

CAMBRIA COMMUNITY SERVICES DISTRICT

DIRECTORS:

JIM BAHRINGER, President
GAIL ROBINETTE, Vice President
MURIL N. CLIFT
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OFFICERS:

JEROME D. GRUBER, General Manager
JUSTINE J. HARRIS, Interim District Clerk
TIMOTHY J. CARMEL, District Counsel

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July 10, 2014

Dear CCSD Customer,

At their regular Board meeting on May 22, 2014 the Cambria Community Services District (CCSD) Board of Directors adopted Resolution 19-2014 revising the penalty amount associated with the enhanced water conservation measures.

Starting June 1, 2014, a surcharge/penalty will be levied on all water use in excess of the maximum water use allotment set forth as follows:

- 1) A one hundred percent (100%) surcharge penalty shall be levied for all water use in excess of the maximum water use allotment for between five (5) - eight (8) units for bi-monthly service; and**
- 2) A five hundred (500%) surcharge/penalty shall be levied for water use in excess of the maximum water use allotment for all usage of more than eight (8) units for bi-monthly service.**

A copy of the resolution is available in its entirety on our website at www.cambriacsd.org

The CCSD Board of Directors and staff thank you in advance for your cooperation. If you have any questions we encourage you to contact the Administrative Office at (805) 927-6223.

Este documento es accesible in Espanol en nuestra officina o la pagina web www.cambriacsd.org.

RESOLUTION NO. 19-2014
May 22, 2014

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CAMBRIA COMMUNITY SERVICES DISTRICT
REVISING ENHANCED WATER CONSERVATION MEASURES,
RESTRICTIONS ON THE USE OF POTABLE WATER AND
MAXIMUM WATER USE ALLOTMENTS

WHEREAS, the Board of Directors of the Cambria Community Services District ("CCSD") has declared a Water Code Section 350 Water Shortage Emergency; and

WHEREAS, pursuant to Water Code Section 353, the Board of Directors may adopt such regulations and restrictions on the delivery of water which will conserve the water supply for the greatest public benefit; and

WHEREAS, based upon determinations related to the condition of the CCSD's water supplies, on September 20, 2013 the Board of Directors, after holding a duly noticed public hearing, adopted Resolution 37-2013 approving enhanced water conservation measures and restrictions on the use of potable water; and

WHEREAS, after holding a duly noticed public hearing on October 24, 2013 the Board of Directors adopted Resolution 42-2013 approving revised enhanced water conservation measures and restrictions on the use of potable water; and

WHEREAS, on January 17, 2014, the Governor of the State of California declared a state of emergency (the "Proclamation") due to record dry conditions and concerns over the State's dwindling water supplies. The Proclamation states that "[l]ocal urban water suppliers and municipalities are called upon to implement their local water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season";

WHEREAS, the domestic water supply for the CCSD may be inadequate based upon the continued lack of precipitation and the current water levels in the aquifers that provide the domestic water supply for the CCSD, and specifically that water levels in the San Simeon and Santa Rosa creek aquifers are such that staff has determined that the available water supply may be insufficient to meet demand; and

WHEREAS, after holding a duly noticed public hearing on January 30, 2014 the Board of Directors determined that it is necessary and desirable to adopt further revised enhanced water conservation measures and restrictions on the use of potable water, which included Maximum Water Use Allotments; and


WHEREAS, in addition to Water Code Section 353, Water Code Section 375 provides that a public entity which supplies water may, after holding a public hearing, adopt and enforce water conservation programs to reduce the quantity of water used by persons within the entity's service area or jurisdiction for the purpose of conserving the entity's water supplies; and

WHEREAS, after holding a duly noticed public hearing on April 24, 2014 the Board of Directors determined that revisions to the Maximum Water Use Allotments for Vacation Rentals and Commercial Uses were appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Cambria Community Services District as follows:

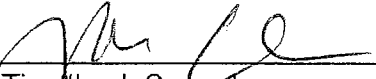
1. Based upon the existing water conditions, as described above, and in numerous staff reports and presentations to the Board of Directors, the Board of Directors hereby finds that the demands and requirements of water consumers cannot be satisfied without depleting the water supply of the CCSD to the extent that there would be insufficient water for human consumption, sanitation and fire protection and that, based on this condition and on concerns regarding the anticipated prolonged drought conditions, and hereby implements revisions to the Maximum Water Use Allocations set forth in the enhanced water conservation measures, as further set forth herein all of which the Board of Directors finds are necessary and appropriate to protect the health, safety and welfare of the public.
2. Resolution 10-2014 is hereby repealed and replaced by this Resolution with the revised Enhanced Water Conservation Measures and Restrictions on the Use of Potable Water set forth in Exhibit "A," including the revised Maximum Water Use Allotments, which exhibit is attached hereto and incorporated herein. The revised Enhanced Water Conservation Measures and Restrictions on the use of Potable Water shall be effective immediately and apply within the jurisdictional boundaries of the Cambria Community Services District until rescinded or modified by the Board of Directors. All other CCSD water conservation rules, regulations, restrictions, definitions, enforcement procedures, violation provisions and appeal procedures which are in force shall remain in force, except where they may conflict with the Enhanced Water Conservation Measures and Restrictions set forth in this Resolution.
3. The District Clerk shall publish this Resolution in full within 10 days of its adoption in accordance with the provisions of Water Code Section 376(a). After such publication, and in accordance with the provisions of Water Code Section 377, violation of the Enhanced Water Conservation Measures and Restrictions on the Use of Potable Water set forth in Exhibit "A" is a misdemeanor and punishable as set forth in Water Code Section 377.
4. Within fourteen (14) days from the date of this Resolution, the General Manager is hereby directed to provide notice to all effected water customers of the revised Maximum Water Use Allotments as set forth herein as well as the surcharges/ penalties and other consequences for a violation thereof.

PASSED AND ADOPTED THIS 22nd day of May, 2014.

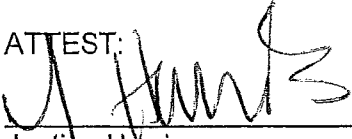


James Bahringer, President
Board of Directors

APPROVED AS TO FORM:



Timothy J. Carmel
District Counsel

ATTEST:


Justine Harris
Interim District Clerk

EXHIBIT "A" TO RESOLUTION 19-2014
ENHANCED WATER CONSERVATION MEASURES
AND RESTRICTIONS ON THE USE OF POTABLE WATER FROM THE CCSD

A. RESTRICTIONS ON USE OF POTABLE WATER:

Effective immediately, outdoor use of potable water is restricted as follows:

1. Outdoor watering of landscaping and gardens with potable water is prohibited. This prohibition applies regardless of whether or not a particular customer uses less than the monthly use allotment set forth in section B herein below. Non-potable water is available free of charge from the CCSD. Customers are welcome to use this non-potable water to irrigate their landscaping.
2. Guests in hotels, motels, and other commercial lodging establishments shall be provided the option of not laundering towels and linens daily. The CCSD will provide lodging establishments notices to advise guests of this option free of charge.
3. Washing vehicles, boats, and trailers with potable water is prohibited.
4. Washing down sidewalks, driveways, streets, walkways, parking lots, windows, buildings, porches, or patios and all other hard-surfaced areas by direct hosing or pressure washers with potable water is prohibited.
5. Emptying and refilling swimming pools and commercial spas is prohibited, except to prevent structural damage and/or to provide for the public health and safety.
6. The use of potable water for fire drills is prohibited.
7. Public restrooms shall be closed and replaced with porta-potties.

B. MAXIMUM WATER USE ALLOTMENT:

The use of potable water in excess of the monthly water use allotment set forth below is prohibited.

1. Public Uses. The CCSD will meet with school districts, public park agencies, and all other public agencies to establish appropriate agreements to reduce water consumption. The objective of such agreements shall be to eliminate irrigation of decorative landscape and reduce irrigation of turf and play areas to the minimum levels necessary to protect the health and safety of school children and park visitors. A five hundred (500) percent surcharge/penalty shall apply to all public water use in excess of three units per EDU per month.

2. Commercial Uses. The maximum water use allotment for all commercial uses shall be 80% of the actual average monthly water usage measured during the same monthly billing periods for the previous three (3) years that were used preceding implementation of this Stage 3 Water Shortage Emergency Condition. In the event a commercial use has not previously had an EDU allocation determined, the general manager shall determine and assign the EDU allocation according to the criteria provided in Title 8 of the CCSD Municipal Code, as subsequently amended or replaced.

3. Residential Uses. A maximum monthly use limit of two units per permanent resident is established for separately metered individual residential dwellings and for each separate residence within residential uses with two or more residential dwellings on the same meter (e.g., apartments and mobile homes). Each residential customer account is allotted two units per month. Customers may request an increase in the allotment of units by completing a permanent resident certification form provided by the district. The breakdown by household size is as follows:

Household Size	Units/Month
<u>1</u> permanent resident	<u>2</u> Units
Each additional permanent resident	<u>2</u> Units each

4. Adjustment of Maximum Water Use Allotment. Each customer shall have the right to request an adjustment of the number of permanent residents in his or her household used to compute the maximum water use allotment by completing the permanent resident certification. The permanent resident certification is a form provided by the CCSD that must be completed by the customer and filed at the CCSD office in order to receive an increased water allotment. It is the consumer's responsibility to complete and file an amended permanent resident certification with the CCSD whenever there is a change in the number of "permanent residents" in the customer's household. Permanent resident certification forms shall be signed under penalty of perjury.

C. WATER RATE SCHEDULE:

The amount of water provided by the CCSD for the minimum bi-monthly residential service charge shall be **reduced from six units to four units.** Therefore, the first tier of the CCSD's graduated water rate schedule, as adopted pursuant to Title 3 of the CCSD's Municipal Code, applies to usage of between zero and four units. The second tier of the graduated water rate schedule applies to usage of between five and fifteen (15) units.

D. MONITORING:

Meters will be read monthly but bills will be prepared bi-monthly for the duration of this Stage 3 Water Shortage Emergency Condition. Customers with meter readings above the maximum use limits set forth herein shall be notified of a violation. Thirty (30) days after a water bill is mailed, the bill will become delinquent if the bill or any portion thereof which is not in dispute remains unpaid. A delinquent bill shall be increased by penalty of ten (10) percent of the amount of delinquency. If not paid within ten (10) days after receipt of notice of delinquency, service may be disconnected.

E. SURCHARGES/PENALTIES FOR VIOLATION OF MAXIMUM WATER USE ALLOTMENT:

Starting June 1, 2014, a surcharge/penalty will be levied on all water use in excess of the maximum water use allotment set forth as follows:

1. A one hundred percent (100%) surcharge/penalty shall be levied for all water use in excess of the maximum water use allotment for between five (5) – eight (8) units for bi-monthly service; and
2. A five hundred percent (500%) surcharge/penalty shall be levied for water use in excess of the maximum water use allotment for all usage of more than eight (8) units for bi-monthly service.

A delinquent bill shall be increased by penalty of ten (10) percent of the amount of delinquency. If the bill is not paid within ten (10) days after receipt of notice of delinquency, service may be disconnected.

F. CITATIONS FOR VIOLATIONS:

In addition to any other penalty permitted by law, the following fines shall apply to citations for violations of the water use restrictions contained herein: (reference CCSD Municipal Code Section 4.12C Section F(2))

First Violation: The District shall issue a written citation and impose a fine of fifty dollars (\$50.00.) Written notice shall be given to the owner by certified mail. The fine will be billed to the customer on the regular bi-monthly water bill.

Second Violation: A fine of one hundred fifty dollars (\$150.00.) Written notice shall be given to the owner by certified mail. The fine will be billed to the customer on the regular bi-monthly water bill.

Third Violation: A fine of two hundred fifty dollars (\$250.00.) Written notice shall be given to the owner by certified mail. The fine will be billed to the customer on the regular bi-monthly water bill.

Subsequent
Violations:

A fine of one thousand dollars (\$1000.00.) Written notice shall be given to the owner by certified mail. The fine will be billed to the customer on the regular bi-monthly water bill.

Failure to pay
fines:

The District may discontinue water service to any customer who fails to pay fines billed on the regular bi-monthly bill. Service will be restored upon full payment of all outstanding balances and reconnection charges. The charge for reconnection and restoration of normal service shall be twenty-five dollars (\$25.00.)

Discontinuance of
Service:

Repeated violations (i.e. more than two violations) of the measures adopted by the Board of Directors during the water shortage emergency condition shall be subject to discontinuance of service. The District will send a "Discontinuance Notice" for repeated violation of the measures. The water customer shall have ten (10) days to enter into a mandatory "Water Use and Retrofit Agreement" with the District. The "Water Use and Retrofit Agreement" shall specify mandatory water use restrictions and retrofits that must be implemented by the customer within thirty (30) days. Failure to enter into this agreement within ten (10) days after receipt of the "Discontinuance Notice" shall result in discontinuance of water service.

The general manager or his/her designee may only restore service under a "Water Use and Retrofit Agreement" between the customer and the District. Failure to comply with the "Water Use and Retrofit Agreement" within thirty (30) days from the date water service is restored shall result in discontinuance of water service.

G. EXCEPTIONS:

1. The general manager may, in his or her discretion, grant exceptions to the terms of this chapter not already provided for, if he or she finds and determines that:
 - a. Restrictions herein would cause an undue hardship or emergency condition; or
 - b. That the granting of the exception will not adversely affect the water supply or service to other existing water consumers.

Such exceptions may be granted only upon application in writing. Applications for exceptions from maximum commercial use allotments must be accompanied by a water conservation plan which identifies specific conservation measures to be implemented according to a detailed implementation schedule. Upon granting any such exception, the general manager may impose any conditions he or she determines to be just and proper. The terms of any exception shall be set forth in writing, the original to be kept on file with the district, and a copy to be furnished to the applicant. All exceptions granted shall be reported to the Board of Directors at a regularly scheduled meeting.

2. Specific Exceptions.

- a. The intent of exceptions for laundromats and restaurants with public restrooms shall be to reduce water consumption and provide for surcharges/penalties at Stage 2 levels.
- b. Medical exceptions shall be allowed based on an additional two units of water a month. The general manager shall issue exceptions consistent with current district policy.
- c. Exceptions for public governmental agencies shall be consistent with water conservation policies of the district.

3. An applicant for an exception under this section may appeal the general manager's decision to the Board of Directors. A request for appeal must be submitted to the district in writing not more than ten (10) days after the general manager's decision. The board of directors shall consider the appeal within thirty (30) days of the request for appeal.