



CAMBRIA COMMUNITY SERVICES DISTRICT
CALL BY THE PRESIDENT AND FINAL AGENDA
FOR SPECIAL MEETING OF THE BOARD OF DIRECTORS

I, Greg Sanders, President of the Cambria Community Services District Board of Directors, hereby call a Special Meeting of the Board of Directors pursuant to California Government Code Section 54956. The Special Meeting will be held: **Monday, June 15, 2009, 12:30 PM, 1000 Main Street, Veterans Memorial Building, Cambria, CA.** The purpose of the special meeting is to discuss or transact the following business:

AGENDA
SPECIAL MEETING OF THE CAMBRIA COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
MONDAY, JUNE 15, 2009, 12:30 PM
1000 MAIN STREET
Cambria, CA

1. **OPENING**
 - A. Call to Order
 - B. Pledge of Allegiance
 - C. Establishment of Quorum

2. **PUBLIC COMMENT** Members of the public wishing to address the Board on any item described in this Notice may do so when recognized by the Board President. Public comment on this agenda will be limited to 3 minutes per person.

3. **PUBLIC HEARINGS ON PROPOSED WATER AND SEWER RATES**
 - A. Public Hearing on Proposed Water Service Rate Increase in the Amount of 9.75%, Effective 7/1/09, and Consider Adoption of Resolution 24-2009 per Government Code Section 61115 Establishing CCSD Water Service Rates
 1. Report Results of Proposition 218 Water Rates Protest Response
 2. Consider Adoption of Resolution 24-2009 per Government Code §61115 Establishing CCSD Water Service Rates
 - B. Public Hearing on Proposed Sewer Service Rate Increase in the Amount of 15%, Effective 7/1/09, and Consider Adoption of Resolution 25-2009 per Government Code Section 61115 Establishing Sewer Service Rates
 1. Report Results of Proposition 218 Sewer Rates Protest Response
 2. Consider Adoption of Resolution 25-2009 per Government Code §61115 Establishing Sewer Service Rates

4. **PUBLIC COMMENT** Members of the public wishing to address the Board on any item described in this Notice may do so when recognized by the Board President. Public comment on this agenda will be limited to 3 minutes per person.

5. **ADJOURN**

Notice of this special meeting shall be delivered to each member of the Board of Directors and to each local newspaper of general circulation and radio or television station who have requested such notice. Notice must be received at least twenty-four (24) hours before the time set for the special meeting.

Dated: June 11, 2009

By:

/s/

Gregory W. Sanders, President

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors

AGENDA NO. **3.A.**

FROM: Tammy Rudock, General Manager

Meeting Date: June 15, 2009 Subject: Public Hearing on Proposed Water Service Rate Increase in the Amount of 9.75%, Effective 7/1/09, and Consider Adoption of Resolution 24-2009 per Government Code §61115 Establishing CCSD Water Service Rates

RECOMMENDATIONS:

1. Open public hearing
2. Receive public testimony and written protests to water service rates
3. Close public hearing
4. Recess to open and sort the protests/supports mailed/delivered to the CCSD to determine if a protest majority exists to the proposed water service rates
5. Receive report from Protest Official on results of Proposition 218 water service rates protests received
6. Consider adoption of Resolution 24-2009 per Government Code §61115 establishing CCSD Water Service Rates

FISCAL IMPACT:

Projected additional water service revenues: \$153,352

DISCUSSION:

On Monday, April 27, 2009, the CCSD mailed 4,480 proposed water and sewer rate increase notices to 3,931 parcel owners and 549 tenant customers. The notice is attached for reference.

Of the notices mailed, 110 customers may participate only in the water service rates protest process, since the CCSD does not provide them with sewer services. Only one protest per parcel will be counted for all water and sewer customers.

Total parcels served water by the CCSD: 3,926

To achieve a majority protest, 50% + 1 of the parcels served water is required: 1,964

The number of parcels with active customer accounts served by the CCSD on June 15, 2009, the date of the protest hearings, determines whether a majority protest exists.

Preliminary parcel count information was publicly provided on April 30, 2009.

Resolution 14-2009, adopted by the CCSD Board of Directors on April 23, 2009, includes the Guidelines for the Submission and Tabulation of Protests in Accordance with Rate Hearings Conducted Pursuant to Article XIID, Section 6, of the California Constitution, and is attached for reference.

If a majority protest is not received, staff recommends approval of the attached Resolution 24-2009 per Government Code §61115 establishing Water Service Rates including retention of the protests received for the statutory period of two (2) years.

Attachments: Resolution 24-2009
 4/24/09 CCSD Rates Notice
 Resolution 14-2009 and Protest Guidelines

BOARD ACTION: Date _____ Approved: _____ Denied: _____

UNANIMOUS: __SANDERS__ CHALDECOTT__ CLIFT __ DE MICCO __MAC KINNON__



CAMBRIA COMMUNITY SERVICES DISTRICT

RESOLUTION 24-2009
JUNE 15, 2009

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CAMBRIA COMMUNITY SERVICES DISTRICT
ADOPTING ADJUSTED WATER SERVICE RATES,
EFFECTIVE JULY 1, 2009

WHEREAS, Government Code Section 61115 provides that the Cambria Community Services District, hereinafter referred to as the "CCSD", may establish, revise and collect rates and other charges for the services and facilities furnished by it; and

WHEREAS, the CCSD Board of Directors reviewed data during a budget workshop on April 14, 2009, and Draft Operating Budget for Fiscal Year 2009/2010 business item on April 23, 2009, indicating the estimated costs to provide water services, including major maintenance and capital outlay items, and provided opportunities for public testimony and input on this analysis and associated recommendations; and

WHEREAS, the rates imposed by this resolution cover no more than the cost that CCSD incurs to provide water services as detailed in the draft operating budget approved on April 23, 2009, by Resolution 19-2009; and

WHEREAS, official notice of the proposed water rate increases was mailed to each customer, including property owners and tenant customers, on April 27, 2009; and

WHEREAS, the public hearing, noticed in the manner and for time required by law, was conducted by the CCSD Board of Directors on June 15, 2009, at which time all interested persons were afforded an opportunity to be heard on matters pertaining to the revision of water service rates and submit written protests; and

WHEREAS, the total parcels served water by the CCSD is 3,926; and

WHEREAS, to achieve a majority protest 50% + 1 of the parcels served water is required, or 1,964; and

WHEREAS, the approval of this resolution is categorically exempt from CEQA pursuant to Public Resources Code Section 21080(b)(8) (rates or charges not designed to increase services or expand a system) as demonstrated by the cost justification for the new water rates as detailed in the draft operating budget approved on April 23, 2009, by Resolution 19-2009.

NOW, THEREFORE, BE IT RESOLVED that the CCSD Board of Directors adopts the adjusted Water Rates as provided in Exhibit "A," effective July 1, 2009; and

BE IT FURTHER RESOLVED that staff is directed to develop an ordinance for Board consideration regarding repeal of that portion of the CCSD Code, Title 3, Revenue and Finance, Chapter 3.04, Article 2, § 3.04.020 referring to Water Rates, and replacing it with the Water Rates provided in Exhibit "A;" and

BE IT FURTHER RESOLVED that staff is directed to retain the written protest/support statements in CCSD records for the statutory period of two (2) years, and destroy them at the end of that time period, on or about June 16, 2011.

The foregoing resolution was adopted at a Special Meeting of the Board of Directors of the Cambria Community Services District held on June 15, 2009.

Gregory W. Sanders, President

ATTEST:

APPROVED AS TO FORM:

Kathy A. Choate, District Clerk

Tim Carmel, District Counsel

CAMBRIA COMMUNITY SERVICES DISTRICT

RESOLUTION 24-2009

JUNE 15, 2009

EXHIBIT "A"

The following table reflects the bi-monthly water rates schedule:

Bi-Monthly Water Rates-Effective July 1, 2009

Usage (ccf)	Residential Rate Includes 9.75% Increase	Commercial Rate Includes 9.75% Increase
Base Rate plus 0-6 Units	23.82	54.07
7-15 Units-per Unit	6.05	6.69
16-20 Units-per Unit	6.18	6.83
21-30 Units-per Unit	6.30	6.95
31-40 Units-per Unit	6.44	7.08
41-50 Units-per Unit	6.95	7.47
51-60 Units-per Unit	7.22	7.73
61-70 Units-per Unit	7.47	8.12
71-80 Units-per Unit	7.73	8.37
81 or More Units-per Unit	7.86	9.02



NOTICE OF PROPOSED WATER AND SEWER RATE INCREASES

April 24, 2009

DIRECTORS:

Gregory Sanders
President

Peter Chaldecott
Vice President

Muril Clift
Director

Frank DeMicco
Director

Allan MacKinnon
Director

Dear Record Owner or Customer of Record:

This notice is intended to inform you that the Cambria Community Services District (CCSD) will hold public hearings regarding proposed increases to utility charges for customers receiving CCSD water and wastewater (sewer) services. The proposed water and sewer rate increases will be considered by the CCSD Board of Directors at the date, time, and location specified below. If you would like to receive this notice in Spanish, please contact the CCSD at (805) 927-6223. ***Si le gustaria recibir este document en Español, por favor llame a CCSD (805) 927-6223.***

Consistent with the requirements of Proposition 218, this notice also provides you with the following information:

OFFICERS:

Tammy Rudock
General Manager

Tim Carmel
District Counsel

Kathy Choate
District Clerk

- The amount of the proposed increases to water and sewer charges;
- The basis upon which the amount of the proposed increases to water and sewer charges was calculated; and
- How to protest the proposed increases to water and sewer charges.

NOTICE OF PUBLIC HEARINGS

Public Hearings for the proposed increases to Water and Sewer Charges will be held on:

Date: Monday, June 15, 2009

Time: 12:30 p.m.

Place: Cambria Veterans Memorial Bldg., 1000 Main St., Cambria, CA

This notice has been sent to all record owners and customers of record that are directly responsible for payment of CCSD water and sewer charges. If adopted by the CCSD Board of Directors, the proposed increases to water and sewer charges would become effective July 1, 2009.

PROPOSED WATER AND SEWER RATE INCREASES

Increases to the bi-monthly base rate and per unit (ccf¹) rate for water and sewer services are proposed for all customer classifications (Residential and Commercial) as follows:

¹ A unit equals one ccf "hundred cubic feet;" a hundred cubic feet of water is 748 gallons.

WATER: 9.75% - Effective July 1, 2009 (*Bill mailed September 10, 2009*)
SEWER: 15% - Effective July 1, 2009 (*Bill mailed September 10, 2009*)

The following tables reflect the proposed bi-monthly water and sewer rate schedules:

Proposed Bi-Monthly Water Rates-Effective July 1, 2009

Usage (ccf)	Residential Rate Includes 9.75% Increase	Commercial Rate Includes 9.75% Increase
Base Rate plus 0-6 Units	23.82	54.07
7-15 Units-per Unit	6.05	6.69
16-20 Units-per Unit	6.18	6.83
21-30 Units-per Unit	6.30	6.95
31-40 Units-per Unit	6.44	7.08
41-50 Units-per Unit	6.95	7.47
51-60 Units-per Unit	7.22	7.73
61-70 Units-per Unit	7.47	8.12
71-80 Units-per Unit	7.73	8.37
81 or More Units-per Unit	7.86	9.02

Proposed Bi-Monthly Sewer Rates-Effective July 1, 2009

Usage (ccf)	Residential Rate Includes 15% Increase	Commercial Rate Includes 15% Increase
Base Rate plus 0-1 Units	65.03	65.03
2 or More Units-per Unit	1.94	1.94

SAMPLE RESIDENTIAL BI-MONTHLY UTILITY SERVICE BILL (CONSUMPTION: 12 UNITS)

Current Rate:			Proposed Rates: Effective 7/1/09		
Water	Base	\$ 21.70	Water	Base	\$ 23.82
Water	Units	\$ 33.06	Water	Units	\$ 36.30
Sewer	Base	\$ 56.55	Sewer	Base	\$ 65.03
Sewer	Units	\$ 18.59	Sewer	Units	\$ 21.34
TOTAL		\$ 129.90	TOTAL		\$ 145.49

BASIS FOR THE PROPOSED WATER AND SEWER RATE INCREASES

The proposed increases to water and sewer rates are necessary for the CCSD to continue to provide safe and reliable water and sewer services to the citizens of Cambria due to increasing operational, maintenance, and repair costs. Several factors have contributed to increasing costs, including, but not limited to, rehabilitation and replacement of water and sewer infrastructure and facilities, adequate revenues to cover operational expenditures, including existing debt service payments, the rising cost of electricity, natural gas, and other commodities necessary to operate water and sewer facilities, increased costs associated with operation of utility vehicles, pumps, generators, and motors, ongoing maintenance of infrastructure, increased labor costs, and increased costs associated with meeting more stringent State and Federal regulations.

WRITTEN PROTEST

Pursuant to Proposition 218, you may express support for or opposition to any or all of the proposed increases to water and sewer charges, **prior to the close of the public hearings** referenced above. A form is attached.

A written protest must contain:

1. A statement that it is a protest against the proposed charge which is the subject of the hearing; and
2. Name of the record owner or customer of record; and
3. Identity of the affected parcel by Assessor's Parcel Number (APN) or service address; and
4. Original signature of the record owner or customer of record with respect to the identified parcel.

Written protests must be submitted to the District Clerk by:

- Delivery to the District Clerk's Office 1316 Tamson Drive, Suite 201, Cambria, CA 93428;
- Mail to the CCSD, Attention: District Clerk, Post Office Box 65, Cambria, CA 93428; or
- Personally submitting the protests at the public hearing.

A protest may only be submitted by the record owner or customer of record who signed the protest or an individual authorized in writing by the record owner or customer of record to submit the protest. That written authorization shall be provided to the District Clerk so the District Clerk may accept a protest from someone other than the person who signed it.

QUESTIONS?

Please review the CCSD website at www.cambriacsd.org for further information on the approved *DRAFT CCSD FY 2009/2010 Operating Budget* and adopted *CCSD Resolution 14-2009 including Guidelines for the Submission and Tabulation of Protests in Connection With Rate Hearings Conducted Pursuant to Article XIID, Section 6, of the California Constitution, and Related Noticing*. Additional information may also be obtained by contacting the CCSD at (805) 927-6223 or via email to the District Clerk: kchoate@cambriacsd.org.



**RESOLUTION 14-2009
APRIL 23, 2009**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CAMBRIA COMMUNITY SERVICES DISTRICT
ADOPTING GUIDELINES FOR THE SUBMISSION AND TABULATION OF
PROTESTS IN CONNECTION WITH RATE HEARINGS
CONDUCTED PURSUANT TO ARTICLE XIID, SECTION 6,
OF THE CALIFORNIA CONSTITUTION,
AND RELATED NOTICING**

WHEREAS, Article XIID, Section 6 of the California Constitution requires the Board of Directors of the Cambria Community Services District (CCSD) to consider written protests to certain proposed increases to utility charges; and

WHEREAS, this constitutional provision does not offer specific guidance as to who is allowed to submit protests, how written protests are to be submitted, or how the CCSD is to tabulate the protests; and

WHEREAS, for purposes of determining protests, Government Code Section 53755(b) provides for one written protest per parcel, and Government Code Section 53750(g) provides that identified parcels are those parcels that an agency has identified as a parcel upon which a proposed fee or charge is to be imposed; and

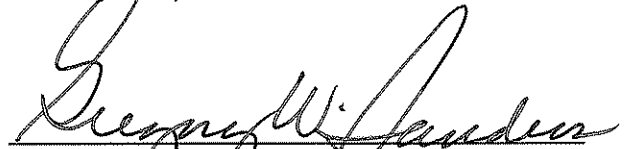
WHEREAS, to implement these provisions, and given the history of subdivision and development in Cambria, where the CCSD serves customers owning Assessor Parcel Numbers (APN) with more than one lot and the CCSD also serves customers with more than one APN, the attached Guidelines provide that a majority protest is to be determined based upon the number of parcels with active accounts served by the CCSD on the date of the public hearing, and defines "parcel" as a piece of land or property identified by Assessor's Parcel Number that is served by the CCSD, the owner or occupant of which is subject to the proposed charge; and

WHEREAS, the Board of Directors of the CCSD may direct the General Manager to mail notice of proposed water charges and proposed wastewater charges, effective July 1, 2009, to each record owner and record customer of every parcel served by the CCSD, scheduling the rates protest hearings for Monday, June 15, 2009, at 12:30 p.m., at Cambria Veterans Memorial Building, at 1000 Main Street, in Cambria, CA; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the CCSD hereby adopts the Guidelines for the Submission and Tabulation of Protests attached hereto as Exhibit "A" and incorporated herein by reference.

BE IT FURTHER RESOLVED that the Board of Directors hereby directs the General Manager to levy and collect special assessments and other fees as duly approved by the Board and to administer and expend the tax proceeds in accordance with the enabling legislative direction.

PASSED, APPROVED and ADOPTED this 23rd day of April 2009.



Gregory W. Sanders
President, Board of Directors

ATTEST:



Kathy A. Choate, District Clerk

APPROVED AS TO FORM:



Tim Carmel, District Counsel

Attachment "A"

CAMBRIA COMMUNITY SERVICES DISTRICT

GUIDELINES FOR THE SUBMISSION AND TABULATION OF PROTESTS

Where notice of a public hearing with respect to the adoption or increase of a utility charge has been given by the CCSD pursuant to Article XIID, Section 6(a) of the California Constitution, the following guidelines shall apply.

DEFINITIONS

Unless the context plainly indicates another meaning was intended, the following definitions shall apply in construction of these Guidelines:

1. "Parcel" means a piece of land or property identified by Assessor's Parcel Number (APN) that is served by the CCSD, as determined by the San Luis Obispo County Tax Assessor.
2. "Record customer" and "customer of record" mean the person or persons whose name or names appear on the CCSD's records as the person who has contracted for, and is obligated to pay for, utility services to a particular utility account.
3. "Record owner" or "parcel owner" means the person or persons whose name or names appear on the San Luis Obispo County Tax Assessor's latest equalized assessment roll as the owner of a parcel.
4. A "fee protest proceeding" is not an election, but the District Clerk will maintain the confidentiality of protests as provided below and will maintain the confidentiality and integrity of protests at all times.
5. "Public hearing" means the public hearing on the proposed charges.

NOTICE OF PROPOSED RATES AND PUBLIC HEARING

6. ***Notice Delivery.***
 - A. The CCSD shall give notice of proposed charges and public hearing on the proposed charges via 1st-class U.S. mail to all record owners and customers of record served by the CCSD, effective the date the notice is approved by the Board of Directors.
 - B. The CCSD will mail each notice subject to a request that the U.S. Postal Service provide forwarding address information to the CCSD for any notices forwarded by the U.S. Postal Service.

- C. If the U.S. Postal Service returns any notice to the CCSD as undeliverable and provides the CCSD a forwarding address, the CCSD shall mail the notice to the forwarding address, but its doing so does not extend the time in which protests may be submitted with respect to the proposed charges that are the subject of the public hearing.
- D. The CCSD will provide the notice of proposed charges and public hearing to each record owner and/or record customer who initiates CCSD utility services after the notice is mailed and before the date of the public hearing on the proposed charges, but its doing so does not extend the time in which protests may be submitted with respect to the proposed charges that are the subject of the public hearing.
- E. The CCSD will post the notice of proposed charges and public hearing at its official posting site after the notice is approved by the Board of Directors.

SUBMISSION OF PROTESTS

7. *Protest Requirements.*

- A. A written protest must include:
 - (i) A statement that it is a protest against the proposed charge which is the subject of the hearing; and
 - (ii) Name of the record owner or customer of record; and
 - (iii) Identity of the affected parcel by assessor's parcel number or service address; and
 - (iv) Original signature of the record owner or customer of record with respect to the identified parcel.
- B. Protests shall not be counted if any of the required elements (i thru iv) outlined in the preceding subsection "7.A." are omitted.
- C. A notice of proposed charges may, but need not, include a form by which record owners and customers of record may note their protest of, or support for, a proposed charge. However, use of such a protest form shall not be required and the CCSD shall accept any protest which complies with these Guidelines.

8. *Protest Submittal.*

- A. Any record owner or customer of record who is subject to the proposed utility charges, which are the subject of the public hearing, may submit a written protest to the District Clerk, by:
 - Delivery to the District Clerk's Office, 1316 Tamson Drive, Suite 201, Cambria, CA 93428,

- Mail to the CCSD, Attention: District Clerk, Post Office Box 65, Cambria, CA 93428, or
 - Personally submitting the protest at the public hearing.
- B. Protests must be received by the end of the public hearing, including those mailed to the CCSD. No postmarks will be accepted; therefore, any protest not actually received by the close of the public hearing, whether or not mailed prior to the public hearing, shall not be counted.
- C. In order to reduce duplicate protests and to avoid fraud, a protest may only be submitted by the record owner or customer of record who signed the protest or an individual authorized in writing by the record owner or customer of record to submit the protest. That written authorization shall be provided to the District Clerk so the District Clerk may accept a protest from someone other than the person who signed it.
- D. Designated trustees, legal guardians, probate estate executors or administrators, court-appointed or other legal representatives, or property managers/agents of a record owner or a record customer may sign a protest on behalf of a record owner or a record customer. Anyone other than the record owner or record customer's designee shall provide the District Clerk with the written authorization to act in such capacity.
- E. Emailed protests shall not be counted. Only protests with original signatures shall be counted.
- F. Copied protests shall not be counted. Only protests with original signatures shall be counted.
- G. Although oral comments at the public hearing will not qualify as a formal protest unless accompanied by a written protest, the CCSD Board of Directors welcomes input from the community during the public hearing on the proposed charges.

9. ***Protest Withdrawal.***

Any person who submits a protest may withdraw it by submitting to the District Clerk a signed written request that the protest be withdrawn. The withdrawal of a protest shall identify the affected parcel and the name of the record owner or customer of record who submitted both the protest and the request that it be withdrawn.

10. ***Multiple Record Owners or Customers of Record.***

- A. Each record owner or customer of record of a parcel served by the CCSD may submit a protest. This includes, but is not limited to, instances where:
 - (i) A parcel is owned by more than a single record owner or more than one name appears on the CCSD's records as the customer of record for the parcel, or
 - (ii) A customer of record is not the record owner, or

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors

AGENDA NO. **3.B.**

FROM: Tammy Rudock, General Manager

Meeting Date: June 15, 2009

Subject: Public Hearing on Proposed Sewer Service Rate Increase in the Amount of 15%, Effective 7/1/09, and Consider Adoption of Resolution 25-2009 per Government Code § 61115 Establishing CCSD Sewer Service Rates

RECOMMENDATIONS:

1. Open public hearing
2. Receive public testimony and written protests to sewer service rates
3. Close public hearing
4. Determine if a protest majority exists to the proposed sewer service rates
5. Receive report from Protest Official on results of Proposition 218 sewer service rates protests received
6. Consider adoption of Resolution 25-2009 per Government Code §61115 establishing CCSD Sewer Service Rates

FISCAL IMPACT:

Projected additional sewer service revenues: \$258,000

DISCUSSION:

On Monday, April 27, 2009, the CCSD mailed 4,480 proposed rate increase notices to 3,931 parcel owners and 549 tenant customers. (The notice is attached to the previous agenda item for reference.)

Of the notices mailed, 110 customers may participate only in the water rates protest process, since the CCSD does not provide them with sewer services. Only one protest per parcel will be counted for all water and sewer customers

Total parcels served sewer by the CCSD: 3,816*

**Reflects a lower number than water parcels served due to 110 customers not receiving sewer services from the CCSD.*

To achieve a majority protest, 50% + 1 of the parcels served sewer is required: 1,909

The number of parcels with active customer accounts served by the CCSD on June 15, 2009, the date of the protest hearings, determines whether a majority protest exists.

Preliminary parcel count information was publicly provided on April 30, 2009.

Resolution 14-2009, adopted by the CCSD Board of Directors on April 23, 2009, includes the Guidelines for the Submission and Tabulation of Protests in Accordance with Rate Hearings Conducted Pursuant to Article XIID, Section 6, of the California Constitution, is attached to the preceding agenda item for reference.

If a majority protest is not received, staff recommends approval of the attached Resolution 25-2009 per Government Code §61115 establishing sewer service rates, including retention of the protests received for the statutory period of two (2) years.

Attachment: Resolution 25-2009

BOARD ACTION: Date _____ Approved: _____ Denied: _____

UNANIMOUS: __SANDERS__ CHALDECOTT__ CLIFT __ DE MICCO __MAC KINNON__



CAMBRIA COMMUNITY SERVICES DISTRICT

RESOLUTION 25-2009
JUNE 15, 2009

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CAMBRIA COMMUNITY SERVICES DISTRICT
ADOPTING ADJUSTED SEWER SERVICE RATES,
EFFECTIVE JULY 1, 2009

WHEREAS, Government Code Section 61115 provides that the Cambria Community Services District, hereinafter referred to as the "CCSD", may establish, revise and collect rates and other charges for the services and facilities furnished by it; and

WHEREAS, the CCSD Board of Directors reviewed data during a budget workshop on April 14, 2009, and Draft Operating Budget for Fiscal Year 2009/2010 business item on April 23, 2009, indicating the estimated costs to provide sewer services, including major maintenance and capital outlay items, and provided opportunities for public testimony and input on this analysis and associated recommendations; and

WHEREAS, the rates imposed by this resolution cover no more than the cost that CCSD incurs to provide sewer services as detailed in the draft operating budget approved on April 23, 2009, by Resolution 19-2009; and

WHEREAS, official notice of the proposed sewer rate increases was mailed to each customer, including property owners and tenant customers, on April 27, 2009; and

WHEREAS, the public hearing, noticed in the manner and for time required by law, was conducted by the CCSD Board of Directors on June 15, 2009, at which time all interested persons were afforded an opportunity to be heard on matters pertaining to the revision of sewer service rates and submit written protests; and

WHEREAS, the total parcels served sewer by the CCSD is 3,816; and

WHEREAS, to achieve a majority protest 50% + 1 of the parcels served sewer is required, or 1,909; and

WHEREAS, the approval of this resolution is categorically exempt from CEQA pursuant to Public Resources Code Section 21080(b)(8) (rates or charges not designed to increase services or expand a system) as demonstrated by the cost justification for the new sewer rates as detailed in the draft operating budget approved on April 23, 2009, by Resolution 19-2009.

NOW, THEREFORE, BE IT RESOLVED that the CCSD Board of Directors adopts the adjusted Sewer Rates as provided in Exhibit "A," effective July 1, 2009; and

BE IT FURTHER RESOLVED that staff is directed to develop an ordinance for Board consideration regarding repeal of that portion of the CCSD Code, Title 3, Revenue and Finance, Chapter 3.04, Article 2, § 3.04.020 referring to Sewer Rates, and replacing it with the Sewer Rates provided in Exhibit "A;" and

BE IT FURTHER RESOLVED that staff is directed to retain the written protest/support statements in CCSD records for the statutory period of two (2) years, and destroy them at the end of that time period, on or about June 16, 2011.

The foregoing resolution was adopted at a Special Meeting of the Board of Directors of the Cambria Community Services District held on June 15, 2009.

Gregory W. Sanders, President

ATTEST:

APPROVED AS TO FORM:

Kathy A. Choate, District Clerk

Tim Carmel, District Counsel

CAMBRIA COMMUNITY SERVICES DISTRICT

RESOLUTION 25-2009

JUNE 15, 2009

EXHIBIT "A"

The following table reflects the bi-monthly sewer rates schedule:

Proposed Bi-Monthly Sewer Rates-Effective July 1, 2009

Usage (ccf)	Residential Rate Includes 15% Increase	Commercial Rate Includes 15% Increase
Base Rate plus 0-1 Units	65.03	65.03
2 or More Units-per Unit	1.94	1.94