

ORDINANCE NO. 105

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
SAN SIMEON COMMUNITY SERVICES DISTRICT
ESTABLISHING CONSUMER PRICE INDEX CHARGES FOR
WATER AND SEWER SERVICE WITHIN THE DISTRICT**

WHEREAS, State law, including but not limited to, Government Code Section 61621, provides that the San Simeon Community Services District (hereinafter referred to as "District") may prescribe, revise and collect rates or other charges for the services and facilities furnished by it; and,

WHEREAS, the District on June 17, 2009 mailed a notice of hearing date to revise water and wastewater rates and service fees pursuant to Proposition 218; and

WHEREAS, said public meeting was properly noticed and a public hearing was held on August 12, 2009; and,

WHEREAS, the District received 5 written oppositions to the revise water and wastewater rates and service fees prior to the hearing on August 12, 2009; and

WHEREAS, the District has on file data indicating the amount of estimated costs required to provide the services for which the fees are levied and the Consumer Price Index provided by the U.S. Department of Labor, Bureau of Labor Statistics for Los Angeles, Riverside, Orange County, Base year 1982; and

WHEREAS, it is necessary to produce additional revenues to offset the annual increases in operating cost due to increases in utility and equipment maintenance;

NOW, THEREFORE, BE IT ORDAINED, by the Board of Directors of the San Simeon Community Services District as follows:

SECTION 1.

The District hereby revises water and sewer rates as such to include a annual increase, effective at the start of each fiscal year, not to exceed five(5) years, based on the Consumer Price Index (CPI) provided by the U.S. Department of Labor, Bureau of Labor Statistics (Los Angeles, Riverside, Orange County Base year 1982) using the annual CPI for the previous calendar year, plus ten percent (10%) for water, plus ten percent (10%) for service, and fifteen percent (15%) for sewer.

SECTION 2.

The rates increase shall become effective on August 13, 2009 and thereafter on the beginning of each fiscal year starting July 1, 2009.

On motion of Director Director Fields, Seconded by Director Director Price, and on the following roll call vote to wit:

Chairperson Lambeth Y Vice-Chair Russell Y Director Ricci Y
Director Fields Y Director Price Y

Ordinance No.105 is hereby adopted this 12th day of August 2009.

ATTEST:

Terry Lambeth
Terry Lambeth
President, Board of Directors

ATTEST:

Charles Grace
Charles Grace
General Manager/
District Secretary

APPROVED AS TO FORM

Robert Schultz
Robert Schultz
District Council