

**ORDINANCE 97**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE  
TWENTYNINE PALMS WATER DISTRICT ESTABLISHING RATES FOR  
PAY METER STATION WATER SERVICE FEES**

**WHEREAS**, the Twentynine Palms Water District (the "District") operates and is organized under Water Code section 30000 et seq.; and

**WHEREAS**, the District is authorized to fix and collect charges for the provision of water services pursuant to Water Code section 31001, 31007, and 31025; and

**WHEREAS**, while the District continually strives for cost reductions and better utilization of the assets it holds, it also needs to keep pace with inflation, and other cost increases, many of which it cannot control; and

**WHEREAS**, the District imposes a pay meter station water service fee (the "Fee") on persons who purchase water from a District pay meter water station; and

**WHEREAS**, the amount of the Fee paid is determined on the basis of the amount of metered gallons of water pumped at a pay meter water station; and

**WHEREAS**, the District must generate revenues in an amount sufficient to cover the District's ongoing costs of operations, maintenance, and capital facilities; and

**WHEREAS**, the District hired an independent rate consultant to determine how best to recover projected increases in these costs over a five-year period and based on this evaluation, and as described below, the District has determined that rate increases in the Fee are necessary to: enable it to recover the current and projected increases in these costs; avoid operational deficits and depletion of reserves; and operate the District in a financially prudent manner; and

**WHEREAS**, the Board of Directors of the District now desires to establish the new rates for the Fee for a five-year period; and

**WHEREAS**, this Ordinance shall supersede all other previous resolutions and ordinances that may conflict with, or be contrary to, this Ordinance respecting the rates for Fee described more particularly herein;

**NOW THEREFORE, BE IT ORDAINED**, by the Board of Directors of the Twentynine Palms Water District as follows:

1. The Board of Directors of the District finds and determines that the foregoing Recitals are true and correct and incorporates the Recitals herein.

2. The Board of Directors hereby establishes and imposes the Fee, effective on the dates, at the rates, and in the amounts set forth in the table below:

<b>PAY METER STATION WATER SERVICE FEES (\$/GALLON)</b>				
1-1-2016	1-1-2017	1-1-2018	1-1-2019	1-1-2020
\$0.0097	\$0.0103	\$0.0109	\$0.0115	\$0.0122

3. The Board of Directors hereby finds that the administration, operation, maintenance, and improvements of the water system (the "System"), which are to be funded by the Fee set forth herein, are necessary to maintain service within the District's existing service area. The Board of Directors further finds that the administration, operation, maintenance, and improvements of the System, to be funded by the Fee set forth herein, will not expand the System. The Board of Directors further finds that such Fee is necessary and reasonable to fund the administration, operation, maintenance, and improvements of the System. Based on these findings, the Board of Directors hereby determines that this Ordinance is exempt from the requirements of CEQA pursuant to California Public Resources Code section 21080(b)(8) and State CEQA Guidelines section 15273(a) of the.

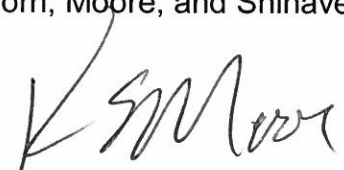
4. The Board of Directors hereby authorizes and directs the General Manager to implement and take all actions necessary to effectuate the rates for the Fee set forth herein.

5. If any section, subsection, subdivision, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid, ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The Board of Directors hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

6. This Ordinance shall become effective immediately upon its adoption by the Board of Directors.

**PASSED, APPROVED AND ADOPTED** this 16th day of December 2015 by the following vote.

Ayes: Directors Giannini, Horn, Moore, and Shinaver  
Noes: None  
Abstain: None  
Absent: Director Chambers

  
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Kerron E. Moore, President  
Board of Directors

Attest:

  
\_\_\_\_\_  
Ray Kolisz, Board Secretary  
Twentynine Palms Water District

