

**RESOLUTION NO. 2021-08**  
**A RESOLUTION OF THE BOARD OF DIRECTORS OF**  
**THE PHELAN PIÑON HILLS COMMUNITY SERVICES DISTRICT**  
**ESTABLISHING BULK WATER FILLING STATION USER CHARGES**

**WHEREAS**, the Phelan Piñon Hills Community Services District(" District") is a Community Services District located within the County of San Bernardino and is organized and operates pursuant to the California Government Code Section 61000, *et seq.*; and

**WHEREAS**, pursuant to Resolution No. 2994 of the Local Agency Formation Commission of the County of San Bernardino ("LAFCO") adopted on March 18, 2008, the District is the successor agency to County Service Area 9, County Service Area 56 Improvement Zone F-1, and County Service Area 70 Improvement Zones L and P-4 ("the CSAs"); and

**WHEREAS**, prior to the adoption of LAFCO Resolution No. 2994, the territory within the CSAs was subject to water rates that had been established by the County of San Bernardino pursuant to ordinances and resolutions that had been adopted by its Board of Supervisors; and

**WHEREAS**, by minute action taken at its first meeting on March 19, 2008, the District's Board of Directors approved the continuation and extension of all previously authorized fees and charges that had been fixed, levied, and imposed as a condition of water service within the CSAs; and

**WHEREAS**, pursuant to Condition No. 6 of LAFCO Resolution No. 2994 and Section 61100(a) of the California Government Code, the District is authorized to supply water for any beneficial uses in the same manner as a municipal water district formed pursuant to California Water Code Section 71000; and

**WHEREAS**, under California Water Code Sections 71613-71617, a municipal water district is authorized to fix rates and charges for the water it delivers; and

**WHEREAS**, under California Water Code Section 61115(a), the District is authorized to establish rates or other charges for services and facilities that the District supplies and to provide for the collection and enforcement of those rates or charges; and

**WHEREAS**, the District has established a bulk water filling station which require establishment of user charges to capture the cost of providing such services; and

**WHEREAS**, the revenue raised by the District's rates and charges will be used to modify or construct additional public facilities and to procure additional sources of supply to provide adequate water services, and do not exceed the total cost of such facilities and services; and

**WHEREAS**, this action is necessary to meet the District's operating expenses, to purchase and/or lease supplies, equipment, and materials, to meet the District's financial reserve needs and requirements, and to obtain funds for capital projects necessary to maintain water service within the boundaries of the District, and is therefore exempt from the requirements of the California Environmental Quality Act as provided by Public Resources Code Section 21080(b)(8); and

**WHEREAS**, the amount of the rates and charges hereby adopted do not exceed the reasonable anticipated costs for the corresponding services provided by the District, and therefore the fees imposed hereby to not qualify as a "tax" under Article XIII C, Section 1(e) of the California Constitution or Section 50076 of the California Government Code, and the actions taken herein are exempt from the additional notice and public meeting requirements of the Brown Act pursuant to Government Code Section 54954.6(a)(1)(A) and (B); and

**WHEREAS**, the proposed bulk water filling user charges are not subject to the substantive and procedural prerequisites of Articles XIII C and XIII D of the California.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Phelan Pinon Hills Community Services District does hereby resolve and adopt the following bulk water filling user charges:

Bulk water filling station users shall pay a rate for water equivalent to the Temporary Meter & Rental Charges (Exhibit A), established by Resolution No. 2014-33, plus costs associated with the operation of a bulk water filling station which include equipment, maintenance, and administrative costs. The current rates for the bulk water filling station users are as follows and are based on the analysis attached to this Resolution (Exhibit B), subject to change per the District's water rates or Board direction:

A rate of five (5) cents per gallon will be charged for users of the bulk water filling station for users without a District account.

A rate of one (1) cent per gallon will be charged for users of the bulk water filling station for users with a District account. Additionally, a deposit must be made in the amount of \$2,500 to ensure the District's ability to collect for water received from the bulk water filling station.

**BE IT FURTHER RESOLVED** that the District's General Manager is hereby authorized to take any and all actions necessary to carry out the intent of the District's Board of Directors as is stated herein and as otherwise required in order to comply with applicable law.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon adoption.

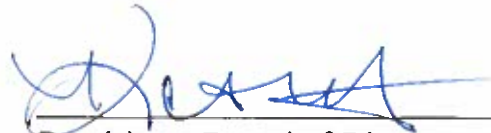
**ADOPTED** by the Board of Directors of the Phelan Piñon Hills Community Services District at a regular meeting held on May 19, 2021, by the following vote:

AYES: Hoffman, Johnson, Kujawa, Philips, Roberts

NOES:

ABSENT:

ABSTAIN:

  
\_\_\_\_\_  
President, Board of Directors

Attest:

  
\_\_\_\_\_  
Secretary, Board of Directors

# EXHIBIT A

## Temporary User Water Rates – Base Rates

2020/2021

PPHCSD highest unit cost	\$	4.01	*	
Connection fee per HCF	\$	1.48	*	
Property Tax Revenue	\$	0.29	*	
Replacement Water Cost per HCF	\$	3.79	*	Charged only if there is a replacement obligation
<b>TOTAL Water Consumption Rate</b>	\$	9.57		w/o replacement water cost = <b>\$ 5.78</b>
<b>Monthly Minimum</b>	\$	268.14		1.5 x the current rate for a 3" meter 178.76
<b>Surcharge</b>	\$	9.71		
<b>Total Monthly Minimum</b>	\$	277.85		

<b>Average Consumption (HCF) per EDU:</b>		<b>Cost of Connection Fee per HCF</b>	
Per month	15	Connection Cost per EDU	\$ 7,970.00
Annual consumption per EDU	180	Average years/EDU	30
		Average cost per year for connection fee	\$ 265.67
		Annual consumption (HCF) per EDU	180
		Total per HCF	\$ 1.48
<b>Property Tax Revenue Used for Water Operations</b>		<b>Cost for Replacement Water</b>	
Annual amount budgeted		MWA Cost per AF 2020/2021:	\$ 665.00
2018/2019	\$ 362,880.00	1 AF = 435.6 HCF	435.6
Approx. # of Customers	6,900	Total per HCF:	\$ 1.53
Total per Customer	\$ 52.59	When applicable (determined each year)	
Annual Consumption per EDU	180	Charged only if there is a replacement obligation.	
Total per HCF	\$ 0.29		
		<b>LA Cnty (Well #14) Cost per AF</b>	
		2020/21	\$ 988.00
		1 AF = 435.6 HCF	435.6
		Total per HCF:	\$ 2.27
		When applicable (determined based on consumption)	
		Charged only if there is a replacement obligation.	

\*These amounts are subject to change.

## EXHIBIT B

### Bulk Water Filling Station Rate Analysis:

Customer <u>without</u> Account (Cash or CC)	HCF	per gallon	Customer with Account	HCF	per gallon
Temp. User Consumption Rate	\$ 5.78	0.008	Temp. User Consumption Rate	\$ 5.78	0.008
Monthly Fees *	\$ 277.85	0.007	Monthly Fees *	\$ 277.85	
Bulk Water Fill Station/month **	\$ 986.17	0.002	Bulk Water Fill Station/month **	\$ 986.17	0.002
Admin Fees**	\$ 5,700.00	0.009	Admin Fees**	\$ 665.00	0.001
F/S Surcharge (CC Trans, etc.)		0.025	F/S Surcharge		0.000
<b>Total Charge per Gallon</b>		<b>0.050</b>	<b>Total Charge per Gallon</b>		<b>0.010</b>

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Average # of Trucks/day	8	*Monthly Fees are based on per customer and therefore divided by gallons per customer per month.
Average gallons per customer	4,000	**Fees are based on the unit at large and are divided by total gallons per month.
Total Gallons per day	32,000	Total Gallons per month is the (approx.) consumption currently used by water trucks that have Hydrant accounts with the District.
<b>Total Gallons per month</b>	<b>640,000</b>	
<b>Gallons per customer/month</b>	<b>32,000</b>	

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<b>Monthly Fees</b>		
Minimum Cost	\$ 268.14	Minimum cost per month per customer is based on demand for a 3" meter x 1.5 per Board for Temp Water Users.
Chromium-6	9.71	The Fill Station places a demand similar to a 3" meter.
<b>Total</b>	<b>\$ 277.85</b>	

<b>Bulk Water Fill Station Cost</b>	\$ 59,170.00	
Life Span	60 Months	
	\$ 986.17	Cost per month

<b>Admin Costs for Filler Spout for <u>no-account</u></b>			
1.5 hr/day (20 days)	60	Hours	Daily pick up of money & refreshing receipt paper (2 staff).
Sal/Benefits/Taxes/Vehicle	95.00	Rate	Cleaning / prepping site.
<b>Total</b>	<b>\$ 5,700.00</b>		Daily processing of revenues (cash, etc.).

<b>Admin Costs for Filler Spout for Account holders</b>			
Hours/Month	7	Hours	Monthly refreshing receipt paper (1 staff).
Sal/Benefits/Taxes/Vehicle	95.00	Rate	Cleaning / prepping site.
<b>Total</b>	<b>\$ 665.00</b>		Monthly Billing & Pmt processing.

Costs and rates are subject to change. The Temporary User Consumption Rate is based on fees that change as per Board action.