

RESOLUTION NO. SD-2018-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COACHELLA SANITARY DISTRICT, CALIFORNIA, ELECTING TO PLACE ITS NEW OR INCREASED RATES FOR SEWER SERVICE CHARGES ON THE PROPERTY TAX ROLL, COMMENCING JULY 1, 2018, AND MAKING CERTAIN FINDINGS AND TAKING OTHER ACTIONS RELATING THERETO.

WHEREAS, Coachella Sanitary District (“District”) is a sanitary district duly organized and existing under and pursuant to the Sanitary District Act of 1923, Park 1 of Division 6 of the California Health and Safety Code (the “Act”); and

WHEREAS, the City Council of the City of Coachella (the “City”) sits as the ex-officio Board of Directors of the District (the “Board”); and

WHEREAS, pursuant to Health and Safety Code Section 5471, the Board is empowered to prescribe and collect rates and charges for services and facilities furnished by the District in connection with its sewerage system; and

WHEREAS, the District retained an independent rate consultant to conduct a rate study and cost of service analysis in order to determine the rates for the sewer service charges; and

WHEREAS, pursuant to the findings in such cost of service analysis and rate study, the District proposed to adopt rates for sewer service charges for a four year period, commencing July 1, 2018 with adjustments each July 1 thereafter, through and including July 1, 2021, which were found in compliance with article XIII D, section 6, of the California Constitution (“Article XIII D”); and

WHEREAS, in compliance with article XIII D, section 6 of the California Constitution (“Article XIII D”), a public Hearing was held on February 14, 2018, noticed in the manner and for the time required by law; and

WHEREAS, at the Hearing, the Board considered all written materials and written protests to the proposed new or increased sewer service charges received prior to the close of the Hearing, and heard oral testimony concerning the establishment and imposition of the proposed sewer service charges, and at the close of the Hearing the District determined that it did not receive written protests against the establishment and imposition of the proposed sewer service charges from a majority of the affected property owners or tenants directly liable for the payment of such sewer service charges, and approved the new or increased sewer service charges; and

WHEREAS, the District is empowered, and accordingly elects, to collect the sewer service charges on the property tax roll as authorized under Health and Safety Codes section 5473, and accordance with the requirements therefor, previously caused a written report (the “Report”) to be prepared and filed containing a description of each parcel of real property

receiving sewer services and the amount of the sewer service charge for each parcel for the year, computed in accordance with the proposed sewer service charges set forth herein; and

WHEREAS, the District caused a notice of the filing of said Report and setting the time and place for a public hearing on said Report and to consider whether to place the sewer service charges on the property tax roll, to be held on February 14, 2018, as required in section 5473 *et seq.*; and

WHEREAS, at the public hearing called for such purpose, there was not a protest of the majority of owners of separate parcels of property described in the Report; and


WHEREAS, the Board now desires to take all actions necessary to collect the sewer service charges on the property tax roll;

NOW, THEREFORE, BE IT RESOLVED, BY THE COACHELLA SANITARY DISTRICT, AS FOLLOWS:

1. The above recitals are true and correct.
2. The Board hereby elects to collect the sewer service charges for the Fiscal Year commencing July 1, 2018, on the property tax roll, to be collected in the same manner, by the same persons, and at the same time as, together with and not separately from, its general taxes.
3. Pursuant to the authority set forth in section 5473 *et seq.* of the Health and Safety Code, and more specifically section 5473.4, the City Clerk of the City, acting as secretary of the District, is hereby authorized and directed to file with the County Auditor for the County of Riverside a copy of the Report, with a statement endorsed on the Report over his or her signature that the Report has been finally adopted by the Board. Once such action is taken, the amount of the sewer service charge shall constitute a lien against the lot or parcel of land against which the sewer service charge has been imposed as of noon on the first Monday in March immediately preceding the date of levy, and the tax collector shall include the amount of the sewer service charges on bills for taxes levied against the respective lots and parcels of land. Thereafter, the amount of the sewer service charges shall be collected at the same time and in the same manner and by the same persons as, together and not separately from, the general taxes for the District, and shall be delinquent at the same time and thereafter be subject to the same delinquency penalties.
4. If any section, subsection, clause or phrase in this Resolution or the application thereof to any person or circumstances is for any reason held invalid, the validity of the remainder of this Resolution or the application of such provisions to other persons or circumstances shall not be affected thereby. The Board hereby declares that it would have passed this Resolution 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.
5. This Resolution shall take effect immediately upon its adoption.


6. The City Clerk, acting as Secretary of the District, shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of said District; and shall make a minute of passage and adoption thereof in the records of the proceedings of the District Board of said District, in the meetings of the meeting at which the Resolution is passed and adopted

PASSED, APPROVED and ADOPTED this 14th day of February, 2018.



Steven A. Hernandez
President

ATTEST:



Angela M. Zepeda
Secretary

APPROVED AS TO FORM:



Carlos Campos
City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF COACHELLA)

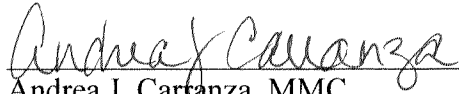
I HEREBY CERTIFY that the foregoing Resolution No. SD-2018-01 was duly adopted by the Board of Directors of the Coachella Sanitary District at a regular meeting thereof, held on the 14th day of February, 2018, by the following vote of the Board:

AYES: Director Bautista, Director Brown, Director Martinez, Vice Chairwoman Sanchez, and Chairman Hernandez.

NOES: None.

ABSENT: None.

ABSTAIN: None.



Andrea J. Carranza, MMC
Deputy City Clerk



STAFF REPORT 2/14/2018

TO: Honorable Mayor and City Council Members

FROM: Maritza Martinez; Public Works Director

SUBJECT: Public Hearing and Approve First Reading of Ordinance SD-06 of the Board of Directors of the Coachella Sanitary District, to approve new rate schedule for sewer service charges commencing July 1, 2018.

STAFF RECOMMENDATION:

Public Hearing and Approve First Reading of Ordinance SD-06 of the Board of Directors of the Coachella Sanitary District, to approve new rate schedule for sewer service charges commencing July 1, 2018.

EXECUTIVE SUMMARY:

On October 25, 2017, The Board of Directors of the Coachella Sanitary District (Board) reviewed a report regarding the sewer system and sewer rate structure options. Two rate adjustment scenarios were presented. Scenario 1 rate structure funds all identified capital improvements to the system and Scenario 2 rate structure defers non-critical capital improvements to the system. Both scenarios require rate increases due to increasing: energy costs, operating costs and capital costs. The last rate increase by the Coachella Sanitary District was approved in 2008 for four fiscal years 2008/2009 – 2011/2012. Since 2012, no rate increases have been implemented for sanitary sewer service.

On December 13, 2017, the Board adopted Resolution SD-2017-06 directing staff to prepare and mail notices to all property owners and/or current occupants regarding the proposed sewer service rates identified with Scenario 2. As of December 19, 2018, the notice was mailed to all property owners and/or current occupants serviced by the Coachella Sanitary District. Information provided by the notice included the proposed changes to the sanitary sewer service fees, dates of three (3) Community Meetings scheduled and the public hearing date for discussion on this this proposed change as February 14, 2018. A copy of the mailed notice is attached. Public notice was also published in the Desert Sun noticing the public hearing date, time and subject matter. Ordinance SD-06 attached to this report requires a two-thirds vote by the Board and would adopt the proposed new sanitary sewer service fees effective July 1, 2018.

ITEM 10.a.

Proposed Sewer Service Rates

Single Family Residential Customers (Fixed Monthly Charge)

Classification	Current	Effective 7/1/2018	Effective 7/1/2019	Effective 7/1/2020	Effective 7/1/2021
Single Family Residential	\$41.81	\$44.22	\$45.99	\$47.83	\$49.74

Single Family Residential Customers

The proposed Fixed Monthly Service Charge reflects a monthly flat rate structure billed semi-annually on the property tax bill.

Commercial and Multi-Family/Mobile Unit Customers

Fixed Service Charge

Meter Size	Current	Effective 7/1/2018	Effective 7/1/2019	Effective 7/1/2020	Effective 7/1/2021
5/8"	\$26.65	\$21.40	\$22.26	\$23.15	\$24.08
3/4"	\$39.98	\$21.40	\$22.26	\$23.15	\$24.08
1"	\$66.63	\$35.66	\$37.09	\$38.57	\$40.11
1 1/2"	\$133.25	\$71.33	\$74.18	\$77.15	\$80.24
2"	\$213.20	\$114.13	\$118.70	\$123.45	\$128.39
3"	\$399.75	\$228.25	\$237.38	\$246.88	\$256.76
4"	\$666.25	\$356.65	\$370.92	\$385.76	\$401.19
6"	\$1,332.50	\$713.30	\$741.83	\$771.50	\$802.36
8"	\$1,332.50	\$1,141.27	\$1,186.92	\$1,234.40	\$1,283.78

Variable Commodity Charge

Classification	Current	Rate (\$/HCF)			
		Effective 7/1/2018	Effective 7/1/2019	Effective 7/1/2020	Effective 7/1/2021
Multi-Family/Mobile Units	N/A	\$3.15	\$3.28	\$3.41	\$3.55
Commercial Low	\$1.98	\$2.75	\$2.86	\$2.97	\$3.09
Commercial Medium	\$3.41	\$3.56	\$3.70	\$3.85	\$4.00
Commercial High	\$14.14	\$7.91	\$8.23	\$8.56	\$8.90
Institutional	N/A	\$2.70	\$2.81	\$2.92	\$3.04

Commercial and Multi-Family/Mobile Unit Customers

The proposed Fixed Monthly Service Charge recovers a portion of the utility's fixed costs and is determined by allocating fixed costs equally to all customers and fixed capacity cost to non-residential customers in proportion to the hydraulic capacity of their water meter.

The proposed Variable Commodity Charge is based on a uniform system, which reflect monthly usage per Hundred Cubic Feet (HCF). (1 HCF=748 gallons). In addition, three non-residential sewage strength categories: low, medium, and high are utilized. A full description of each classification can be found at www.coachella.org

ITEM 10.a.

FISCAL IMPACT:

Adoption of the proposed sanitary sewer service charges are necessary to meet the debt obligations and the District's sanitary sewer system operational and capital needs.

Attachments:

Proposition 218 Notice

Ordinance

ORDINANCE NO. SD-06

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE COACHELLA
SANITARY DISTRICT, CALIFORNIA, ADOPTING NEW OR INCREASED RATES
FOR ITS SEWER SERVICE CHARGES COMMENCING JULY 1, 2018, AND MAKING
CERTAIN FINDINGS AND TAKING OTHER ACTIONS RELATING THERETO.**

WHEREAS, Coachella Sanitary District (“District”) is a sanitary district duly organized and existing under and pursuant to the Sanitary District Act of 1923, Part 1 of Division 6 of the California Health and Safety Code (the “Act”); and

WHEREAS, the City Council of the City of Coachella (the “City”) sits as the ex-officio Board of Directors of the District (the “Board”); and

WHEREAS, the District’s costs of providing sewer service have risen, driven by increases in energy, operating, and capital costs; and

WHEREAS, pursuant to Health and Safety Code Section 5471, the Board is empowered to prescribe and collect rates and charges for services and facilities furnished by the District in connection with its sewerage system; and

WHEREAS, the District retained an independent rate consultant to conduct a rate study and cost of service analysis in order to determine the rates for the sewer service charges; and

WHEREAS, pursuant to the findings in such cost of service analysis and rate study, the District is proposing to adopt rates for sewer service charges for a four year period, commencing July 1, 2018 with adjustments each July 1 thereafter, through and including July 1, 2021; and

WHEREAS, the proposed rate structure for the sewer service charges is composed of six customer classes: single-family residential, multi-family/mobile units, commercial-low, commercial-medium, commercial-high, and institutional customers; and

WHEREAS, the proposed rates for single-family residential customers comprise a fixed monthly charge, billed on a semi-annual basis; and

WHEREAS, the remaining customer classes pay a fixed monthly charge, determined on the basis of the meter size serving such parcel, as well as a variable commodity charge, calculated based on the strength and amount of sewer flows and measured in units equal to one hundred cubic feet (“HCF”) of flow; and

WHEREAS, the fixed monthly charge for such customers is designed to recover a portion of the District’s costs in providing sewer service, and the variable commodity charge is designed to recover a portion of the fixed cost, as well as the variable costs of the District in providing sewer service; and

ITEM 10.a.

WHEREAS, the revenues derived from the proposed sewer service charges will not exceed the funds required to provide sewer service and shall be used exclusively for the operation and maintenance of the sewer system and providing such service; and

WHEREAS, the sewer service charges are equitable to all customers; and

WHEREAS, the amount of the proposed sewer service charges will not exceed the proportional cost of the sewer service attributable to each parcel upon which they are proposed for imposition; and

WHEREAS, the proposed sewer service charges will not be imposed on a parcel unless sewer service is actually used by, or immediately available to, the owner of the parcel; and

WHEREAS, article XIII D, section 6 of the California Constitution (“Article XIII D”) requires that prior to imposing any new property-related fee such as the sewer service charge, or any increase to existing sewer service charges, the District shall provide written notice (the “Notice”) by mail of the proposed increases to the sewer service charges to the record owner of each parcel upon which the sewer service charges are proposed for imposition and any tenant directly liable for payment of the sewer service charges, the amount of the sewer service charges proposed to be imposed on each parcel, the basis upon which the sewer service charges were calculated, the reason for the sewer service charges, and the date, time and location of a public hearing (the “Hearing”) on the proposed sewer service charges; and

WHEREAS, pursuant to Article XIII D such Notice is required to be provided to the affected property owners and tenants directly liable for the payment of the sewer service charges not less than forty-five days prior to the Hearing on the proposed sewer service charges; and

WHEREAS, the District did provide such Notice to the affected property owners and tenants in compliance with Article XIII D; and

WHEREAS, a public Hearing was held on February 14, 2018, noticed in the manner and for the time required by law; and

WHEREAS, at the Hearing, the Board considered all written materials and written protests to the proposed new or increased sewer service charges received prior to the close of the Hearing, and heard oral testimony concerning the establishment and imposition of the proposed sewer service charges, and at the close of the Hearing the District determined that it did not receive written protests against the establishment and imposition of the proposed sewer service charges from a majority of the affected property owners or tenants directly liable for the payment of such sewer service charges; and

WHEREAS, the District wishes to elect to collect the sewer service charges on the property tax roll as authorized under Health and Safety Codes section 5473, and accordance with the requirements therefor, previously caused a written report (the “Report”) to be prepared and filed containing a description of each parcel of real property receiving sewer services and the amount of the sewer service charge for each parcel for the year, computed in accordance with the proposed sewer service charges set forth herein; and

WHEREAS, the District caused a notice of the filing of said Report and setting the time and place for a public hearing on said Report and to consider whether to place the sewer service charges on the property tax roll, to be held on February 14, 2018, as required in section 5473 *et seq.* in order to preserve the District's authority to place such sewer service charges on the tax roll; and

WHEREAS, the Board now desires to adopt the sewer service charges, and further desires to increase the maximum rate of such sewer service charges for a four-year commencing July 1, 2018, through and including July 1, 2021, in the maximum amounts and on the dates set forth in Exhibit A;

NOW, THEREFORE, BE IT ORDAINED, BY THE COACHELLA SANITARY DISTRICT, AS FOLLOWS:

1. The above recitals are true and correct.
2. To the extent the sewer service charges established by this Ordinance are inconsistent with the any other fee or charge previously adopted by the Board, it is the explicit intention of the Board that the sewer service charges adopted pursuant to this Ordinance shall prevail.
3. The Board of Directors hereby establishes, adopts and imposes the sewer service charges, in the amounts, on the dates, and up to the maximum rates set forth in Exhibit A, attached hereto and incorporated herein. The maximum rates for sewer service charges may be applied to sewer services provided on and after the effective date of each year as set as forth in Exhibit A.
4. The City Manager, acting as General Manager to the District, or his or her authorized designee, is hereby authorized and directed to take all actions necessary to implement and collect the sewer service charges, as set forth herein.
5. The Board of Directors finds that the administration, operation, maintenance, and improvements of the District's sewer system, which is to be funded by the sewer service charges and set forth herein, are necessary to maintain sewer service within the District's existing sewer service areas as described herein. The Board of Directors further finds that the administration, operation, maintenance and improvements of the District's sewer system, to be funded by the sewer service charges, will not expand the District's sewer system. The Board of Directors further finds that the adoption of the rates for the sewer service charges is necessary and reasonable to fund the administration, operation, maintenance and improvements of the District's sewer system. Based on these findings, the Board determines that the adoption of the sewer service charges established by this Ordinance are exempt from the requirements of the California Environmental Quality Act pursuant to section 21080(b)(8) of the Public Resources Code and section 15273(a) of the State CEQA Guidelines. The documents and materials that constitute the record of proceedings on which these findings have been based

ITEM 10.a.

are located at the District, 1515 6th Street, Coachella, CA 92236. The custodian for these records is the City Clerk of the City, acting as Secretary of the District.

6. If any section, subsection, clause or phrase in this Ordinance or the application thereof to any person or circumstances is for any reason held invalid, the validity of the remainder of this Ordinance or the application of such provisions to other persons or circumstances shall not be affected thereby. 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 one or more sections, subsections, sentences, clauses or phrases or the application thereof to any person or circumstance be held invalid.
7. This Ordinance shall take effect thirty days after its adoption.
8. That the City Clerk, acting as Secretary of the District, shall certify to the passage and adoption of this Ordinance; shall enter the same in the book of original Ordinances of said District; shall make a minute of passage and adoption thereof in the records of the proceedings of the District Board of said District, in the meetings of the meeting at which the Ordinance is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a local newspaper of general circulation and which is hereby designated for that purpose.
9. The rates set forth herein for the sewer service charges may be amended at any time in the future by resolution or ordinance, in accordance with the procedures set forth in article XIII D, section 6 and Health and Safety code section 5470 *et seq.*

ITEM 10.a.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Coachella, acting as the Board of Directors of the Coachella Sanitary District, held on the 28th day of February, 2018, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven Hernandez, Mayor

ATTEST:

City Clerk, Angela M. Zepeda

APPROVED AS TO FORM:

Carlos Campos, City Attorney

ITEM 10.a.

EXHIBIT A RATE SCHEDULE FOR SEWER SERVICE CHARGES

Single Family Residential Customers (Fixed Monthly Charge)

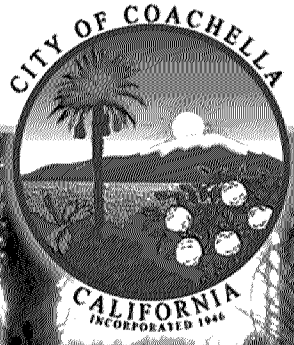
*Fixed monthly service charge reflects a monthly flat rate structure billed semi-annually on the county property tax roll.

Classification	Effective 7/1/2018	Effective 7/1/2019	Effective 7/1/2020	Effective 7/1/2021
Single Family Residential	\$44.22	\$45.99	\$47.83	\$49.74

Commercial and Multi-Family/Mobile Unit Customers

Fixed Service Charge				
Meter Size	Effective 7/1/2018	Effective 7/1/2019	Effective 7/1/2020	Effective 7/1/2021
5/8"	\$21.40	\$22.26	\$23.15	\$24.08
3/4"	\$21.40	\$22.26	\$23.15	\$24.08
1"	\$35.66	\$37.09	\$38.57	\$40.11
1 1/2"	\$71.33	\$74.18	\$77.15	\$80.24
2"	\$114.13	\$118.70	\$123.45	\$128.39
3"	\$228.25	\$237.38	\$246.88	\$256.76
4"	\$356.65	\$370.92	\$385.76	\$401.19
6"	\$713.30	\$741.83	\$771.50	\$802.36
8"	\$1,141.27	\$1,186.92	\$1,123.40	\$1,283.78

Variable Commodity Charge				
Classification	Effective 7/1/2018	Effective 7/1/2019	Effective 7/1/2020	Effective 7/1/2021
Multi-Family/ Mobile Units	\$3.15	\$3.28	\$3.41	\$3.55
Commercial Low	\$2.75	\$2.86	\$2.97	\$3.09
Commercial Medium	\$3.56	\$3.70	\$3.85	\$4.00
Commercial High	\$7.91	\$8.23	\$8.56	\$8.90
Institutional	\$2.70	\$2.81	\$2.92	\$3.04



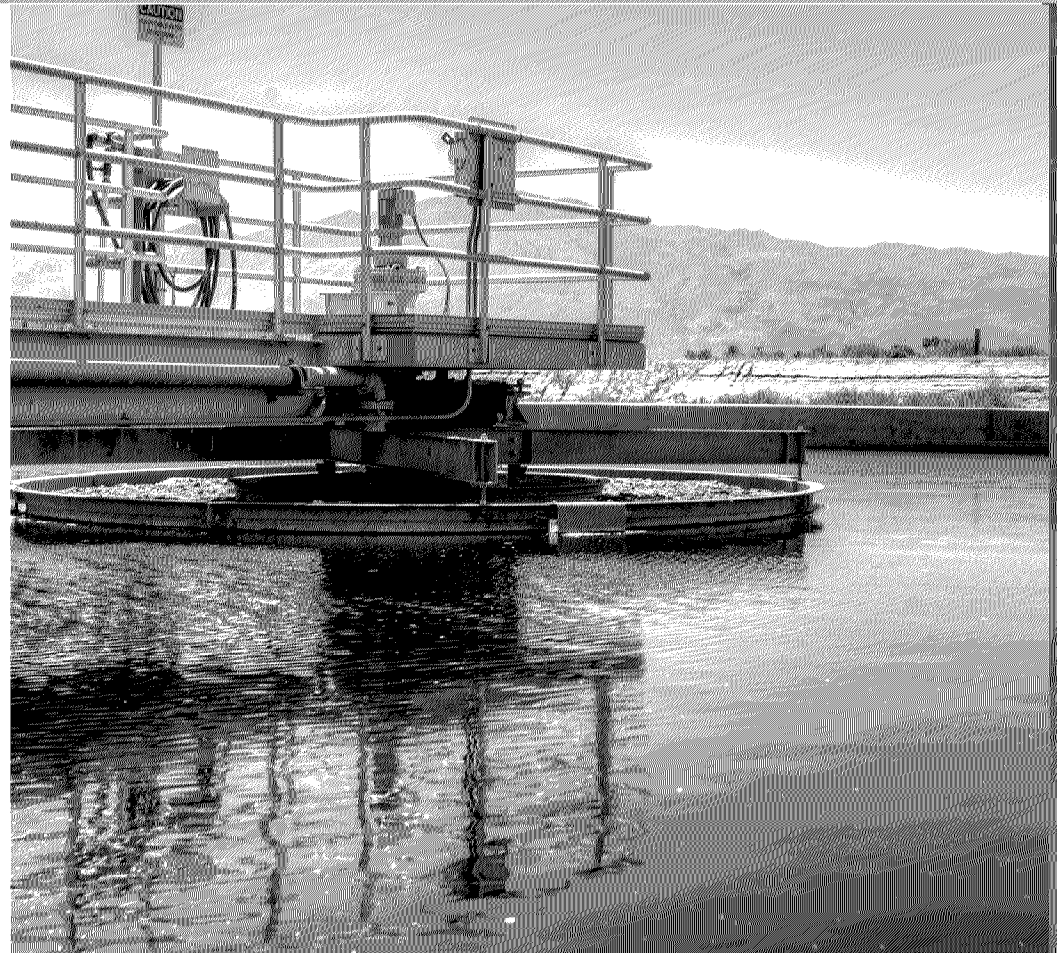
Coachella Water Authority and Sanitary District

Item 10a
Proposed Sewer Rate Changes 2018

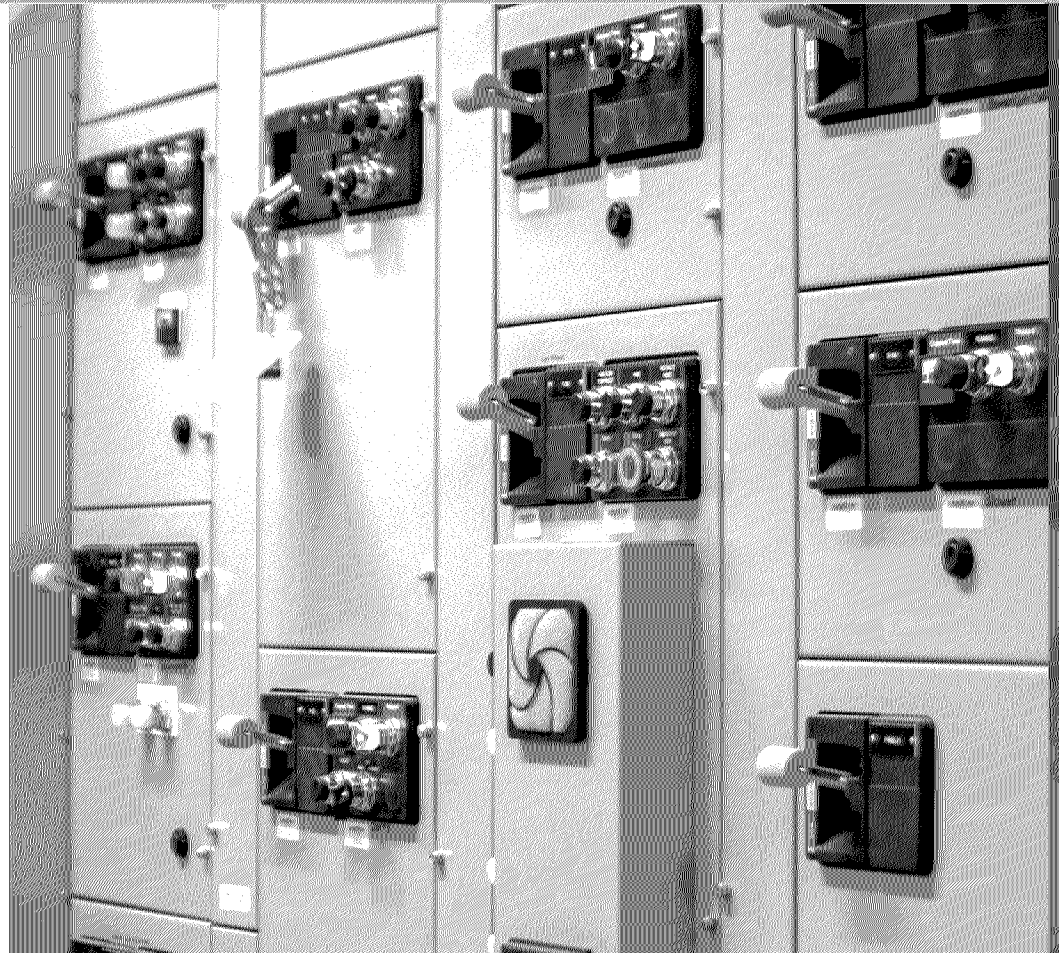
Effective July 1, 2018

- October 25th the results of the Cost of Service Study were presented to the Board.
 - The study identified two rate structure scenarios:
 - Scenario 1 Addresses System Capital Improvement Projects
 - Rate Increase would be 15%
 - Scenario 2 Defers Most Capital System Improvement Projects
 - Rate Increase would be 4%
- On December 13th the Board authorized staff to proceed with the Proposition 218 process for rates identified with Scenario 2.
- Notice of the proposed Sanitary Sewer Rate changes and public hearing date were mailed to all property owners and current occupants of properties serviced by the Coachella Sanitary District as of December 19, 2017.

- Notices were mailed to all affected properties and property owners.
 - Notice was mailed in English and Spanish to all recipients.
- Notice was placed on city website and Community Meetings were placed on city's online calendar.
- Held three community meetings:
 - January 10, 2018
 - January 16, 2018
 - February 7, 2018



- Independent expert
- Rates must connect directly to costs
- District cannot earn a profit
- Changes proposed to:
 - Sewer rates
 - Last rate increase was in 2010



- Overcome a negative sanitation fund balance and build cash reserves by 2020
- Recover cost of providing service
- Improve affordability to low-volume and average users
- Meet sanitation district's capital funding needs



follows:

- Single Family, Multi-family, and Mobile Unit customers pay a Flat Monthly Rate, based on the number of units.
- Commercial customers pay:
 1. A Fixed Service Charge based on meter size; and
 2. A Variable Commodity Charge (per HCF of potable water usage) which is uniform (not tiered) and specific to the type of commercial customers (High, Medium or Low).

Fixed Rate

- Single Family Residential

Fixed Meter Charge + Variable Commodity Charge

- Multifamily
- Commercial Low
- Commercial Medium
- Commercial High
- Institutional



Proposed Sewer Service Rates

Single Family Residential Customers (Fixed Monthly Charge)

Classification	Current	Effective 7/1/2018	Effective 7/1/2019	Effective 7/1/2020	Effective 7/1/2021
Single Family Residential	\$41.81	\$44.22	\$45.99	\$47.83	\$49.74

Single Family Residential Customers

The proposed Fixed Monthly Service Charge reflects a monthly flat rate structure billed semi-annually on the property tax bill.

- Bill Multi-family / Mobile Unit customers in the same manner as Commercial customers (with a Variable Commodity component).

Commercial and Multi-Family/Mobile Unit Customers

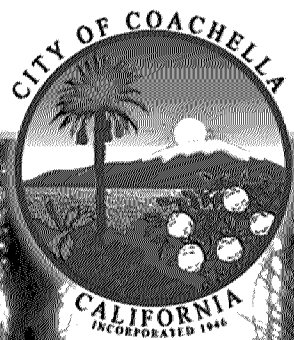
Fixed Service Charge					
Meter Size	Current	Effective 7/1/2018	Effective 7/1/2019	Effective 7/1/2020	Effective 7/1/2021
5/8"	\$26.65	\$21.40	\$22.26	\$23.15	\$24.08
3/4"	\$39.98	\$21.40	\$22.26	\$23.15	\$24.08
1"	\$66.63	\$35.66	\$37.09	\$38.57	\$40.11
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Variable Commodity Charge					
Classification	Current	Rate (\$/HCF)			
		Effective 7/1/2018	Effective 7/1/2019	Effective 7/1/2020	Effective 7/1/2021
Multi-Family/ Mobile Units	N/A	\$3.15	\$3.28	\$3.41	\$3.55
Commercial Low	\$1.98	\$2.75	\$2.86	\$2.97	\$3.09
Commercial Medium	\$3.41	\$3.56	\$3.70	\$3.85	\$4.00
Commercial High	\$14.14	\$7.91	\$8.23	\$8.56	\$8.90
Institutional	N/A	\$2.70	\$2.81	\$2.92	\$3.04

- Average residential customers

- \$2.41 increase year one

- Multi-family accounts with high rates of vacancy will experience a lower bill.





Questions?