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Board of Directors

Raymond Tjulander, Chair

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June 28, 2021

Board of Directors
Triunfo Water & Sanitation District
Ventura County, California

PUBLIC HEARING: DISTRICT ORDINANCE NO. TWSD-450 - REVISIONS TO THE FEES AND CHARGES FOR RECYCLED WATER

Summary

The Triunfo Water & Sanitation District (District) Board adopted Ordinance No. TWSD-450 (Adopted 11/23/20) (TWSD-450) that prescribes the fees and charges for the District's recycled water customers. Included in this Ordinance are the monthly meter service charges for the various meters operating within the District. A recent review by staff indicated that the District has a customer whose actual meter size is not reflected in the meter service charges under the Ordinance. To correct this and properly charge the customer, staff proposes the addition of both 8-inch and 10-inch meters to the meter charge list. At the May 24, 2021 Board Meeting, in compliance with the provisions set forth in Government Code Section 25131, your Board conducted the first reading of Ordinance No. TWSD-450 (Adopted 6/28/21), prescribing fees and charges for recycled water service. The proposed changes include the additional monthly meter service charges listed below:

Meter Size	Current Charges	FY 2022	FY 2023	FY 2024	FY 2025
2"	\$154.37	\$157.46	\$160.61	\$163.83	\$167.11
3"	\$289.43	\$295.22	\$301.13	\$307.16	\$313.31
4"	\$482.38	\$492.03	\$501.88	\$511.92	\$522.16
6"	\$964.68	\$983.98	\$1,003.66	\$1,023.74	\$1,044.22
8"		\$1,721.09	\$1,755.51	\$1,790.62	\$1,826.43
10"		\$2,580.93	\$2,632.55	\$2,685.20	\$2,738.91

Staff recommends the Board review and discuss the proposed changes to TWSD Ordinance No. TWSD-450 and conduct a public hearing to approve and execute the Ordinance to revise the monthly meter service charge to include both 8-inch and 10-inch meters.

Please contact me by e-mail at marknorris@triunfowsd.com or by phone at 805-658-4621 if you have any questions.

Fiscal Impact

The additional monthly meter service charge for the 8" and 10" meters will result in a minor increase in the revenue for the Recycled Water Enterprise.

Recommendation

It is recommended the Board:

- A. Conduct a public hearing regarding proposed TWSD Ordinance No. TWSD-450 for prescribing fees and charges for recycled water:
 - 1) Call to order and open the public hearing.
 - 2) Receive staff report and recommendations.
 - 3) Report of written communications.
 - 4) Public comment.
 - 5) Close public hearing.
 - 6) Discussion by Board of Directors
- B. Conduct the second reading, by title only, of Ordinance No. TWSD-450 (Adopted 6/28/21), Prescribing Fees and Charges for Recycled Water Provided by Triunfo Water & Sanitation District, and adopt Ordinance No. TWSD-450 which shall take effect on July 1, 2021; and
- C. Direct staff to update the District's website to reflect the current meter charges and bill the customer the corresponding correct meter service charge; or
- D. Provide staff with alternative direction.

ORDINANCE NO. TWSD-450 (Adopted 6/28/21) PRESCRIBING FEES AND CHARGES FOR RECYCLED WATER PROVIDED BY TRIUNFO WATER & SANITATION DISTRICT

REVIEWED AND APPROVED


Mark Norris - General Manager

Attachment: TWSD Ordinance No. TWSD-450 (Adopted 6/28/21)

TRIUNFO WATER & SANITATION DISTRICT

**ORDINANCE NO. TWSD-450 (Adopted ~~11/23/2020~~ 11/23/2020/28/21)
PRESCRIBING FEES AND CHARGES FOR RECYCLED WATER
PROVIDED BY TRIUNFO WATER & SANITATION DISTRICT**

WHEREAS, the Triunfo Water & Sanitation District ("District") is duly organized and established under the laws of the State of California, and as such is empowered to impose fees and charges relative to the District's provision of services to its service area; and

WHEREAS, the District provides retail recycled water services to its customers within the District's service area and charges these customers appropriate service fees designed to cover operating and maintenance expenses associated with the provision of the cost of services; and

WHEREAS, the District has estimated the costs of providing retail recycled water service based on financial information for the current year and the entire operating history of the enterprise; and

WHEREAS, this Ordinance prescribes fees and charges pertaining to the provision of retail recycled water service to the District's customers; and

WHEREAS, the District adopted TSD Ordinance No. TSD-400 setting the retail rate for recycled water at not greater than 90% of the District's potable water Tier 1 potable water rate; and

WHEREAS, the District is under contract with California Water Service and Hidden Valley Municipal Water District to set the wholesale rate charged to them at 80% of the then current Calleguas Municipal Water District's (Calleguas) Tier 1 wholesale supply rate for potable water (\$1,205.60 per acre-foot); and

~~**WHEREAS**, effective January 1, 2021, the Calleguas wholesale supply rate for potable water will increase by 2.4% resulting in a similar rate increase to Cal Water and Hidden Valley. In order to ensure adequate funding for future recycled water capital projects and maintain the historical pricing relationship between District retail potable water rates and retail recycled water rates, the District desires to increase the retail recycled water rate for remaining customers by an equal amount equivalent to \$0.13 per hundred cubic foot (HCF); and~~

~~**WHEREAS**, the proposed increase would result in the retail recycled water rate being decreased to 78% of the Tier 1 potable water rate; and~~

~~**WHEREAS**, in accordance with Government Code section 53756, the District will provide written notice to all affected customers in the District prior to the District passing through to those property owners the increase in its retail recycled water rate totaling \$0.13/HCF; and~~

WHEREAS, the District has complied with all applicable requirements set forth in Article XIII D of the California Constitution (enacted by Proposition 218, November 6, 1996 Statewide election); and

WHEREAS, on ~~November 18, 2020~~ June 14 and June 21, 2021, notices ~~was~~were published in the Ventura County Star, a newspaper of general circulation published and circulated in the District, providing a summary of this Ordinance and noticing a ~~November 23, 2020~~ June 28, 2021, public hearing to consider adoption of this Ordinance; and

WHEREAS, after considering the financial information, hearing a staff presentation, considering the testimony received at the public hearing and discussion of the issues, the Board of Directors concludes that the proposed fees and charges prescribed in this Ordinance are necessary for the District's provision of services and do not exceed the cost of those services; and

WHEREAS, the adoption of this Ordinance is statutorily exempt under the California Environmental Quality Act pursuant to the provisions of Public Resources Code Section 21080(b)(8) and California Code of Regulations section 15273(a).

NOW, THEREFORE, the Board hereby ordains as follows:

SECTION 1. SHORT TITLE

This Ordinance shall be known as the TWSD Recycled Water Fee and Charge Ordinance.

SECTION 2. DEFINITIONS

The following words as used in this Ordinance shall have the meanings set forth below unless otherwise apparent in the context in which they are used:

- a. "Board of Directors" or "Board" means the TWSD Board of Directors.
- b. "Customer" means any person, association, corporation, governmental agency, firm, or company of record receiving recycled water service from the District.
- c. "District" or "TWSD" means the Triunfo Water & Sanitation District.
- d. "Hundred Cubic Feet" or HCF" or "Unit of Water" means 100 cubic feet or 748 gallons of water.

SECTION 3. FEES AND CHARGES

The following fees and charges are hereby prescribed:

A. Monthly Service Charge:

Meter Size	Current FY 2024	FY 2022	FY 2023	FY 2024	FY 2025
2"	\$154.37	\$157.46	\$160.61	\$163.83	\$167.11
3"	\$289.43	\$295.22	\$301.13	\$307.16	\$313.31
4"	\$482.38	\$492.03	\$501.88	\$511.92	\$522.16
6"	\$964.68	\$983.98	\$1,003.66	\$1,023.74	\$1,044.22
10"		X	X	X	X

B. Quantity Rate for Recycled Water

Current Rate FY 2021 (per HCF)	Proposed Rate 1/1/2021 (per HCF)	Rate FY 2022 (per HCF)	Rate FY 2023 (per HCF)	Rate FY 2024 (per HCF)	Rate FY 2025 Per HCF)
\$5.26	\$5.39	\$5.50	\$5.61	\$5.72	\$5.84

Any of the quantity rates specified above are, in accordance with applicable law, subject to adjustment by the District should Calleguas adopt further increases or decreases in its potable water wholesale rate.

C. Processing, Planning and Inspection Fees

Item	Fee
Application Fee	1. Projects that require only administrative review: \$0 2. All other Projects: \$150
Project Completion Deposit	Projects that require a final audit or inspection: \$1000
Water Line Plan Check Fee	1. Plan check fee: \$100/sheet 2. Plans resubmitted after change orders: \$100/sheet 3. Subdivision Final Map or Parcel Map Sewer Improvement Plan: \$100/sheet
Water Line Construction Inspection Fee	1. Inspection Fee: \$125/hour (\$350 minimum) 2. Overtime Inspection Fee: \$200/hour

SECTION 4. FINDINGS

The TWSD Board of Directors finds the foregoing fees and charges are for the purpose of: (1) meeting operating expenses, including but not limited to the District's operations, maintenance and management contract; (2) purchasing or leasing supplies, equipment and materials; (3) meeting financial reserve needs and requirements; (4) obtaining funds for constructing and maintaining recycled water facilities necessary to maintain service within existing service areas; (5) improvements and repairs; and (6) debt service and refunds.

The TWSD Board of Directors further finds that the foregoing fees and charges: (1) do not exceed the funds required to provide the service; (2) are not used for any purpose other than that for which they are imposed; (3) as imposed upon any parcel or person as an incident of property ownership, do not exceed the proportional cost of the service attributable to the parcel; and, (4) are imposed only for service that is actually used by, or immediately available to, the owner of the property in question.

SECTION 5. FEE REVIEW PERIOD

On or about January 1 of each year, the General Manager is hereby empowered and shall review the estimated cost of providing the services described and the impact of any pending or anticipated changes in the service level. The General Manager shall report these findings to the

Board of Directors at a duly noticed public hearing and recommend any adjustment to the fees and charges or other action that may be required.

SECTION 6. SEVERABILITY

This Ordinance, except for those portions that are found to be invalid, would remain in full force and effect and continue to be valid. The Board of Directors hereby declares it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application thereof to any person or circumstance be held invalid

SECTION 7. REPEAL OF PRIOR INCONSISTENT ORDINANCES

Any prior ordinances or portions of ordinances previously adopted by the District Board of Directors that are in conflict with this Ordinance are repealed as of the Effective Date of this Ordinance. This includes TWSD-450 (Adopted ~~5/4/2020~~11/23/2020).

SECTION 8. EFFECTIVE DATE

This Ordinance shall become effective ~~January 1, 2021~~July 1, 2020.

PASSED, APPROVED AND ADOPTED this ~~23rd~~ 28th day of ~~November 2020~~June 2021 by the following vote:

Formatted: Superscript

AYES:

NOES:

ABSENT:

TRIUNFO WATER & SANITATION DISTRICT

Raymond Tjulander, Chair

ATTESTED:

Juliet Rodriguez, Clerk of the Board

APPROVED AS TO FORM:

John Mathews, General Counsel

TRIUNFO WATER & SANITATION DISTRICT

ORDINANCE NO. TWSD-450 (Adopted 6/28/21) PRESCRIBING FEES AND CHARGES FOR RECYCLED WATER PROVIDED BY TRIUNFO WATER & SANITATION DISTRICT

WHEREAS, the Triunfo Water & Sanitation District ("District") is duly organized and established under the laws of the State of California, and as such is empowered to impose fees and charges relative to the District's provision of services to its service area; and

WHEREAS, the District provides retail recycled water services to its customers within the District's service area and charges these customers appropriate service fees designed to cover operating and maintenance expenses associated with the provision of the cost of services; and

WHEREAS, the District has estimated the costs of providing retail recycled water service based on financial information for the current year and the entire operating history of the enterprise; and

WHEREAS, this Ordinance prescribes fees and charges pertaining to the provision of retail recycled water service to the District's customers; and

WHEREAS, the District adopted TSD Ordinance No. TSD-400 setting the retail rate for recycled water at not greater than 90% of the District's potable water Tier 1 potable water rate; and

WHEREAS, the District is under contract with California Water Service and Hidden Valley Municipal Water District to set the wholesale rate charged to them at 80% of the then current Calleguas Municipal Water District's (Calleguas) Tier 1 wholesale supply rate for potable water (\$1,205.60 per acre-foot); and

WHEREAS, the District has complied with all applicable requirements set forth in Article XIII D of the California Constitution (enacted by Proposition 218, November 6, 1996 Statewide election); and

WHEREAS, on June 14 and June 21, 2021, notices were published in the Ventura County Star, a newspaper of general circulation published and circulated in the District, providing a summary of this Ordinance and noticing a June 28, 2021, public hearing to consider adoption of this Ordinance; and

WHEREAS, after considering the financial information, hearing a staff presentation, considering the testimony received at the public hearing and discussion of the issues, the Board of Directors concludes that the proposed fees and charges prescribed in this Ordinance are necessary for the District's provision of services and do not exceed the cost of those services; and

WHEREAS, the adoption of this Ordinance is statutorily exempt under the California Environmental Quality Act pursuant to the provisions of Public Resources Code Section 21080(b)(8) and California Code of Regulations section 15273(a).

NOW, THEREFORE, the Board hereby ordains as follows:

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- c. "District" or "TWSD" means the Triunfo Water & Sanitation District.
- d. "Hundred Cubic Feet" or HCF" or "Unit of Water" means 100 cubic feet or 748 gallons of water.

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\$5.50	\$5.61	\$5.72	\$5.84

Any of the quantity rates specified above are, in accordance with applicable law, subject to adjustment by the District should Calleguas adopt further increases or decreases in its potable water wholesale rate.

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SECTION 7. REPEAL OF PRIOR INCONSISTENT ORDINANCES

Any prior ordinances or portions of ordinances previously adopted by the District Board of Directors that are in conflict with this Ordinance are repealed as of the Effective Date of this Ordinance. This includes TWSD-450 (Adopted 11/23/2020).

SECTION 8. EFFECTIVE DATE

This Ordinance shall become effective July 1, 2021.

PASSED, APPROVED AND ADOPTED this 28th day of June 2021 by the following vote:

AYES:

NOES:

ABSENT:

TRIUNFO WATER & SANITATION DISTRICT

Raymond Tjulander, Chair

ATTESTED:

Juliet Rodriguez, Clerk of the Board

APPROVED AS TO FORM:

John Mathews, General Counsel