service rates implemented by this ordinance, in conjunction with other estimated revenue sources, have been fixed in an amount sufficient to pay the operating and maintenance expenses of the District's water and wastewater systems, pay the principal and interest on existing debt, provide sufficient revenues for reserve requirements, and continue funding the District's Capital Improvement Program.

- The increased water and wastewater rates are reasonably related to, and do not exceed, the District's cost of providing water and wastewater services.

- The revenues derived from the water rates do not exceed the funds required to provide water service and are not used for any other purpose than in the provision of water services.

- The revenues derived from the wastewater rates do not exceed the funds required to provide wastewater services and are not used for any other purpose than in the provision of wastewater services.

- The amount of the water and wastewater rates imposed on each water and wastewater service customer does not exceed the proportional cost of the water and/or wastewater service actually delivered or made available to every identified parcel of real property and/or customer within the District's service boundary.

- Every property subject to the rates established by this Ordinance actually uses the underlying service or the service is immediately available for that property's use.

- The District has, in accordance with Article XIIID of the California State Constitution, provided written notices containing detailed descriptions of proposed water and wastewater rate changes to District property owners who receive service from the District and written protests presented to the District for the proposed rates did not exceed fifty percent (50%) of the property owners.

- The District conducted a duly noticed Public Hearing on September 13, 2023, concerning the proposed rate increases at which time the public had the opportunity to speak to the Board of Directors regarding the proposed increases and the Board of Directors considered the testimony received prior to making a final decision to implement the rate increases.

Section 3. Water and Wastewater Rate Schedule. The water and wastewater rates are established in accordance with the provisions of EXHIBIT 1 attached hereto and incorporated herein. The rates shown replace monthly water and wastewater charges established and adjusted by previous actions of the Board of Directors.

Section 4. Effect on Existing Policies. Any provision of any ordinance, resolution, fee, charge and/or other policy of the District in conflict with this Ordinance 2023-01 is hereby modified to the extent, and only to the extent, necessary to conform with the requirements provided herein. If any existing fees, charges and/or regulations in effect on the date of adoption of this ordinance are not in conflict herewith, said existing fees, charges and/or regulations shall remain in effect without modification.

Section 5. Effective Date. Consistent with Water Code Section 31105, this Ordinance shall become effective October 16, 2023.

Section 6. Rates.

The District's water and wastewater rates will be implemented as set forth in this Section.

1.1) **Bi-Monthly Water Rates - EXHIBIT 1, Schedule A** attached hereto shall be the basis for minimum water charges to customers receiving service.

1.1.1) **Base Rates - EXHIBIT 1, Table 1 of Schedule A** represents the bi-monthly water base rates charged for the sale of potable water through various meter sizes within the District service area.

1.1.1.1) **Effective Date** - The bi-monthly water base rates shown in **EXHIBIT 1, Table 1** of **Schedule A** shall become effective October 16, 2023, and then July 16 of each year thereafter as shown. The first base rate increase shall occur on October 16, 2023.

1.1.2) **Consumptive Rates - EXHIBIT 1, Table 2 of Schedule A** represents the bi-monthly tiered consumptive rates in cubic feet **(cf)** applied to the average Residential meters, and the consumptive rates in cubic feet **(cf)** applied to the average Non-Residential and Irrigation/Landscape/Other meters. The usage charge is shown in dollars per hundred cubic feet **($/100 cf).**

1.1.2.1) **Effective Date** - The bi-monthly tiered rates shown in **EXHIBIT 1, Table 2** of **Schedule A** shall become effective October 16, 2023, and then July 16 of each year thereafter as shown. The first tiered rate increase shall occur on October 16, 2023.

1.1.3) **Water Shortage Rates - EXHIBIT 1, Table 3 of Schedule A** represents the tiered consumptive rates applied to average bi-monthly water usage in cubic feet **(cf)** for Residential, Non-Residential and Irrigation/Landscape/Other meters. The usage charge is shown in dollars per hundred cubic feet **($/100 cf).**

1.1.3.1) **Effective Date** - The bi-monthly water shortage rates shown in **EXHIBIT 1, Table 3 of Schedule A** shall become effective October 16, 2023, and July 16 of each year thereafter as shown.

1.2.1) **Bi-Monthly Residential Wastewater Rates - EXHIBIT 1, Table 1 of Schedule B** attached hereto represents the bi-monthly wastewater flat rate charged for residential sanitary sewer service within the District service area.

1.2.1.1) **Table 1 in EXHIBIT 1, Schedule B** represents the charge for a standard single family residential connection (also referred to in Board policy documents as a single family dwelling equivalent ("SFDE") or equivalent single-family unit ("ESFU").

1.2.1.2) **Effective Date** - The residential bi-monthly wastewater rates shown in **EXHIBIT 1, Table 1 of Schedule B** shall become effective October 16, 2023, and July 16 of each year thereafter as shown. The first rate increase shall occur on October 16,2023.

1.2.2) **Bi-Monthly Non-Residential Wastewater Rates - EXHIBIT 1, Table 2** of **Schedule B** attached hereto represents the bi-monthly wastewater flat rate charged for non-residential sanitary sewer service within the District service area.

1.2.2.1) **Table 2 in EXHIBIT 1, Schedule B** represents the charge for a standard single family residential connection (also referred to in Board policy documents as a single family dwelling equivalent ("SFDE") or equivalent single-family unit ("ESFU").

1.2.2.2) **Effective Date** - The non-residential bi-monthly wastewater rates shown in **EXHIBIT 1, Table 2 of Schedule B** shall become effective October 16, 2023, and July 16 of each year thereafter as shown. The first rate increase shall occur on October 16, 2023.

1.3) **Future Rate Adjustments** - Within six months of July 16, 2028, the District will undertake a water and wastewater rate review.

PASSED AND ADOPTED this 13th day of September 2023, after a noticed Public Hearing by the following vote:

AYES: **Directors Davidson, Thomas and Ratterman**
NOES: **Directors Secada and Underhill**
ABSTAIN: **None**
ABSENT: **None**

CALAVERAS COUNTY WATER DISTRICT

Scott Ratterman, President
Board of Directors

ATTEST:

Rebecca Hitchcock
Clerk to the Board

EXHIBIT 1

Schedule A
Monthly Water Rates

The bi-monthly water rate by meter size shall be effective as indicated in Table 1. The base rate charge does not include any water or consumptive use.

Table 1

Bi-Monthly Water Base Rate Charges by Meter Size

Meter Size	Bi-Monthly Water Base Rate Charge				
	Oct 16, 2023	Jul 16, 2024	Jul 16, 2025	Jul 16, 2026	Jul 16, 2027
5/8"	$136.03	$152.36	$172.17	$184.23	$197.13
3/4"	$191.20	$214.15	$241.99	$258.93	$277.06
1"	$301.54	$337.73	$381.64	$408.36	$436.95
1 1/2"	$577.39	$646.68	$730.75	$781.91	$836.65
2"	$908.41	$1,017.42	$1,149.69	$1,230.17	$1,316.29
3"	$1,791.13	$2,006.07	$2,266.86	$2,425.55	$2,595.34

In addition to the above bi-monthly base rate charges, the bi-monthly water usage rate charges indicated in Table 2 shall apply for each 100 cubic feet (cf) of water used, based on customer type.

Table 2

Bi-Monthly Water Tiered and Consumption Rate Charges ($/100 cf)

Bi-Monthly Tiered Rates per 100 cf - Residential					
Water Use (cf)	Oct 16, 2023	Jul 16, 2024	Jul 16, 2025	Jul 16, 2026	Jul 16, 2027
0 – 1,500	$2.07	$2.32	$2.63	$2.82	$3.02
1,501 – 3,000	$2.25	$2.52	$2.85	$3.05	$3.27
over 3,000	$2.49	$2.79	$3.16	$3.39	$3.63

Bi-Monthly Tiered Rates per 100 cf - Non-Residential					
Water Use (cf)	Oct 16, 2023	Jul 16, 2024	Jul 16, 2025	Jul 16, 2026	Jul 16, 2027
All Levels	$2.29	$2.57	$2.91	$3.12	$3.34

Bi-Monthly Tiered Rates per 100 cf - Irrigation / Landscape					
Water Use (cf)	Oct 16, 2023	Jul 16, 2024	Jul 16, 2025	Jul 16, 2026	Jul 16, 2027
All Levels	$2.27	$2.55	$2.89	$3.10	$3.32

Table 3

Bi-Monthly Water Shortage Rate Charges ($/100 cf)

Only if implemented by the Calaveras County Water District Board of Directors, the bi-monthly water shortage rate charges will be in addition to the water base rate charges indicated in Table 1 and the water usage rate charges indicated in Table 2 and shall apply for each 100 cubic feet (cf) of water used.

Bi-Monthly Water Shortage Rate Charges per 100 cf - All					
Stage / Target	Oct 16, 2023	Jul 16, 2024	Jul 16, 2025	Jul 16, 2026	Jul 16, 2027
1 - 10%	$0.17	$0.17	$0.17	$0.17	$0.17
2 - 13%	$0.24	$0.24	$0.24	$0.24	$0.24
3 - 21%	$0.39	$0.39	$0.39	$0.39	$0.39
4 - 38%	$0.88	$0.88	$0.88	$0.88	$0.88
5 - 50%	$1.41	$1.41	$1.41	$1.41	$1.41

Schedule B
Bi-Monthly Wastewater Rate Charges

The following bi-monthly residential and non-residential wastewater rates represents the charge for a standard single family residential connection (also referred to in Board policy documents as a single-family dwelling equivalent ("SFDE") or equivalent single-family unit ("ESFU"), and shall be effective as indicated below:

Table 1

Bi-Monthly Residential Wastewater Rate Charges				
Oct 16, 2023	Jul 16, 2024	Jul 16, 2025	Jul 16, 2026	Jul 16, 2027
$235.20	$263.41	$294.99	$312.68	$328.29

Table 2

Bi-Monthly Non-Residential Wastewater Rate Charges				
Oct 16, 2023	Jul 16, 2024	Jul 16, 2025	Jul 16, 2026	Jul 16, 2027
$235.20	$263.41	$294.99	$312.68	$328.29