RESOLUTION #430

A RESOLUTION CONFIRMING AND FIXING CHARGES OF THE CHESTER PUBLIC UTILITY DISTRICT FOR MONTHLY WATER RATES

WHEREAS, the Board of Directors of the Chester Public Utility District ("District") is empowered, pursuant to sections 5-2.7.1. 5-2.7.2, 5-2.8.1, 5-2.8.2 and 5-3.7.2 of the District's Code and the Public Utility District Act (Division 7, Public Contract Code, § 15501, et seq.), including, but not limited to, § 16461 and 1647, to fix, by resolution, from time to time, monthly user fee charges for water service; and,

WHEREAS, notice was given pursuant to Section 6 of Article XIII D of the California Constitution on June 9, 2023, of the proposed changes in charges for water service to record owners of the properties served by the District, notwithstanding that the District's water service is not a "fee or charge" as defined by Article XIII D of the California Constitution; and,

WHEREAS a duly noticed public hearing was opened on July 25, 2023 pursuant to due and proper notice, July 25, 2023; and,

WHEREAS, at said public hearing, on both dates, the District's Board of Directors ("Board") received written protests in an amount less than a majority of owners of an identified parcel against the proposed increase to the monthly water service fee; notwithstanding that the District's water service fee is not a "fee or charge" as defined by Article XIII D of the California Constitution, and,

WHEREAS, the Board, by motion, approved and adopted the proposed changes set forth herein all to be effective August 1st, 2023.

Now, Therefore, be it resolved by the Board of Directors of the Chester Public Utility District as follows:

1. Water Service.

It is confirmed that all previous rates for water service herein below supersede all previous rates established, whether by ordinance, resolution or otherwise.

a. This resolution approves 5 years of rate adjustments. The minimum monthly charges each year for water consumption up to 6,000 gallons per month is as follows for

residential customers. Commercial customers will pay for all water use at the rate shown per 1,000 gallons:

Fixed Charge	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
5/8-in	$27.49	$29.14	$30.01	$30.91	$31.22
3/4-in	$27.49	$29.14	$30.01	$30.91	$31.22
1-in	$39.20	$41.55	$42.80	$44.09	$44.53
1 1/2-in	$68.48	$72.59	$74.77	$77.01	$77.78
2-in	$103.62	$109.83	$113.13	$116.52	$117.69
3-in	$185.60	$196.74	$202.64	$208.72	$210.80
4-in	$302.72	$320.88	$330.51	$340.42	$343.83
6-in	$595.51	$631.24	$650.18	$669.69	$676.38
Variable Charge	**FY 2023-24**	**FY 2024-25**	**FY 2025-26**	**FY 2026-27**	**FY 2027-28**
Residential					
Tier 1	$0.00	$0.00	$0.00	$0.00	$0.00
Tier 2	$0.95	$1.00	$1.03	$1.06	$1.07
Commercial					
Tier 1	$0.55	$0.59	$0.61	$0.62	$0.63

b. For water consumption in excess of 6,000 gallons in a month, residential users shall be charged for the applicable meter size set forth herein, plus the corresponding variable rate 1,000 gallons for the quantity over 6,000 gallons, or portion thereof during each year.

c. Inactive customers will be assessed a monthly standby charge based on the schedule below. Standby charges collect the minimum amount of costs to ensure basic continued service to the connection:

Standby Charge	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
All Meters	$18.68	$19.80	$20.39	$21.01	$21.22

d. Private fire connections will pay a monthly fixed fee based on the schedule shown below. Private fire connections have all costs included in their fixed charge and no water consumption charge will be assessed.

Fixed Charge	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
5/8-in	$18.16	$19.25	$19.82	$20.42	$20.62
3/4-in	$18.16	$19.25	$19.82	$20.42	$20.62
1-in	$23.65	$25.06	$25.82	$26.59	$26.86
1 1/2-in	$37.37	$39.61	$40.80	$42.02	$42.44
2-in	$53.83	$57.06	$58.78	$60.54	$61.14
3-in	$92.25	$97.79	$100.72	$103.75	$104.78
4-in	$147.14	$155.97	$160.65	$165.47	$167.12
6-in	$284.36	$301.42	$310.47	$319.78	$322.98

e. These rates shall be effective August 1, 2023.

2. Limitations Period.

The provisions contained in California Civil Code Sections 860-870 shall be applicable to this resolution and to any action taken by the District by ordinance or resolution to determine the amount of the service charges. It is the express intent of the District in adopting this resolution that any legal action contesting the validity of the resolution and/or the service charges established hereunder shall be filed within 60 days from the date of the adoption of this resolution or the determination fixing and certifying the service charges in accordance with law.

In the event that a court should decide that the validation provisions are not applicable to the adoption of this resolution or to the determination fixing and certifying the service charges, the District hereby separately declares its intent to and does hereby establish a statute of limitation in which any legal action, suit or proceeding may be initiated in court in which to attack, set aside, void or otherwise annul this resolution or any portion or provision hereof and the determination fixing and certifying the service charges. Any such action shall be initiated and filed in the appropriate court within 60 days of the date of the adoption of this resolution and/or the determination fixing and certifying the service charges. Otherwise, any such suit shall be barred.

Passed and adopted by the Board of Directors of the Chester Public Utility District, Plumas County, California, at the regular meeting thereof held on the **25th day of July, 2023** by the following vote:

AYES: Steve Voboril, Steve Griffiths, Kim Green and Ann Thorpe

NOES: NONE

ABSENT: ~~NONE~~ Roger Baker

ABSTAINED: NONE

Steve Voboril,
CPUD Board Director

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I hereby certify that the forgoing is a full, true, and correct copy of a Resolution 407 duly passed and adopted by the Board of Directors of the CHESTER PUBLIC UTILITY DISTRICT, Plumas County, California, at a regular meeting thereof held on the 25th day of July 2023.

ATTEST:

Cheryl Johnson,
Clerk to the Board