

**BOARD OF SUPERVISORS**  
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Tuesday, July 22, 2008

**PRESENT:** Supervisors Harry L. Ovitt, Bruce S. Gibson, Jerry Lenthall, K.H. 'Katcho' Achadjian, and  
Chairperson James R. Patterson

**ABSENT:** None

In the matter of **ORDINANCE NO. 3152:**

This is the time set for hearing (introduced June 3, 2008) to consider an ordinance amending water service charges in San Luis Obispo County Service Area No. 23 (Santa Margarita) and a corresponding budget adjustment in the amount of \$2,381,000 for capital improvements funded by this rate increase; 5th District. (This item was amended at the beginning of the meeting by replacing the transmittal sheet and staff report to implement suggested changes from County Counsel adding language relating to possible protests to the rate increase.)

**Mr. Will Clemens:** Public Works, presents the staff report; discusses the 2003 Master Water Plan recommendations; speaks to the community involvement with establishing the developing project priorities; outlines the infrastructure improvements and why they are needed; highlights the funding for this project; discusses the water rate increase amount; speaks to the benefits of this grant funding; presents the staff recommendation.

**Mr. George Sullivan:** expresses his support for this rate increase.

**Mr. Jim Ahern:** urges the Board to support the rate increase.

**Ms. Barbara Ahern:** states this is an excellent opportunity for the community; questions why the flat rate is being changed to the inflation rate.

**Mr. Alan Volbrecht:** CSA 23 Committee Chair, thanks Public Works staff and the CSA 23 Board members for their work on this matter; urges the Board to support this item.

**Mr. Clemens:** responds to public comment.

**Thereafter, on motion of Supervisor Jerry Lenthall, seconded by Supervisor K.H. 'Katcho' Achadjian, and on the following roll call vote:**

**AYES:** Supervisors: Jerry Lenthall, K.H. 'Katcho' Achadjian, Harry L. Ovitt, Bruce S. Gibson, Chairperson  
James R. Patterson

**NOES:** None

**ABSENT:**None

the Board approves the budget adjustment to add the capital improvements intended to be funded by this rate increase to the CSA No. 23 budget in the amount of \$2,281,000 and the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and **ORDINANCE NO. 3152, ordinance establishing water service charges for San Luis Obispo County Service Area No. 23 (Santa Margarita), adopted.**

STATE OF CALIFORNIA )  
                                  )  
County of San Luis Obispo )

ss.

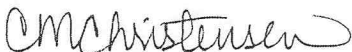
cc: Public Works, Auditor; 8/4/08 cmc

I, **JULIE L. RODEWALD**, County Clerk and Ex-Officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

**WITNESS** my hand and the seal of the said Board of Supervisors, affixed this 4<sup>th</sup> day of August, 2008.

(SEAL)

**JULIE L. RODEWALD**  
County Clerk and Ex-Officio Clerk of the Board of Supervisors

By   
Deputy Clerk

ORDINANCE NO. 3152

ORDINANCE ESTABLISHING WATER SERVICE CHARGES  
FOR SAN LUIS OBISPO COUNTY SERVICE AREA NO. 23  
(SANTA MARGARITA)

The Board of Supervisors of the County of San Luis Obispo, State of California, Sitting as the Governing Board of San Luis Obispo County Service Area No. 23, do ordain as follows:

SECTION 1: Pursuant to Government Code Section 25210.77a, 54985 and 54986, and in accordance with Article XIID of the California Constitution and the Proposition 218 Omnibus Implementation Act (commencing with Section 53750 of the California Government Code), there are hereby established within San Luis Obispo County Service Area No. 23, those various service charges, installation charges, deposits and other charges specified in Exhibit A hereto, which Exhibit A is incorporated herein by this reference, for the purpose of providing water service.

SECTION 2: This ordinance shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of San Luis Obispo, State of California.

INTRODUCED at a regular meeting of the Board of Supervisors held on the 3rd day of June, 2008, and PASSED and ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 22nd day of July, 2008, by the following roll call vote, to wit:

AYES: Supervisors Jerry Lenthall, K.H. 'Katcho' Achadjian, Harry L. Ovitt,  
Bruce S. Gibson, Chairperson James R. Patterson

NOES: None

ABSENT: None

ABSTAINING: None

JAMES R. PATTERSON

Chairperson of the Board of Supervisors  
of the County of San Luis Obispo State of  
California Sitting as the Governing Board of  
San Luis Obispo County Service Area No. 23

ATTEST:

ORDINANCE CODE PROVISION APPROVED  
AS TO FORM AND EFFECT:

JULIE L. RODEWALD  
County Clerk and Ex-Officio Clerk  
of the Board of Supervisors, County of  
San Luis Obispo, State of California  
By: C.M. CHRISTENSEN  
[SEAL] Deputy Clerk

R. WYATT CASH  
County Counsel  
County of San Luis Obispo

By: Warren Jensen  
Assistant County Counsel

Date: May 20, 2008

EXHIBIT "A"  
SCHEDULE OF CHARGES FOR  
SAN LUIS OBISPO COUNTY SERVICE AREA NO. 23

1. Charges for Water Service (per water service connection):

a) Basic Bi-Monthly Charge for Water Service.

- |              |  |
|--------------|--|
| \$55.34      | per bi-monthly period for use of water up to and including 1,000 cubic feet;   |
| plus, \$2.64 | per 100 cubic feet of water, or fraction thereof, for the bi-monthly use of water over 1,000 cubic feet, up to and including 1,600 cubic feet; |
| plus, \$3.38 | per 100 cubic feet of water, or fraction thereof, for the bi-monthly use of water over 1,600 cubic feet.                                       |

All rates shall be adjusted annually every July 1<sup>st</sup> by the average of the percentage increases in the Consumer Price Index ("CPI") for "All Urban Wage Earners and Clerical Workers" for all items for San Francisco/Oakland/San Jose and Los Angeles/Riverside/Orange Co. categories as published by the Bureau of Labor Statistics in April of each year with the allowable water quantities remaining unchanged.

- b) Charge for furnishing water to tank trucks per load: \$10.00 per tank truck load up to 1,000 gallons; plus \$5.00 per 500 gallons or fraction thereof above 1,000 gallons.

2. Charges for Establishing or Modifying a Water Service Connection:

a) Basic Charge for Establishing Water Service Connection or Modifying Water Service Connection

\$1,500.00 per single family residence. If service is for other than single family residence, the charge shall be \$1,500.00 per single family residence equivalent unit (1000 cubic feet per month), as determined by the County Director of Public Works.

This charge is to help defray the cost of new facilities and work to upgrade the water system occasioned by new users. Every person connecting to the water supply system shall pay, in addition to any other charge herein specified, a system connection charge for the privilege of connecting to said water system. Said charge is based upon computed pro rata shares of capital expenditures for the improvement of the system, and said charge shall be paid before any connection to said system is made. This charge shall not apply to current unmetered water users who later add metering.

b) Charge for Water Service Connection Meter

The meter charge component of the service charge for water service connection shall be based on the size of the meter.

<u>Size of Water Meter</u>	<u>Charge</u>
5/8" x 3/4" meter	\$350.00
Larger than 3/4" meter	Charge for service connection through larger meters shall be the cost of the meter plus installation expense including materials, labor, overhead and equipment costs.

3. Service Charge Deposit by Non-Owner: \$40.00
4. Service Charge For Late Payment \$20.00
5. Service Charge for Water Service Reconnection: \$60.00
6. Charge for Repairs to District Facilities Damaged by Others:

Any customer, person or entity (i.e., individual, construction or utility companies, etc.) causing damage to district facilities will be charged for the full replacement cost including material, labor, equipment and operating overhead.

7. Charge for Violation of the Control of Maximum Usage Limits During Emergency:
  - a) \$6.00 per one hundred cubic feet of water used, or fraction thereof, for the bi-monthly use of water over maximum usage limits specified during an emergency, so long as the water is not used in a manner or for a purpose that is restricted by the district.
  - b) For the privilege of making use of water in a manner or for a purpose that is restricted by the District during times of water shortage, a charge of \$60.00 per 100 cubic feet in addition to all other charges provided for herein.

8. Charge for Non-Sufficient Fund Checks: Actual Costs
9. Charge for Meter Testing: Actual Costs