

SUNNYSLOPE COUNTY WATER DISTRICT

ORDINANCE NO. 98-2

**AN ORDINANCE PARTIALLY AMENDING ORDINANCE 56
AND CHAPTER 3.40 OF THE DISTRICT CODE**

(Revising Monthly Meter Charges and Meter Installation Charges)

Be it ordained by the Board of Directors of
Sunnyslope County Water District
as follows:

Section 1. Authority. This ordinance is enacted pursuant to the County Water District Laws, Sections 30000 and following, of the California Water Code.

Section 2. Findings.

A. This Ordinance No. 98-2 is considered for action by the Board of Directors at a regularly scheduled and noticed meeting. The agenda was posted in accordance with law. Notice of this agenda item was given by publication in the Hollister Free Lance on March 24, March 31 and April 7, 1998. A copy of the certificate of publication is on file with the minutes of this meeting.

B. The District has decided to implement automated meter reading to increase efficiency and provide better service to its customers. Based on projected costs of automating meter reading, it is necessary to implement a meter installation and replacement fee and to increase some of the monthly meter use rates in order to meet operating expenses and provide for sound operation of the District. The District will recover the cost of each radio-read meter by charging the respective customer a monthly meter charge calculated to re-pay the District's cost over a 10-year period. The prices of the radio-read meters, on which the monthly meter charges will be based, are as follows:

<u>METER SIZE</u>	<u>PRICE PER METER</u>
5/8" x 3/4"	\$ 145.00
1"	225.00
1 1/2"	262.00
2"	345.00
3"	600.00
4"	775.00
6"	1,355.00
8"	2,005.00

C. The District has determined it to be most cost-effective to implement the radio-read metering system first in all newly constructed buildings within the District, in order to avoid the cost of changing metering systems later. For structures with meters already in place, the existing meters will be systematically replaced with radio-read meters according to a schedule which the District will

determine as the District gains experience with the automated system. The District will require approximately three months from the time this ordinance is adopted to acquire the training and equipment necessary to begin implementing the automated meter reading system.

D. Several new residential developments currently being built within the District are expected to apply for water service and meter installation in the next three months. Since the District will be equipping these homes with radio-read meters, it would be cost-effective for the District to charge the developers of these homes the increased meter installation fee set forth in this ordinance.

E. Adoption of this ordinance will benefit District customers by enabling the District to more accurately record quantities of water consumed and to calculate its charges more accurately.

F. Water conservation is important to the District. One action the District has taken to implement water conservation objectives has been to require the individual metering of all structures in which water is consumed. Additionally, the District is currently participating in the development of an updated Urban Water Management Plan and a Groundwater Management Plan which will designate water conservation to be an important water management strategy. This ordinance will further the District's conservation goals by reducing billing errors, thereby better informing consumers about the extent of their water use.

G. Based on the above findings, the District Board has determined that this ordinance will take effect immediately, pursuant to Water Code § 31027.

H. Ordinance 56 sets forth the current charges for monthly meter maintenance and replacement, which are codified at Chapter 3.40 of the District Code. Chapter 3.40 of the District Code sets forth the rates, charges and billing procedures for water service by the District.

I. CEQA Determination. Based upon the above findings, the District's legal counsel advises, and the Board finds, that the California Environmental Quality Act ("CEQA") does not apply to adoption of this ordinance pursuant to Public Resources Code section 21080 (b)(8) and Title 14 of the California Code of Regulations, section 15378.

Section 3. Codification of Ordinance and Amendment of Prior Ordinance. Section 6 of this ordinance partially amends Section 1 of Ordinance 56 and Section 3.40.150 of the District Code. Section 7 of this ordinance adds Section 3.40.071 to the District Code.

Section 4. Effect of repeal on past actions and obligations. This ordinance does not affect prosecutions for ordinance violations committed prior to the effective date of this ordinance, does not waive any fee or penalty due and unpaid on the effective date of this ordinance, and does not affect the validity of any bond or cash deposit posted, filed or deposited pursuant to the requirements of any ordinance.

Section 5. Purpose of Ordinance. The purpose of this Ordinance is to amend the monthly meter maintenance fee and replacement charges, and to establish the meter installation service charge, in order to permit the District to install meters that will enable automated meter reading.

Section 6. Revised Meter Rate Schedule. The portion of Ordinance 56 § 1, codified within Table 3.40.150 of the District Code under the subheading entitled "Monthly Meter Maintenance and Replacement Charges for All Classes of Service," is hereby amended to read:

Monthly Meter Maintenance and Replacement Charges for All Classes of Service

<u>Size of Meter</u>	<u>Charge per Meter</u>
5/8" x 3/4"	\$ 1.21
1"	1.88
1/2"	2.18
2"	2.88
3"	5.00
4"	6.46
6"	11.29
8"	16.71
2" hydrant meter	4.60

Section 7. New Code Provision on Meter Installation Fee. Section 3.40.071 is added to the District Code and shall read as follows:

3.40.071 Meter Installation Charge.

The person requesting service shall provide tapping and water service piping and vault. The District will install the meter in the furnished vault. The charge for installation of the meter shall be \$200.

Section 8. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, or superseded by some other provision of law, such provisions shall be severed from and shall not affect the validity of the remaining provisions of this ordinance. The Board hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any other part thereof be unconstitutional or invalid, or superseded by some other provision of law. The parts of this ordinance which are not unconstitutional, invalid, or superseded shall remain in full force and effect and shall be enforced according to their terms.

Section 9. Rules and Regulations. The Board may adopt rules and regulations to assist in implementing this Ordinance, but this Ordinance is self-executing and does not depend on rules and regulations to be effective.

Section 10. Interpretation. Words and Phrases used in this ordinance shall be read conjunctively with and shall have the same meaning as in prior District ordinances. If there is any inconsistency between this ordinance and prior provisions, this ordinance shall control.

Section 11. Conjunctive Application. This Ordinance is intended to compliment and to be read conjunctively with the Rules and Regulations and other ordinances of the District. All definitions used in the Rules and Regulations and other ordinances shall apply to this Ordinance unless specifically changed by this Ordinance or unless the context requires some other construction.

Section 12. Effective Date. This ordinance shall take effect immediately upon its adoption. Before expiration of 10 days after its passage, this Ordinance shall be posted in three (3) public places within the District and published in the Hollister Free Lance and circulated within the District.

On motion of Director R. Anderson, seconded by

Director Fitch, the foregoing Ordinance is

enacted and shall take effect on April 10, 1998 by the following roll call of the Board:

AYES: Nelson, Hailstone, R. Anderson & Fitch

NAYS: None.

ABSENT: D. Anderson

ATTEST:


Bryan Yamaoka, Secretary


Marchel Nelson, President

CERTIFICATE OF SECRETARY

The undersigned hereby certifies that the foregoing Ordinance was adopted and approved by the Board of Directors at their regular meeting on April 9, 1998.


Bryan Yamaoka, Secretary