

LAKE SHASTINA COMMUNITY SERVICES DISTRICT

ORDINANCE 1-09

AN ORDINANCE OF THE LAKE SHASTINA COMMUNITY SERVICES DISTRICT TO INCREASE METERED WATER SERVICE RATES ESTABLISHED BY ORDINANCE 5-05, EFFECTIVE ON December 20, 2005.

The Board of Directors of the Lake Shastina Community Services District does ordain as follows:

1. **APPLICABILITY.** The rates set forth in this ordinance shall apply to all metered single and multiple family residential dwelling unit water service customers. Rates for other water usages, if permitted, shall be established by resolution of the District Board of Directors.
2. **TERRITORY.** These rates shall apply to all metered properties, which are entirely within the boundaries of the Lake Shastina Community Services District. Rates for customers receiving water service outside the said boundaries, if permitted, shall be established by resolution of the District Board of Directors, provided however, that in no event shall the rates of property which is wholly or partially outside the District be lower than those for comparable usage within the District.
3. **COMMODITY CHARGE.**
 - A. **RATE PER 1,000 GALLONS.** Each customer shall pay a specific rate per 1,000 gallons of water as measured by the meter installed to record water supplied to customer's premises. The present Commodity Charge is \$0.37 per 1,000 gallons. The total amount of this incremental increase is \$0.15 per 1,000 gallons bringing the total Commodity Charge to \$0.52 per 1,000 gallons. The engineering report dated March 8, 2003 supports a Commodity Charge up to \$0.58 per 1,000 gallons.
 - B. **MINIMUM CHARGE "SHALL NOT CHANGE".** To cover water system administrative overhead and fixed costs, a minimum charge of \$49.50 per quarter, equating to \$16.50 per month, shall be imposed upon each customer who is receiving metered water service, regardless of the actual metered usage.
4. **SUPERSEDES:** This Ordinance, Ordinance 1-09, supersedes rates set by Ordinance 5-05, which was effective December 20, 2005 and Ordinance 3-03, which was effective June 20, 2003.
5. **TIMEFRAME:** This charge shall be incremental and become effective over a three-year period. Each increment shall be \$0.05 per 1,000 gallons.
 - The Commodity Rate for water used after March 20, 2009 shall be \$0.42 per 1,000 gallons.
 - The Commodity Rate for water used after March 20, 2010 shall be \$0.47 per 1,000 gallons.
 - The Commodity Rate for water used after March 20, 2011 shall be \$0.52 per 1,000 gallons.

It is hereby certified that the foregoing Ordinance No. 1-09 was duly introduced at a regular meeting of the Lake Shastina Community Services District on the 18th day of February, 2009 and adopted at a regular meeting of the Lake Shastina Community Services District on the 18th day of March, 2009. This action shall supersede any and all other ordinances or resolutions that address Metered Water Service Rates. All other ordinances or resolutions shall be updated to reflect this action.

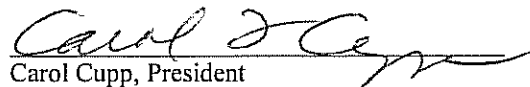
ROLL CALL VOTE:

AYES: Directors Cupp, Dean, Pavlic, Roths and Wetter

NOES: None

ABSENT: None

Lake Shastina Community Services District by:


Carol Cupp, President

ATTEST


Beverly Roths, District Secretary

D. Police Department-----PC Alves

* consent 1. *Written Report* – Received and Filed

* consent 2. *Activity Log* – Received and Filed

E. Sewer Department-----GM Lea

1. **Written Report** – Received and Filed: Item removed from consent agenda. Schlumpberger Engineering is in the process of preparing a quote for an engineering study of the District sewer system, which is required in order to raise sewer rates.

2. **Status: Wastewater Ponds / Wastewater Permit:** Chuck Schlumpberger, District engineer, reported that he is finalizing the discharge report for the RWQCB. Dir. of PW Thompson reported that the RWQCB granted the District an emergency waiver for waste discharge. Board and staff discussed.

3. **Discussion / Possible Action: Lift Station B-111 Rehabilitation and Forced Main Bypass Project** – Received and Filed: Board and staff discussed the quote received from Schlumpberger Engineering. The Board agreed that, at this time, the District's financial priority was the sewer ponds. The \$129,000 project will be included in the sewer system engineering study as a future capital improvement.

F. Water Department-----GM Lea

* consent 1. *Written Report*

Item 9. OLD BUSINESS-----Pres. Negro

* consent A. *Status: Solid Waste Program* – Received and Filed

B. **Discussion / Possible Action: increase in Water Rates** – Received and Filed

1. **Metered Water Service Rates – proposed Ordinance 1-09:** Pres. Negro read the proposed metered water service rate increases; \$0.15 per 1,000 gallons over three years (\$0.05 each year effective March 20, 2009, 2010 and 2011).

Motion by Dir. Wetter second by Dir. Cupp to approve sending a 45-day notice to all CSD water users with the January 1, 2009 water bills regarding a public hearing and first reading on February 18, 2009 and a second reading and possible adoption on March 18, 2009 for the proposed metered water service rate increases as outlined in proposed Ordinance 1-09.

Ayes: Directors Cupp, Dean, Negro, Roths and Wetter

Noes: None

Absent: None

2. **Standby Water Assessment – proposed Ordinance 2-09:** GM Lea reported that, per legal counsel advice, the Standby Water Assessment may be increased without further notices and without a new ordinance, hearings, or voter consent, \$1 per year up to \$40, per Assessment Ballot dated March 19, 2003, which was approved by the District's voters.

Motion by Dir. Wetter second by Dir. Cupp to approve Standby Water Assessment increases as follows: effective January 1, 2009 \$38.00 annually, January 1, 2010 \$39.00 annually and January 1, 2011 \$40.00 annually.

Ayes: Directors Cupp, Dean, Negro, Roths and Wetter

Noes: None

Absent: None

C. **Discussion / Possible Action: Organization Review Assessment – Harry Ehrlich, Project Resource Specialists** – Received and Filed: Pres. Negro read the summarized recommendations provided in Mr. Ehrlich's assessment of the District organization. Board and staff discussed the issues that the District will face transitioning three key District employees who are retiring over the next year. Directors Cupp and Roths volunteered to be on the recruiting committee. Constituent Denny Daleiden volunteered to participate. Pres. Negro recommended that staff contact Siskiyou Training and Employment Program (STEP) in Weed, an organization that receives grants to provide services such as recruitment and training; Pres. Negro, who sits on the Board of STEP, stated that STEP has just approved a budget based on some recent funding received.

Item 10. NEW BUSINESS-----Pres. Negro

A. **Discussion / Possible Action: request to reimburse Citizen Task Force (report \$101.89 and sign \$74.20)** – Received and Filed: Board discussed. Tony Pavlic, present in the audience, volunteered to pay the \$74.20 for the sign since he used the material for his campaign.

Item 10. NEW BUSINESS-----Pres. Cupp

A. Ordinance 1-09, re: increases in metered water service rate - Received and Filed

- 1. First Reading**
- 2. Public Hearing**
- 3. Approval of First Reading**

Pres. Cupp gave the First Reading, by summarizing contents of proposed Ordinance 1-09, which will increase metered water service rates \$0.15 per 1,000 gallons of water, over a three-year period, beginning March 20, 2009 (\$0.05 per year). Pres. Cupp opened the First Public Hearing at 6:42 p.m. Comments were received from several members of the audience. Pres. Cupp closed the First Public Hearing at 6:53 p.m. and the Board approved the First Reading of proposed Ordinance 1-09. The Second Reading, Second Public Hearing and Adoption of Ordinance 1-09 will be on the March 18, 2009 Regular Meeting Agenda.

Motion by Dir. Wetter second by Dir. Dean to approve First Reading of Ordinance 1-09 regarding increases in metered water service rate.

Ayes: Directors Cupp, Dean, Pavlic, Roths and Wetter

Noes: None

Absent: None

B. Discussion / Possible Action: Police Department request to hold event at LSPOA Community Center Building (May 16, 2009 – First Annual LSPD 50's style spaghetti dinner, dance & classic car show) - Received and Filed: Board and PC Alves discussed.

Motion by Dir. Wetter second by Dir. Roths to approve first annual LSPD 50's style spaghetti dinner, dance and classic car show to be on May 16, 2009 at the LSPOA Community Center Building.

Ayes: Directors Cupp, Dean, Pavlic, Roths and Wetter

Noes: None

Absent: None

C. Formal Appointment of Fire Chief Chris Baker – postponed until March 18, 2009 - Received and Filed

D. Discussion / Possible Action: SDRMA Credit Incentive Program - Received and Filed: Board and Interim GM Bains discussed. Interim GM Bains reported that in addition to the SDRMA Credit Incentive Program, SDRMA has given all clients a 15% rate decrease; total 2009 discount applicable to the District is \$43,000.

- 1. Ratify LSCSD Personnel Policies Manual**
- 2. Approval of Board Policy and Procedure Manual**
- 3. Approval to certify implementation of SDRMA's Return to Work Program**

Motion by Dir. Wetter second by Dir. Roths to ratify LSCSD Personnel Policies Manual.

Ayes: Directors Cupp, Dean, Pavlic, Roths and Wetter

Noes: None

Absent: None

Motion by Dir. Roths second by Dir. Pavlic to approve Board Policy and Procedure Manual.

Ayes: Directors Cupp, Dean, Pavlic, Roths and Wetter

Noes: None

Absent: None

Motion by Dir. Wetter second by Dir. Roths to approve implementation of SDRMA's Return to Work Program.

Ayes: Directors Cupp, Dean, Pavlic, Roths and Wetter

Noes: None

Absent: None

E. Discussion / Possible Action: Administration Building Capital Purchases Cost Sharing - Received and Filed: Board and Interim GM Bains discussed.

Motion by Dir. Wetter second by Dir. Pavlic to approve LSCSD covering 50% of the cost of the Administration Building capital purchases for improvements made after the arson fire, with the LSPOA covering 50%.

Ayes: Directors Cupp, Dean, Pavlic, Roths and Wetter

Noes: None

Absent: None

F. Discussion / Possible Action: change LSCSD regular Board meeting start time - Received and Filed: Board discussed the possibility of changing Closed Session to 4:00 p.m. versus holding it after Open Session.

D. Ordinance 1-09, increases in metered water service rate – Received and Filed

1. Second Reading
2. Public Hearing
3. Adoption

Pres. Cupp gave the Second Reading, by summarizing contents of proposed Ordinance 1-09, which will increase metered water service rates \$0.15 per 1,000 gallons of water, over a three-year period, beginning March 20, 2009 (\$0.05 per year). Pres. Cupp opened the Second Public Hearing at 5:59 p.m. No comments from the public. Pres. Cupp closed the Second Public Hearing at 6:00 p.m. Dir. Wetter stated that he is researching if a fee can be added to the water bill to cover the cost of higher power rates.

Motion by Dir. Wetter second by Dir. Roths to approve Second Reading and Adoption of Ordinance 1-09 regarding increases in metered water service rate.

Ayes: Directors Cupp, Dean, Pavlic, Roths and Wetter

Noes: None

Absent: None

Item 11. NEW BUSINESS -----Pres. Cupp

- A. Formal Appointment of Fire Chief Chris Baker (notice administered by Secretary Roths, signed by all Directors): FC Baker was sworn in by Board Secretary Roths.
- B. Discussion / Possible Action: Personnel Policy Changes, Section 1105.60 Vehicles and Section 1010.20 Regular Work Hours – Received and Filed: Board and Interim GM Bains discussed.

Motion by Dir. Wetter second by Dir. Pavlic to approve Personnel Policy changes, Section 1105.60 Vehicles and Section 1010.20 Regular Work Hours, per memo dated March 3, 2009.

Ayes: Directors Cupp, Dean, Pavlic, Roths and Wetter

Noes: None

Absent: None

- C. Discussion / Possible Action: purchase of shared Global Positioning System (GPS) Survey Unit – Received and Filed: Board discussed. Interim GM Bains to provide the Board with product specifications and potential additional costs, such as, warranty, maintenance and licensing fees. Item to be on April agenda.
- D. Discussion / Possible Action: future of Lake Shastina, establishment of a Lake Shastina community development exploratory committee – Received and Filed: Dir. Wetter read his recommendation for the formation of a committee to explore the future needs of Lake Shastina and develop a community plan. The Board agreed with the concept; Dir. Wetter to provide specifics regarding forming an exploratory standing committee at the April meeting.
- E. Discussion / Possible Action: Shasta Blood Center – Bloodmobile in Lake Shastina – Received and Filed: Board and PC Alves discussed.

Motion by Dir. Wetter second by Dir. Dean to approve that the Shasta Blood Center Bloodmobile use the District parking lot on Saturday, March 28, 2009 for a blood drive; LSPD to plan the event and post notices on community bulletin boards.

Ayes: Directors Cupp, Dean, Pavlic, Roths and Wetter

Noes: None

Absent: None

- F. Discussion / Possible Action: Lake Shastina Community Foundation – distribution of flyer – Received and Filed: Interim GM Bains reported that the LSPOA approved sending the flyer to all LSPOA residents; CSD was being asked to cover costs to send the flyer to all non-LSPOA residents; the cost would be minimal since there is no added postage, just staff time, equipment usage and paper.

Motion by Dir. Roths second by Dir. Pavlic to approve printing and mailing LSCF flyer "Park News and Events" to all non-LSPOA residents; April billing.

Ayes: Directors Cupp, Dean, Pavlic, Roths and Wetter

Noes: None

Absent: None

- G. Discussion / Possible Action: grant funding to add additional Police Officer position, via the American Recovery and Investment Act of 2009, COPS Hiring Recovery Program (CHRP) – Received and Filed: Board and PC Alves discussed. The CHRP grant funding would be used to hire an additional Police Officer for three years, with the condition that the District retains the Officer for a fourth year. This Officer would be in addition to the Officer presently being recruited under COPS More grant funding.

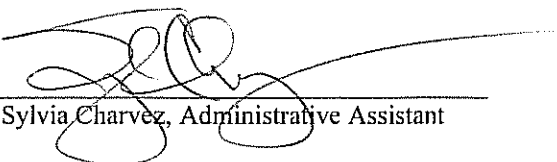
Motion by Dir. Wetter second by Dir. Pavlic to direct staff to proceed with the American Recovery and Investment Act of 2009, COPS Hiring Recovery Program (CHRP) grant funding application to add an

AFFIDAVIT OF POSTING NOTICE
ORDINANCE 1-09

First Reading and Public Hearing: On February 13, 2009, I, Sylvia Charvez, gave copies of the February 18, 2009, Public Hearing Notice (February 18, 2009 LSCSD Regular Meeting Agenda) regarding Ordinance 1-09 to Police Department, it was posted on February 13, 2009 at the locations listed below within the District (Number 1. was posted by me on February 13, 2009, along with a copy of proposed Ordinance 1-09).

Second Reading and Adoption: On March 13, 2009, I, Sylvia Charvez, gave copies of the March 18, 2009, Public Hearing Notice (March 18, 2009 LSCSD Regular Meeting Agenda) regarding Ordinance 1-09 to Police Department, it was posted on March 13, 2009 at the locations listed below within the District (Number 1. was posted by me on March 13, 2009, along with a copy of proposed Ordinance 1-09).

1. Administration Office, 16320 Everhart Drive. Weed CA
2. Police/Fire Station, 16309 Everhart Drive, Weed CA
3. Lake Shastina Community Center – Exterior Bulletin Board
15244 Driftwood Lane
4. Lake Shastina Bulletin Boards – Elk Trail Road,
Pinehill Road/Lakes Shastina Drive,
Lake Short Drive (Bus Stop)
Rancho Hills Entrance



Sylvia Charvez, Administrative Assistant

AFFIDAVIT OF PUBLICATION

LAKE SHASTINA COMMUNITY
SERVICES DISTRICT
16320 EVERHART DRIVE
WEED, CA 96094

RECEIVED
FEB 17 2009

IN THE MATTER OF
NOTICE OF PUBLIC HEARING

LAKE SHASTINA
COMMUNITY
SERVICES DISTRICT
NOTICE OF PUBLIC
HEARING

On February 18, 2009, the Lake Shastina Community Services District shall hold a public hearing, which shall begin at 5 p.m. in the Administration Building, 16320 Everhart Drive, Weed, CA, to hear staff reports and public comment, along with all written protests against the proposed metered water rate increase that are submitted prior to or at the hearing. If written protests against the proposed rate change are presented by a majority of owners of the affected parcels, the District may not impose the rate change.

The Lake Shastina Community Services District Board proposed the following water rate increases during the November 19, 2008 meeting.

For all metered water service customers

A. Rate per 1,000 gallons as measured by the meter installed

Present

\$0.37

March 20, 2009

\$ 0.42

March 20, 2010

\$0.47

March 20, 2011

\$0.52

The total amount of this incremental increase is \$0.15 per 1,000 gallons bringing the total Commodity Charge to \$0.52 per 1,000 gallons, by March 20, 2011. The engineering report addressing operation and maintenance cost, in addition to system replacement, dated March 8, 2008, supports a Commodity Charge up to \$0.58 per 1,000 gallons. This first rate increase will appear on the July 1, 2009 billing and each subsequent July 1st billing thereafter for residential customers. For commercial customers it will first appear on the May 1, 2009 billing and each subsequent May 1st billing.

B. Minimum charge "shall not change". To cover water system fixed costs and administrative overhead, a minimum charge of \$49.60 per quarter, equating to \$16.50 per month, shall be imposed upon each customer who is receiving metered water service, regardless of the actual metered usage.

News #3352, Pub. Feb. 6, 13, 2009

STATE OF CALIFORNIA) ss:
County of Siskiyou)

LORI SETZER

of said County, being duly sworn, deposed and says: THAT she is and at all times herein mentioned was a citizen of the United States of America, over the age of twenty-one years, and that she is not, nor was she at any of the times hereinafter named a party to, nor interested in the above entitled matter; that she is the PRINCIPAL CLERK OF THE PRINTER OF THE SISKIYOU DAILY NEWS, a newspaper of general circulation, printed and published in the City of Yreka, County of Siskiyou, State of California, and which newspaper is published for the dissemination of local and telegraphic news and intelligence of a general character, and which newspaper at all times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of Yreka, County of Siskiyou, State of California, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to; and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or any number of same; that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof, on the following dates, to-wit:

FEBRUARY 6, 13, 2009

Siskiyou Daily News adjudicated May 18, 1953, No. 15190

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

(Signed) Lori Setzer
Date: 2-13-09