

## **ORDINANCE NO. O2018-02**

### **AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT, AMENDING CHAPTER 14 OF THE DISTRICT CODE, RELATING TO WATER SERVICE CHARGES; AMENDING CHAPTER 15 OF THE DISTRICT CODE RELATING TO SEWER SERVICE CHARGES; AMENDING CHAPTER 16A OF THE DISTRICT CODE RELATING TO DRAINAGE SPECIAL TAX; AMENDING CHAPTER 21 OF THE DISTRICT CODE RELATING TO SECURITY SPECIAL TAX; AND AMENDING CHAPTER 31 OF THE DISTRICT CODE RELATING TO SOLID WASTE COLLECTION AND DISPOSAL SERVICE CHARGES AND LEAF COLLECTION**

The Board of Directors of the Rancho Murieta Community Services District ordains as follows:

**SECTION 1. Purpose and Authority.** The purposes of this ordinance are to (a) increase the District water, sewer and solid waste collection and disposal service charges in order to reflect and provide for operation, maintenance and other cost increases due to inflation, increased regulatory costs, increased costs of supplies, services, labor and benefits, and other factors, and (b) increase the District drainage special tax and security special tax to implement the voter-authorized annual adjustments. This ordinance is adopted pursuant to California Constitution articles XIII C, section 2, and XIII D, section 6, Government Code sections 61115, 61121 and 61123, District Ordinances Nos. 98-1 and 98-2, and other applicable law.

**SECTION 2. Findings.** The Board of Directors finds and determines as follows:

- (a) As calculated and demonstrated in the 2018-2019 District budget, the increased service charges implemented by this ordinance have been fixed in amounts sufficient to pay the operating expenses of the District's water, sewer and solid waste operations, provide for and fund repairs and replacement of utility system works and equipment, provide for increased costs of regulatory compliance, fund financial reserves, and pay debt service and other costs.
- (b) The increased service charges are reasonably related to, and do not exceed, the District's cost of providing each of the services.
- (c) The revenues derived from the service charges do not exceed the funds required to provide the services and will not be used for any purpose other than the listed services.
- (d) The amount of the service charges imposed on each customer's parcel does not exceed the proportional cost of the particular service attributable to that parcel.
- (e) The District water, sewer and solid waste services are services that are actually used by and immediately available to the owner of each customer parcel.
- (f) No portion of these service charge increases are imposed for general governmental services.
- (g) As calculated and demonstrated in the 2018-2019 District budget, the increased drainage and security special taxes implemented by this ordinance have been fixed in amounts as calculated and determined consistent with the annual tax adjustments as set forth in District Code chapters 16A and 21 and as authorized by the voters at the time of the approval of the special taxes.

- (h) The establishment, modification, structuring, restructuring and approval of the service charges and taxes as set forth in this ordinance are necessary and appropriate to continue to meet the District's costs for operation and maintenance, supplies and equipment, financial reserves, and capital replacement needs, and to maintain a satisfactory level of services within the District service area.
- (i) The District Board of Directors has conducted a duly noticed public hearing on the proposed service charge increases in accordance with California Constitution article XIII D, section 6, and the Board did not receive a majority protest against any of the proposed service charge increases.

**SECTION 3. Service Charge and Tax Adjustments; District Code Amendments**

- l) The Water Code, Chapter 14, Section 7.00 Rates and Charges is amended as follows:  
Section 7.05 Rates for Metered Service.

- (a) General metered service shall be as follows:

**MONTHLY CHARGES**

Base Charge	\$ 34.52
Reserve Charge	<u>\$ 7.75</u>
Total Basic Service Charge	\$ 42.27/mo

Usage charge per cubic foot:

Basic volumetric rate per cubic foot	\$ 0.0175/cu. ft.
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- (b) Metered service to residential lots at Murieta Village shall be as follows:

**MONTHLY CHARGES**

Base Charge	\$ 34.52
Reserve Charge	<u>\$ 7.75</u>
Total Basic Service Charge	\$ 42.27/mo

Usage charge per cubic foot:

Basic volumetric rate per cubic foot	\$ 0.0175/cu. ft.
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- (c) Non-Residential metered service shall be as follows:

**MONTHLY CHARGES**

Basic Service Charge for non-residential shall be calculated on an EDU basis

Monthly Charges

Basic Service Charge for non-residential metered service shall be calculated on number of meters and an EDU basis for each customer multiplied by the Basic Service Charge reflected in Section 7.05(a) above.

Usage charge per cubic foot:

Basic volumetric rate per cubic foot	\$ 0.0175/cu. ft.
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II) The Sewer Code, Chapter 15, Section 7.00 Rates and Charges is amended as follows:

Section 7.03 Rates and Charges for Service. The monthly service charge for each premise receiving sewer service from the District shall be:

Residential or other premises, each unit	
Base rate	\$ 40.41 per month
Reserve contribution	<u>\$ 6.76 per month</u>
Total monthly service charge	\$ 47.17 per month
Murieta Village, per unit	
Base rate	\$ 40.41 per month
Reserve contribution	<u>\$ 6.76 per month</u>
Total monthly service charge	\$ 47.17 per month

**Non-Residential**

Monthly service charge for non-residential sewer service shall be calculated on an EDU basis for each customer multiplied by the residential service charge.

III) The Drainage Code, Chapter 16, Section 7.00 Rates and Charges is amended as follows:

Section 7.01 Rates and Charges: Drainage charges for operation and maintenance of the District's system shall be as set forth in Chapter 16A, Section 3.00.

The Drainage Code, Chapter 16A, Section 3.00 Drainage Tax, is amended as follows:

Section 3.00 Rates and Charges for Operation and Maintenance of the District's system shall be: Commencing July 1, 2018, property within the District shall be assessed a monthly drainage tax as follows. The maximum monthly tax rates shown reflect annual adjustments, per Section 5.00.

LAND USE		Monthly Special Tax Rates Fiscal Year 2018-19	Monthly Special Tax Rates Maximum Ceiling Rate Year 2018-19
<b>DEVELOPED PROPERTY</b>			
Residential			
-Metered Developed	Per Lot	\$ 5.12	5.12
-Unmetered Developed	Per Lot	\$ 5.12	5.12
-The Villas	Per Lot	\$ 3.42	3.42
-Murieta Village	Per Lot	\$ 3.42	3.42
Non-Residential			
-Retail	Per Acre	\$ 25.591	25.591
-Industrial/Warehouse	"	\$ 27.188	27.188
-Light Industrial	"	\$ 20.790	20.790
-Office	"	\$ 23.991	23.991
-Landscaped Areas (golf course & park site)	"	\$ 4.799	4.799
-Murieta Equestrian Center	"	\$ 1.852	1.852
-RMCC (club house & parking)	"	\$ 0.000	0.000
-Airport	"	\$ 2.132	2.132
-Geyer Property	"	\$ 15.993	15.993
-Hotel/Ext. Stay	"	\$ 25.591	25.591

**UNDEVELOPED PROPERTY**

**Uses Drainage System**

-Residential and Non-Residential Per Acre \$ 3.020 3.020

IV) The Security Code, Chapter 21, Section 5.00 Security Tax, is amended as follows:

Commencing July 1, 2018, property within the District shall be assessed a monthly security tax as follows. The maximum tax rates shown reflect annual adjustments, per Section 5.00:

LAND USE	Monthly Special Tax Rates Fiscal Year 2018-19	Monthly Special Tax Rates Maximum Ceiling Rate Year 2018-2019
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**DEVELOPED PROPERTY**

**Residential**

**Inside Gates**

- Metered	Per Lot	\$ 29.15	29.15
- Unmetered	Per Lot	\$ 23.32	23.32
Outside Gate	Per Lot	\$ 7.03	7.03

**Non-Residential**

- Highway Retail	Per Building Sq. Ft.	\$ 0.2628	0.2628
- Other Retail/Commercial	"	\$ 0.0283	0.0283
- Industrial/Warehouse/Lt Industrial	"	\$ 0.0618	0.0618
- Office	"	\$ 0.0149	0.0149
- Institutional	"	\$ 0.0149	0.0149
- Public Utility	"	\$ 0.0471	0.0471
- Equine Complex	"	\$ 0.0044	0.0044
- RMCC	"	\$ 0.0740	0.0740
- Airport	"	\$ 0.0188	0.0188
- Hotel/Ext. Stay	"	\$ 0.0283	0.0283

**UNDEVELOPED PROPERTY**

- Inside Gates	Per Acre	\$ 24.6563	24.6563
- Outside Gates	Per Acre	\$ 3.6742	3.6742

V) The Solid Waste Collection and Disposal Code, Chapter 31, Section 4.0 Collection Rates, is amended as follows:

Section 4.03 Collections Rates. The monthly service charge shall be:

(1) Garbage Collection Services

38-gallon cart	\$ 18.64
64-gallon cart	\$ 20.44
96-gallon cart	\$ 30.42

(2) Additional Garbage Carts

38-gallon cart	\$ 8.43
64-gallon cart	\$ 10.49
96-gallon cart	\$ 22.25

(3) Additional Recycling Cart (in excess of 1 recycled cart)	
38-gallon cart	N/A
64-gallon cart	\$ 6.72
96-gallon cart	\$ 6.72
(4) Additional Green Waste Cart (in excess of 2 green waste carts)	
38-gallon cart	N/A
64-gallon cart	\$ 6.75
96-gallon cart	\$ 6.75
(5) Sacramento County Surcharge	\$ 1.23

VI) Section 7.01.1 Leaf Collection. During the four (4) month period beginning October 1, and ending January 31 and annually thereafter during the term of this Contract, Service Recipients may place unlimited amounts of leaves at the curb alongside their Green Waste Cart as part of Green Waste Collection Service. The leaves shall be placed in plastic lawn and leaf bags and closed in such a manner as to contain the leaves during Collection. Leaves must be generated by and at the Residential Service Unit wherein the leaves are collected. During this period, CONTRACTOR shall Collect and dispose of all leaves that are properly bagged and placed at the curb at no additional charge to the Service Recipient.

SECTION 4. Superseder. This ordinance supersedes prior inconsistent District ordinances, resolutions, policies, rules, and regulations concerning the subject matter of this ordinance.

SECTION 5. Effective Date. This ordinance shall take effect 30 days after its adoption.

SECTION 6. Severability. If any section or provision of this ordinance or the application of it to any person, transaction or circumstance is held invalid or unenforceable, such invalidity or unenforceability shall not affect the other provisions of this ordinance that can be given effect without the invalid or unenforceable provision, and to this end the provisions of this ordinance are declared to be severable.

SECTION 7. Publication. The District Secretary is directed to publish this ordinance once in a newspaper of general circulation published in the District within 15 days after the adoption of the ordinance.

**INTRODUCED** by the Board of Directors on the 16<sup>th</sup> day of May 2018.

**PASSED AND ADOPTED** by the Board of Directors of the Rancho Murieta Community Services District, Sacramento County, California, at a meeting held on June 20, 2018, by the following roll call vote:

**AYES:** Pecotich, Graf, Clark, Merchant, Pasek

**NOES:** none

**ABSENT:** none

**ABSTAIN:** none

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Mark Pecotich, President of the Board  
Rancho Murieta Community Services District

[seal]

**ATTEST:**

  
Suzanne Lindenfeld, District Secretary