

## AN ORDINANCE OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT AMENDING THE MCSD RULES AND REGULATIONS TO INCREASE FEES AND CHARGES

- WHEREAS,** The District last adjusted water rates, processing fees and late charges in December 1990 and the District estimates the increase in the cost of living from December 1990 through July 1998 to be twenty (20) percent;
- WHEREAS,** The District's actual cost of Operations Department processing of cross connection control services during FY1996-97 totaled \$13,736 and based on the current count of 803 double check valves MCSD cost per check valve averaged \$1.43;
- WHEREAS,** The actual cost of Operations Department installation of sewer service lines from MCSD's sewer main to the customers property perimeter averaged \$1,331 per service for lines installed by MCSD in calendar years 1995, 1996 and 1997;
- WHEREAS,** The actual cost to MCSD of processing returned checks has increased to \$20 per returned check;
- WHEREAS,** The District last adjusted sewer rates in December 1995 and the District estimates the increase in the cost of living from December 1995 through July 1998 to be eight (8) percent;
- WHEREAS,** The District has adopted a five year Sewer Capital Improvement Plan which required a FY1998-99 sewer connection charge of \$1,525 per equivalent residential unit (ERU) to fund planned expenditures; has based this charge on a forecast of 125 ERUs during Fiscal Year 1998-99; and has committed to adjusting this charge either up or down each year based on growth during the previous fiscal year.
- WHEREAS,** The District has drawn down water and sewer department reserves to such a low level that it would not be prudent to draw these reserves down farther;
- WHEREAS,** The Board has cut staff recommended expenses in both the water department and the sewer department so as to minimize the potential rate increase;
- WHEREAS,** Even with these expense reductions the Board finds that it is necessary to raise water Rates by six (6) percent and sewer rates by seven (7) percent;
- WHEREAS,** The District has determined that the average cost for operation of the Activity Center is \$23.09 per hour and that the average cost for operation of Azalea Hall is \$33.91 per hour; and
- WHEREAS,** The Board finds that the rates and charges described in this ordinance are needed and necessary to raise the revenues required to provide a reasonable level of service to MCSD's customers and constituents.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT DOES HEREBY AMEND THE MCSD RULES AND REGULATIONS AS FOLLOWS:**

- SECTION 1.** The non-refundable new water service fee specified in Rule 5.01 is increased from \$25 (twenty five dollars) to \$30 (thirty dollars).
- SECTION 2.** The back flow device charge specified in Rule 7.10 is increased from \$1.19 per month to \$1.43 per month.
- SECTION 3.** The back flow device inspection fee specified in Rule 7.11 is increased from \$1.19 to \$1.43.
- SECTION 4.** The 15 day notice charge specified in Rule 9.04 is increased from \$.50 (fifty cents) to \$.60 (sixty cents).
- SECTION 5.** The final notice charge specified in Rule 9.04 is increased from \$1.25 (one dollar and twenty five cents) to \$1.50 (one dollar and fifty cents).
- SECTION 6.** The reconnection charge specified in Rule 10.03 is increased from Twenty Five Dollars (\$25) to Thirty Dollars (\$30).
- SECTION 7.** A new Rule, Rule 10.9, is added to read:  
  
 "Rule 10.09 RETURNED CHECK FEE. The District shall charge a \$20 (twenty dollar) fee each time a customer's payment is rejected by that customers financial institution."
- SECTION 8.** The short term processing fee specified in Rule 14.08 is increased from \$7.50 (seven dollars and fifty cents) to \$8.50 (eight dollars and fifty cents) for each two week period within the 500 cubic foot limit.
- SECTION 9.** The bulk water sale processing fee for water sold inside the District specified in Rule 14.09 is increased from \$5 to \$6.
- SECTION 10.** The bulk water sale water charge for water sold inside the District specified in Rule 14.09 is increased from \$1.41 to \$1.50 per one hundred cubic feet.
- SECTION 11.** The bulk water sale processing fee for water sold outside the District specified in Rule 14.09 is increased from \$5 to \$6.
- SECTION 12.** The bulk water sale water charge for water sold outside the District specified in Rule 14.09 is increased from \$2.12 to 2.25 per one hundred cubic feet.
- SECTION 13.** The minimum charge per month for multiple living units specified in Rule 16.01 is increased from \$4.00 per living unit to \$4.25 per living unit.

- SECTION 14.** The minimum charge per month for 5/8" to 1" meters for all other customers specified in Rule 16.01 is increased from \$4.00 per month to \$4.25 per month.
- SECTION 15.** The minimum charge per month for 1 1/2" to 2" meters for all other customers specified in Rule 16.01 is increased from \$20.00 per month to \$22.00 per month.
- SECTION 16.** The minimum charge per month for 3" and larger meters for all other customers specified in Rule 16.01 is increased from \$32.00 per month to \$34.00 per month.
- SECTION 17.** The consumption charge schedule specified in Rule 16.01 is replaced with the following schedule:
 

"AMOUNT OF WATER CONSUMED	CHARGE PER 100 CUBIC FEET
100 to 500 Cubic Feet	\$ .62
Over 500 Cubic Feet	\$ .94"
- SECTION 18.** The 4 inch lateral installation charge specified in Rule 21.02(c)1 and (f) is increased from \$405 to \$1,200.
- SECTION 19.** The 6 inch lateral installation charge specified in Rule 21.02(c)1 is increased from \$625 to \$1,425.
- SECTION 20.** The sewer Capacity Charge specified in Rule 21.02(d) is increased from \$1,314 to \$1,525 per Equivalent Residential Unit.

**SECTION 21.** Rule 27.04, RATE SCHEDULE, is replaced with the following Rule 27.04:  
**"Rule 27.04. RATE SCHEDULE" Sewer service charges are hereby prescribed as follows:**

SCHEDULE OF CHARGES USER CLASSIFICATION	MONTHLY CHARGE (\$)	SCHEDULE OF CHARGES USER CLASSIFICATION	MONTHLY CHARGE (\$)
• Single Family Residence	\$14.19	• Market	\$14.19 + \$2.68/ccf over 440 cf of water
• Multiple Living Unit (each)	\$14.19	• Retail Store, Bank, Theater	\$14.19 + \$1.99/ccf & all other over 769 cf of water
• Mobile Home (each)	\$14.19	• Gas Station (no market)	\$14.19 + \$1.71/ccf over 786 cf of water
• Office Buildings (up to 2,000 square feet with less than 7 people)	\$14.19	• Laundromat Tavern	\$14.19 + \$2.14/ccf over 840 cf of water
• Church, Hall or Rectory	\$14.19	• Fire Station or School	\$14.19 + \$1.07/ccf over 769 cf of water
• Post Office	\$14.19	• Barber or Beauty Shop	\$14.19 + \$1.67/ccf over 440 cf of water
• Restaurant/Tavern	\$14.19 + \$2.30/ccf over 440 cf of water	• Coast Guard or Airport	\$14.19 + \$1.93/ccf over 769 cf of water
• Bakery	\$14.19 + \$2.14/ccf over 440 cf of water	• Car Washes	\$14.19 + \$2.14/ccf over 769 cf of water
• Motel or Hotel	\$14.19 + \$2.14/ccf over 759 cf of water	• Industrial	To be calculated based on flow and load
		• Septage delivered to Headworks	\$202 plus \$151.27/ccf over 133.67 per dump

- SECTION 22.** The 15 day notice charge specified in Rule 27.08 is increased from \$.50 (fifty cents) to \$.60 (sixty cents).
- SECTION 23.** The final notice charge specified in Rule 27.08 is increased from \$1.25 (one dollar and twenty five cents) to \$1.50 (one dollar and fifty cents).
- SECTION 24.** The processing fee specified in Rule 28.26 is increased from \$10.00 (ten dollars) to \$12.00 (twelve dollars).
- SECTION 25.** The reconnection charge specified in Rule 28.27 is increased from \$10.00 (ten dollars) to \$12.00 (twelve dollars).
- SECTION 26.** The short term processing fee specified in Rule 28.28 is increased from \$7.50 (seven dollars and fifty cents) to \$8.50 (eight dollars and fifty cents) for each two week period.
- SECTION 27.** A new rule, Rule 45.01.a, is added to read:

**"Rule 45.01.a PERMIT TYPE DEFINITIONS"**  
**The District shall issue permits based on the following definition of use:**

- A "Special Event" shall be defined as use deemed to be non-programmatic with estimated attendance of less than 500 persons and no more than posted capacities at indoor facilities; for which off road and facility parking space is adequate; for which street closures are not required; and for which cancellation of approved vendor programs is not required.
- A "Large Scale Community Event" shall be defined as use deemed to be non-programmatic with estimated attendance of more than 500 persons but no more than posted capacities at indoor facilities; for which off-road and facility parking space is adequate; for which street closures may be required; or for which cancellation of an approved vendor program is required.
- A "Vendor Contract" shall be defined as use by those individuals approved by the District Board of Directors, offering ongoing programs on a regular basis for no more than twelve months.

**SECTION 28.** A new rule, Rule 45.03.a, is added to read:

**"Rule 45.03.a FEE STRUCTURE DEFINITIONS"**  
**The District shall identify the following fee structure definitions when charging customers for use of facilities:**

- A "Non-Profit Group" shall be defined as any group or organization which can supply proof of non-profit status via the Internal Revenue Service code. Other Governmental entities shall be considered as falling within the guidelines of this definition.
- A "Vendor" shall be defined as an individual or organization, approved by the District Board of Directors, that has a fully executed vendor contract for use of District facilities.
- A "Private Citizen/Business" shall be defined as other potential users not fitting within the "non-profit group" or "vendor" definition.
- An "Event Host" shall be defined as a District employee who has received training regarding use of District facilities for outside events. Event hosts are required for all events except those taking place at Azalea Hall concurrently with McKinleyville Senior Center events or at District facilities for those events sponsored by a District approved vendor.

SECTION 29. A new rule, Rule 45.03.b, is added to read:

**"Rule 45.03.b FACILITY USE FEES"**

The District shall charge the following rates for use of District-owned facility for each use specified below:

**ACTIVITY CENTER**

Non-Profit Groups/Vendors \$21/hour  
Private Citizen/Business \$29/hour

**AZALEA HALL - HEWITT ROOM**

Non-Profit Groups/Vendors \$26/hour  
Private Citizen/Business \$34/hour

**PARKS**

Special Events Only \$25/Day  
Large Scale Community Events \$50/Day

**AZALEA HALL - ENTIRE FACILITY**

Non-Profit Groups/Vendors \$35/hour  
Private Citizen/Business \$46/hour

**AZALEA HALL - MEETING ROOM**

Non-Profit Groups/Vendors \$9/hour  
Private Citizen/Business \$12/hour

SECTION 30. A new rule, Rule 45.03.c, is added to read:

**"Rule 45.03.c EVENT SERVICES FEES"**. The District shall charge a fee of \$8 per hour for an event host for those events requiring such a host. The minimum charge shall be two hours. Other events services fees shall be determined each year and are based on the direct expense associated with providing said service. Such event fees shall be established and adopted by the Board.

SECTION 31. A new rule, Rule 45.03.d, is added to read:

**"Rule 45.03.d RECREATION PROGRAM FEES"**. The District shall charge participants program fees based on the direct expenses associated with each individual program. Program fees shall be determined each year and as programs are added to the Department's current services index. Program fees shall be established and adopted by the Board prior to registration being accepted for said programs.

SECTION 32. A new rule, Rule 45.04.a, is added to read:

**"Rule 45.04.a FACILITY USE DEPOSIT FEES"**. The District shall charge a \$100 deposit for events which qualify and are defined as special events. The District shall charge a \$200 deposit for events which qualify and are defined as large scale community events.

SECTION 33. The processing fee specified in Rule 52.03 is increased from \$10.00 (ten dollars) to \$12.00 (twelve dollars).

SECTION 34. The processing fee specified in Rule 73.11 is increased from \$10.00 (ten dollars) to \$12.00 (twelve dollars).

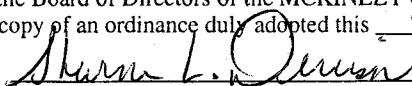
On the Motion of Director Walund and seconded by Director Harling, the foregoing ordinance is duly accepted on second reading this 9<sup>th</sup> day of April 1998 by the following vote:

AYES: 4 NOES: 0 ABSENT: 0

  
Ben Shepherd, President, Board of Directors McKinleyville Community Services District

ATTEST: Sharon Denison, Secretary, Board of Directors McKinleyville Community Services District

I, SHARON L. DENISON, Secretary to the Board of Directors of the MCKINLEYVILLE COMMUNITY SERVICES DISTRICT, hereby certify that the foregoing is a full, true, and correct copy of an ordinance duly adopted this 9<sup>th</sup> day of APRIL, 1998.

  
Secretary to the Board of Directors of McKinleyville Community Services District