

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 03/03/2015 by the following vote:

AYE: ☐

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐



Resolution No. 2015/63

IN THE MATTER OF increasing the existing water service charge imposed on real property within County Service Area M-28, Bethel Island area (District III);

WHEREAS, County Service Area M-28 (CSA M-28) provides treated water service to a single parcel of real property, identified as Assessor's Parcel No. 029-020-004 (the "Parcel"), on Bethel Island. An annual service charge is imposed on the Parcel to recover the annual costs to operate and maintain the treated water system and provide treated water service to the Parcel.

WHEREAS, revenue from the annual service charge is insufficient and does not recover the costs to operate and maintain the treated water system. The treated water system also needs substantial capital improvements to remain operational. To fund those improvements, CSA M-28 will need to borrow \$1,231,000 from a revolving fund to be established by the County.

WHEREAS, to pay for the treated water system's annual operation and maintenance costs, and repay the revolving fund loan that will pay for required capital improvements, Public Works Department staff have recommended that the Board of Supervisors increase the CSA M-28 annual service charge to \$335,939, beginning in Fiscal Year 2015-2016, with annual increases thereafter based on the change in the consumer price index. It is estimated that \$151,368 of that annual service charge (the "Loan Repayment Component") will be used to repay the revolving fund loan.

WHEREAS, the owner of the Parcel was provided written notice of the proposed increase to the CSA M-28 annual service charge and of the date, time, and location of the Board's hearing on the proposed increase, in accordance with Article XIID, Section 6 of the California Constitution.

WHEREAS, the Board of Supervisors held a hearing to consider the proposed increase to the CSA M-28 annual service charge. The owner of the Parcel did not submit a signed written protest against the proposed increase before the close of the hearing.

WHEREAS, the board order in support of this resolution establishes: (1) revenue from the increased annual service charge will not exceed the funds required to provide treated water service within CSA M-28; (2) revenue derived from the increased annual service charge will not be used for any purpose other than that for which the service charge will be imposed; (3) the amount of the increased annual service charge will not exceed the proportional cost of providing treated water service to the Parcel; (4) CSA M-28 treated water service is actually used by the Parcel; and (5) the increased service charge will not be imposed for a general governmental service.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Board of Supervisors finds that there is not a majority protest against the proposed increase to the CSA M-28 annual service charge.
2. Beginning in Fiscal Year 2015-2016, the CSA M-28 annual service charge is \$335,939.
3. In Fiscal Year 2016-2017, and in each fiscal year thereafter, the amount of the CSA M-28 annual service charge, minus the Loan Repayment Component, shall automatically increase based on the change in the Consumer Price Index for the San Francisco Bay Area All Urban Consumers for the 12-month period ending January 30 prior to the fiscal year in which the service charge will be levied.
4. The CSA M-28 annual service charge will be imposed on the Parcel in accordance with the County Service Area Law (Government Code sections 25210 through 25217.4) and Division 1012 of the County Ordinance Code.
5. Beginning in the fiscal year immediately following the fiscal year in which the revolving fund loan is repaid, the CSA M-28

annual service charge shall not include the Loan Repayment Component. The owner of the Parcel will be refunded any portion of the Loan Repayment Component of the CSA M-28 annual service charge that is collected but not used to repay the revolving fund loan for capital improvements.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Contact: Jason Chen, 925-313-2299

ATTESTED: March 3, 2015

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: W. Lai, Division Manager, Engineering Services, S. Cohen, Special Districts Manager, Public Works, J. Chen, Special Districts/Engineering Services