

Resolution No. 3536

**A RESOLUTION OF THE SANITARY BOARD OF ORO LOMA SANITARY DISTRICT
OVERRULING PROTESTS AND ADOPTING SEWER SERVICE CHARGES FOR FIVE
FISCAL YEARS, 2011-2015**

WHEREAS, the Sanitary Board of Oro Loma Sanitary District (the "Board") adopted the current sewer service charge rates, as established in Ordinance No. 37-26, on June 3, 2008; and,

WHEREAS, the Board adopted, on June 7, 2011, Ordinance No. 37-27, authorizing that future sewer service charges be approved by resolution; and,

WHEREAS, the Board held a special work session meeting on February 4, 2011 to evaluate the current sewer service rates; and,

WHEREAS, the Board determined that, if the District maintains the current sewer service charges, Oro Loma's cash position in Fiscal Year 2015/2016 would be less than half of the level of cash reserves established by the Board; and,

WHEREAS, pursuant to the provisions of Proposition 218, the District has provided all property owners within the District with written notice of the proposed 3% per year increase in all sewer service charges for the next five fiscal years; and,

WHEREAS, the Board held a public hearing on June 7, 2011 and considered all written or verbal public protests in regards to the new sewer service charges; and,

WHEREAS, the objections to and protests against proposed sewer service charges were not made by the owners of a majority of the separate parcels of property against which charges for the services and facilities provided by the District were fixed; and,

WHEREAS, all objections to and protests against the changes in sewer service charges have been heard by this Board and, by adopting this Resolution, the objections and protests have been overruled.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT the Sanitary Board of Oro Loma Sanitary District hereby adopts the sewer service charges for all classes of customers, for five fiscal years, 2011-2015, attached hereto as Attachment A, and made part of this resolution

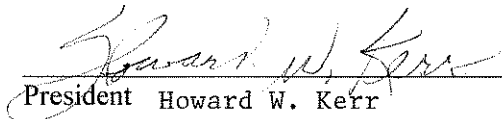


I certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted by the Sanitary Board of Oro Loma Sanitary District, Alameda County, California, at a meeting thereof held on the 7th day of June, 2011, by the following vote of the members thereof:

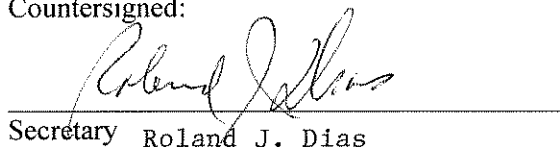
AYES, Members: Becker, Dias, Kerr, Sidari

NOES, Members: Landis

ABSENT, Members:


President Howard W. Kerr

Countersigned:


Secretary Roland J. Dias

Attachment A to Resolution No. 3536

SEWER SERVICE CHARGES FOR ALL CLASSES OF CUSTOMERS FOR FIVE FISCAL YEARS, 2011-2015

GENERAL

All sewer service charges shall be developed using the unit costs listed in Table A-1, as regulated by Ordinance No. 37. Any sewer service charges not specifically identified in this Resolution will be prepared using the unit costs of Table A-1 and the appropriate parameter from the Table.

**TABLE A-1
Sewer Service Charge Unit Costs**

	Effective 07/01/2011	Effective 07/01/2012	Effective 07/01/2013	Effective 07/01/2014	Effective 07/01/2015
Flow, per 100 cubic feet (ccf) water	1.772	1.825	1.879	1.936	1.994
Biochemical Oxygen Demand (BOD), per pound	0.345	0.355	0.366	0.377	0.388
Suspended Solids (SS), per pound	0.394	0.406	0.419	0.431	0.444

Minimum Charge: The District requires that all customers connected to the District's sewer system pay a minimum annual sewer service charge of no less than the lowest annual residential rate currently in effect. Annual minimum sewer service charge shall be \$149.00 (2011), \$153.00 (2012), \$158.00 (2013), \$163.00 (2014), \$168.00 (2015).

RESIDENTIAL CUSTOMERS

Annual sewer service charges for this class of customer shall be charged based on the customer class and multiplied by the number of dwelling units as follows:

<u>Customer Class</u>	<u>Effective 07/01/2011</u>	<u>Effective 07/01/2012</u>	<u>Effective 07/01/2013</u>	<u>Effective 07/01/2014</u>	<u>Effective 07/01/2015</u>
Single Family Dwelling	\$183	\$189	\$195	\$200	\$206
Multiple Family Dwelling	\$183	\$189	\$195	\$200	\$206
Mobile Homes/House Trailers	\$149	\$153	\$158	\$163	\$168

COMMERCIAL/LIGHT INDUSTRIAL/INSTITUTIONAL/INTERMEDIATE/MINOR USERS

Sewer service charges for this class of customer is \$2.705 (2011), \$2.786 (2012), \$2.870 (2013), \$2.956 (2014), \$3.045 (2015) per actual water use, measured in hundred cubic feet (ccf), with a minimum annual charge of \$149.00 (2011), \$153.00 (2012), \$158.00 (2013), \$163.00 (2014), \$168.00 (2015).

SCHOOL CUSTOMERS

Sewer service charges for this class of customer is \$1.988 (2011), \$2.048 (2012), \$2.109 (2013), \$2.172 (2014), \$2.238 (2015) per actual water use, measured in hundred cubic feet (ccf).

SIGNIFICANT INDUSTRIAL USERS

Sewer service charges for this class of customer shall be prepared based upon actual flow and loadings, times the unit costs as follows, with a minimum annual charge to be collected in the amount of \$149.00 (2011), \$153.00 (2012), \$158.00 (2013), \$163.00 (2014), \$168.00 (2015).

	Effective 07/01/2011	Effective 07/01/2012	Effective 07/01/2013	Effective 07/01/2014	Effective 07/01/2015
Flow, per ccf water	\$1.772	1.825	1.879	1.936	1.994
BOD, per pound	\$0.345	0.355	0.366	0.377	0.388
SS, per pound	\$0.394	0.406	0.419	0.431	0.444

PUMPED AREAS

Users of the District’s sewerage system serviced by lift stations constructed after January 1, 1995, shall pay an additional annual charge as determined by District to cover renewal and replacement and operation and maintenance costs of the lift station. Charges for residential customers shall be a flat fee regardless of type of unit. Charges for commercial customers shall be based on flow volume.

- A. Lift Station 13 (Blackstone Court) provides sewer service to most residents of Blackstone Court:

	Effective 07/01/2011	Effective 07/01/2012	Effective 07/01/2013	Effective 07/01/2014	Effective 07/01/2015
Residential	\$103.00	\$106.00	\$109.00	\$113.00	\$116.00
Commercial	None	None	None	None	None

- B. Lift Station 14 (Canyon Drive) provides sewer service to Tract 6833 (Henry Lane) and residents of the Five Canyons Development generally east and west of Five Canyons Parkway, except Tract 6196. The parcels of Tract 6179, which are tributary to this lift station, are charged separately under Lift Station 15.

	Effective 07/01/2011	Effective 07/01/2012	Effective 07/01/2013	Effective 07/01/2014	Effective 07/01/2015
Residential	\$54.00	\$55.00	\$57.00	\$59.00	\$60.00
Commercial	None	None	None	None	None

- C. Lift Station 15 (Canyon Ridge) provides sewer service to the parcels of Tract 6179. In addition, these parcels are tributary to Lift Station 14, therefore, the total surcharge is shown:

	Effective 07/01/2011	Effective 07/01/2012	Effective 07/01/2013	Effective 07/01/2014	Effective 07/01/2015
Residential	\$103.00	\$106.00	\$109.00	\$113.00	\$116.00
Commercial	None	None	None	None	None

D. **New Lift Stations:** Should the District, after the effective date of this Ordinance, desire to approve construction of a new lift station intended to serve one or more new customers, the annual user charge for connection to that station shall be set by the Board of Directors and approved by motion. Such charges specified in the motion will be incorporated into this Ordinance at an appropriate future date.

SPECIAL SITUATIONS

Certain District commercial customers have unique situations which require billing computations based on Equivalent Dwelling Units (EDUs). In these cases, District staff determines the appropriate annual charges which are memorialized in a written agreement between the parties and approved by Oro Loma Sanitary District Board action.

SCHEDULE OF FEES FOR MONITORING AND WASTEWATER DISCHARGE PERMITS FOR FISCAL YEARS 2011-2015 (Regulated by Ordinance No. 39)

<u>User Classification</u>	<u>Annual Permit Fee *</u>	<u>Annual Monitoring Service Fee **</u>
Significant Industrial User (Categorical)	\$612 (2011)/\$630 (2012)/\$649 (2013)/\$669 (2014)/\$689 (2015)	\$7,714 (2011)/\$7,945 (2012)/\$8,183 (2013)/\$8,429 (2014)/\$8,682 (2015)
Significant Industrial User (Non-Categorical)	\$612 (2011)/\$630 (2012)/\$649 (2013)/\$669 (2014)/\$689 (2015)	\$10,152 (2011)/\$10,456 (2012)/\$10,770 (2013)/\$11,093 (2014)/\$11,426 (2015)
Intermediate Users	\$612 (2011)/\$630 (2012)/\$649 (2013)/\$669 (2014)/\$689 (2015)	\$2,615 (2011)/\$2,694 (2012)/\$2,774 (2013)/\$2,858 (2014)/\$2,943 (2015)
Minor User	\$612 (2011)/\$630 (2012)/\$649 (2013)/\$669 (2014)/\$689 (2015)	Fees to be determined
<u>Special Discharge Permit</u>		<u>Volume Discharge Fee</u>
Groundwater	\$612 (2011)/\$630 (2012)/\$649 (2013)/\$669 (2014)/\$689 (2015)	\$2.366/ccf 2011; \$2.437/ccf 2012; \$2.510/ccf 2013; \$2.585/ccf 2014; \$2.663/ccf 2015
Swimming Pools	\$153 (2011)/\$158 (2012)/\$163 (2013)/\$168 (2014)/\$173 (2015)	N/A
Other Discharges	\$72 (2011), \$74 (2012), \$76 (2013), \$79 (2014), \$81 (2015) (minimum)	Fees to be determined

<u>Resampling/Re-Inspection Fees</u>	
A) Grab Sample – Minimum plus actual cost of laboratory analysis + 20%	\$114 (2011), \$118 (2012), \$121 (2013), \$125 (2014), \$129 (2015)
B) Composite Samples – Minimum plus actual cost of laboratory analysis + 20%	\$229 (2011), \$236 (2012), \$243 (2013), \$250 (2014), \$257 (2015)
C) Re-Inspection (as part of ERP)	\$229 (2011), \$236 (2012), \$243 (2013), \$250 (2014), \$257 (2015)
D) Site Visit (at SIU's request)	\$153 (2011)/\$158 (2012)/\$163 (2013)/\$168 (2014)/\$173 (2015)

Notes:

- * Includes application review and inspection.
- ** Includes all costs for sampling events, analysis, program administration and equipment.

INTEREST

The District's policy is not to pay any interest on refunds or claims connected with sewer service charges, developer deposit accounts, or other sums deposited with the District.