

NOTICE OF EXEMPTION

To: County Clerk
County of Monterey
P.O. Box 29
Salinas, CA 93902

From: Marina Coast Water District
11 Reservation Road
Marina, CA 93933-2099

FILED

JUL 10 2024

XOCHITL MARINA CAMACHO
MONTEREY COUNTY CLERK
DEPUTY

Project Title: Ordinance No. 63, Changing District Rates, Fees, and Charges for the Marina Coast Water District's Service Areas.

2024-0130

Project Location - Specific: Marina and Ord Communities to include Cities of Marina, Seaside, Monterey, Del Rey Oaks, and Monterey County.

Project Location - City: Marina **Project Location - County:** Monterey

Description of Project: Adoption of Ordinance No. 63, Changing District Rates, Fees, and Charges for the Marina Coast Water District's Service Areas.

Name of Public Agency Approving Project: Marina Coast Water District

Name of Person or Agency Carrying Out Project: Marina Coast Water District

Exempt Status: The Project described above is exempt from the California Environmental Quality Act under the following provision(s):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Public Resources Code Section 21080(b)(8)
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt: The adoption of Ordinance No. 63 is exempt from the requirements of the CEQA pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines codified at 14 CCR §15273 because this ordinance pertains to adoption of rates, fees, and charges necessary to maintain services within the District's existing service areas. Pursuant to Pub. Res. Code §21080(b)(8), one of the exemptions from CEQA is the "...establishment, modification, structuring, restructuring, or approval of rates..." for specified purposes such as maintaining services within MCWD's service areas.

Agency Contact Person: Remleh Scherzinger Area Code/Telephone/Extension: (831) 883-5925

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: [Signature] Date: 7/10/24 Title: General Manager
☒ Signed by Lead Agency ☐ Signed by Applicant
Date Received for filing at OPR: _____

MARINA COAST WATER DISTRICT

ORDINANCE NO. 63

AN ORDINANCE AMENDING SECTIONS 6.08.010, 6.08.020, 6.08.030, 6.08.040, 6.08.050, 6.08.060, 6.08.080, 6.08.090, 6.08.100, 6.08.110, 6.12.020, 6.12.030, 6.12.040, 6.12.050, AND 6.16.010 OF THE DISTRICT CODES

CHANGING RATES, FEES AND CHARGES FOR WATER AND SEWER SERVICES
FOR THE MARINA COAST WATER DISTRICT'S SERVICE AREAS

Be it ordained by the Board of Directors of
Marina Coast Water District
as follows:

Section 1. Authority. This Ordinance is enacted pursuant to Sections 30000 and following of the California Water Code, and Section 6 of Article XIII D of the California Constitution.

Section 2. Findings.

A. This ordinance is considered for action by the Board of Directors at a regularly scheduled and noticed meeting. The agenda was posted in accordance with County Water District law with opportunity for public review in advance of the meeting and public comment during consideration of the ordinance by the Board. The District has complied with publication, notice and hearing requirements of Section 6 of Article XIID of the California Constitution and Section 31105 of the California Water Code.

B. The District Code establishes, among other things, water consumption charges, minimum monthly charges, monthly sewer charges, various service charges, and water and sewer capacity charges for the District's customers. Based on the recommendations of the District's General Manager and engineering and financial advisors, and the 2024 5-Year Water, Wastewater and Recycled Water Financial Plan and Rate Study adopted by the Board of Directors on April 29, 2024, revised rates, fees, and charges are necessary to meet operating and capital expenses for sound operation of the District in accordance with Water Code Section 31007 and to enable the District to provide continued water and sewer service within the District's Central Marina service areas.

C. The District's legal counsel advises, and the Board finds, that adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines codified at 14 CCR §15273 because this ordinance pertains to adoption of rates, fees and charges necessary to maintain services within the District's existing service area.

D. The rates, fees and charges adopted by this ordinance will not exceed the estimated reasonable costs of providing the services for which the rates, fees or charges are imposed and will not exceed the proportional cost of the service attributable to the parcel receiving the service.

Section 3. Purpose of Ordinance. The purpose of this Ordinance is to revise charges for water and wastewater services for the District's service area. This Ordinance amends Sections 6.08.010, 6.08.020, 6.08.030, 6.08.040, 6.08.050, 6.08.060, 6.08.080, 6.08.090, 6.08.100, 6.08.110, 6.12.020, 6.12.030, 6.12.040, 6.12.050 and 6.16.010 of the District Code.

Section 4. Monthly water rates and charges Section 6.08.010 of the District Code is amended to read as follows:

6.08.010 Monthly water rates and charges.

Water rates and charges shall be fixed by the board of directors from time to time and set forth by ordinance or by resolution at the discretion of the board of directors. If such water rates and charges are adopted by resolution, then the resolution shall state which sections or parts of the District Code is replacing.

Section 5. Water meter connection fee. Section 6.08.020 (A) of the District Code is amended to read as follows:

6.08.020 Water meter connection fee.

- A. New meters. Applicant shall provide tapping and water service piping and vault. The district will install the meter in applicant-furnished vault.

Meter size	Meter charge
¾"	\$610.00
1"	\$700.00
1½"	\$790.00
2"	\$1,220.00
3" and larger	Actual direct and indirect cost to district, advance payment to be based on estimated cost.

Effective July 1, 2024, the price will be subject to an annual adjustment based on the percentage change in the Consumer Price Index (CPI) from February of the prior year to February of the current year. This adjustment will occur annually from July 1 through July 1, 2028.

Section 6. Temporary Water Service. Section 6.08.030 (F) of the District Code is hereby amended to read as follows:

6.08.030 Temporary water service.

- F. The applicant shall be responsible for district equipment utilized for this purpose and the necessary repair or replacement costs shall be deducted from the applicant's deposit. The applicant is responsible for returning the district equipment and closing the account promptly after the job is complete. If a meter is not returned promptly, the district shall deduct the cost of replacing the meter from the applicant's deposit.

The temporary water fees for Marina and Ord Water shall be as follows:

Fee	Charges (Effective August 1, 2024)
Gate Valve/Meter Deposit	\$813
Minimum Water Consumption Deposit	\$1,372
Set/remove hydrant	Actual Cost
Relocate meter per occurrence	Actual Cost
Meter set, other than fire hydrant	Actual Cost
Minimum monthly service charge	\$123

Effective July 1, 2024, the price will be subject to an annual adjustment based on the percentage change in the Consumer Price Index (CPI) from February of the prior year to February of the current year. This adjustment will occur annually July 1 through July 1, 2028.

Section 7. Repair, replacement and maintenance of hydrants. Section 6.08.040 (A) and (C) of the District Code is hereby amended to read as follows:

6.08.040 Repair, replacement and maintenance of hydrants.

A. Private customers who desire to have the district maintain and repair fire hydrants on private property shall enter into an agreement with the district for that purpose.

Said agreement will in general:

1. Authorize the district to access the property to perform such services;
2. Require the customer to pay the district for all costs incurred in entering into and providing such services;
3. Require a deposit of \$600 at time of execution of the agreement;
4. Require protection by bollards or guard posts should a hydrant be repeatedly damaged. The district may also require that the hydrant be relocated to a less vulnerable location. Such relocation or protection will be paid for by the customer and will be subject to the approval of the local fire protection agency;
5. Limit the liability of the district for loss or damage resulting from the district providing such services to loss or damages resulting from the district's sole negligence in performing such services.

C. Public customers who desire to have the district maintain and repair fire hydrants under the public customer's jurisdiction may have the district provide such service by entering into an agreement to do so and by paying the fees indicated below. Such fees shall cover all costs incurred by the district in providing such maintenance and repair service.

Type of connection	Monthly charge per hydrant
Single/double outlet, all sizes main	\$24.00 per month

Effective July 1, 2024, the price will be subject to an annual adjustment based on the percentage change in the Consumer Price Index (CPI) from February of the prior year to February of the current year. This adjustment will occur annually July 1 through July 1, 2028.

Section 8. Cross-connection control permit. Section 6.08.050 of the District Code is hereby amended to read as follows:

6.08.050 Cross-connection control permit.

Permit fees are as follows:

First backflow prevention device	\$132.00 per year
Each additional backflow prevention device	\$88.00 per year

Effective July 1, 2024, the price will be subject to an annual adjustment based on the percentage change in the Consumer Price Index (CPI) from February of the prior year to February of the current year. This adjustment will occur annually July 1 through July 1, 2028.

Section 9. Fixed monthly service charges Section 6.08.060 of the District Code is hereby amended to read as follows:

6.08.060 Fixed monthly service charges:

The fixed monthly water charges for Marina Water shall be as follows:

Meter Size	Charges (Effective August 1, 2024)	Charges (Effective July 1, 2025)	Charges (Effective July 1, 2026)	Charges (Effective July 1, 2027)	Charges (Effective July 1, 2028)
5/8" & 3/4"	\$42.29	\$50.75	\$60.90	\$65.77	\$71.03
1"	\$65.06	\$78.07	\$93.69	\$101.18	\$109.28
1.5"	\$122.01	\$146.41	\$175.69	\$189.75	\$204.93
2"	\$190.34	\$228.41	\$274.09	\$296.02	\$319.70
3"	\$372.56	\$447.07	\$536.49	\$579.41	\$625.76
4"	\$577.55	\$693.06	\$831.67	\$898.21	\$970.06
6"	\$1,146.99	\$1,376.39	\$1,651.67	\$1,783.80	\$1,926.50
8"	\$1,830.31	\$2,196.37	\$2,635.65	\$2,846.50	\$3,074.22
10"	\$3,196.95	\$3,836.34	\$4,603.61	\$4,971.90	\$5,369.65
12"	\$4,791.37	\$5,749.64	\$6,899.57	\$7,451.54	\$8,047.66

The fixed monthly water charges for Ord Water shall be as follows:

Meter Size	Charges (Effective August 1, 2024)	Charges (Effective July 1, 2025)	Charges (Effective July 1, 2026)	Charges (Effective July 1, 2027)	Charges (Effective July 1, 2028)
5/8" & 3/4"	\$52.34	\$57.57	\$63.33	\$67.13	\$71.16
1"	\$78.61	\$86.47	\$95.12	\$100.83	\$106.87
1.5"	\$144.31	\$158.74	\$174.62	\$185.09	\$196.20
2"	\$223.14	\$245.45	\$270.00	\$286.20	\$303.37
3"	\$433.35	\$476.69	\$524.35	\$555.81	\$589.16
4"	\$669.85	\$736.84	\$810.52	\$859.15	\$910.70
6"	\$1,326.78	\$1,459.46	\$1,605.40	\$1,701.73	\$1,803.83
8"	\$2,115.09	\$2,326.60	\$2,559.26	\$2,712.81	\$2,875.58
10"	\$3,691.72	\$4,060.89	\$4,466.98	\$4,735.00	\$5,019.10
12"	\$5,531.12	\$6,084.23	\$6,692.66	\$7,094.21	\$7,519.87

Section 10. Private fire service. Section 6.08.080 of the District Code is hereby amended to read as follows:

6.08.080 Private fire service.

The monthly charges for Marina Water private fire service shall be as follows:

Meter Size	Meter Charges (Effective August 1, 2024)
1"	\$2.07
1.5"	\$6.01
2"	\$12.82
2.5"	\$23.04
3"	\$37.23
4"	\$79.33
6"	\$230.45
8"	\$491.08

The monthly charges for Ord Water private fire service shall be as follows:

Meter Size	Meter Charges (Effective August 1, 2024)
1"	\$2.97
1.5"	\$8.65
2"	\$18.45
2.5"	\$33.16
3"	\$53.56
4"	\$114.13
6"	\$331.51
8"	\$706.48

Effective July 1, 2024, the price will be subject to an annual adjustment based on the percentage change in the Consumer Price Index (CPI) from February of the prior year to February of the current year. This adjustment will occur annually July 1 through July 1, 2028.

For the purposes of Section 6.08.080, regarding the monthly fire service fees for the Ord and Marina service areas, the term "meter size" means the size of the backflow prevention check valve installed on the private fire service lateral and does not mean the size of the detector bypass meter. If the customer or property owner can show the district, to the satisfaction of the district engineer, that the pipe after the check valve is of a different size than the check valve, then the district can adjust the monthly fire service fee in accordance with the pipe size.

Section 11. Capacity charges for new or modified potable and recycled water service connections. Section 6.08.090 (A) of the District Code is hereby amended to read as follows:

6.08.090 Capacity charges for new or modified potable and recycled water service connections.

- A. The water capacity charge for each equivalent dwelling unit ("EDU", as defined in Section 1.04.010) shall be as follows:

Marina Water service area \$6,800.00 per EDU.

Ord Water service area \$13,900.00 per EDU.

- B. The capacity charges adopted by this code shall each year, commencing on July 1, 2003, and continuing thereafter on each succeeding July 1st, be adjusted by an increment based on the change in the Engineering News Record 20-City Average Construction Cost Index over the prior year, using the index published for the first quarter of the calendar year, and rounded to the nearest twenty-five dollars. The board may, by resolution adopted before the effective date of any annual adjustment, determine that such adjustment shall not be effective for the next succeeding year, or that the adjustment shall be some other amount within the ranges set forth in this code.

[Note: The adjustments to the water capacity charges in "A" are in accordance with "B" which was previously adopted in Ord. 37]

Section 12. Water consumption rates. Section 6.08.100 (A) of the District Code is hereby amended to read as follows:

6.08.100 Water consumption rates.

- A. Water consumption by District Customers shall be measured in units of one hundred cubic feet (seven hundred forty-eight gallons). The quantity charge for water consumption per one hundred cubic feet (HCF) shall be as follows for each service area:

For Marina Water:

Single Family Consumption Charge	Charges (Effective August 1, 2024)	Charges (Effective July 1, 2025)	Charges (Effective July 1, 2026)	Charges (Effective July 1, 2027)	Charges (Effective July 1, 2028)
Tier 1	\$4.36 per hcf	\$5.23 per hcf	\$6.28 per hcf	\$6.78 per hcf	\$7.32 per hcf
Tier 2	\$7.00 per hcf	\$8.40 per hcf	\$10.08 per hcf	\$10.89 per hcf	\$11.76 per hcf
Multi-Family and Non-Residential Consumption Charge	Charges (Effective August 1, 2024)	Charges (Effective July 1, 2025)	Charges (Effective July 1, 2026)	Charges (Effective July 1, 2027)	Charges (Effective July 1, 2028)
Uniform Rate	\$4.64 per hcf	\$5.57 per hcf	\$6.68 per hcf	\$7.22 per hcf	\$7.79 per hcf

For Ord Water:

Single Family Consumption Charge	Charges (Effective August 1, 2024)	Charges (Effective July 1, 2025)	Charges (Effective July 1, 2026)	Charges (Effective July 1, 2027)	Charges (Effective July 1, 2028)
Tier 1	\$6.79 per hcf	\$7.47 per hcf	\$8.22 per hcf	\$8.71 per hcf	\$9.23 per hcf
Tier 2	\$10.37 per hcf	\$11.41 per hcf	\$12.55 per hcf	\$13.30 per hcf	\$14.10 per hcf
Multi-Family and Non-Residential Consumption Charge	Charges (Effective August 1, 2024)	Charges (Effective July 1, 2025)	Charges (Effective July 1, 2026)	Charges (Effective July 1, 2027)	Charges (Effective July 1, 2028)
Uniform Rate	\$7.30 per hcf	\$8.03 per hcf	\$8.83 per hcf	\$9.36 per hcf	\$9.92 per hcf

Section 13. Water shortage surcharge. Section 6.08.110 of the District Code is hereby amended to read as follows:

6.08.110 Water shortage surcharge.

The Water Shortage Surcharges are designed to temporarily modify the then-current water consumption charges during water shortage emergencies and droughts. The Water Shortage Surcharge does not affect the fixed Service Charge. The proposed Water Shortage Surcharges are designed to only go into effect and in the amount of each of the respective Water Shortage Contingency Plans (WSCP) for Marina Water and Ord Water, which define water usage reduction targets by various stages and as determined by the MCWD Board. The analysis for both Services Areas define:

- 1) The water usage reduction goals by water shortage stage.
- 2) The estimated water use reduction during each respective stage.
- 3) The estimated changes in rate revenue for each respective stage.
- 4) The estimated changes in expenditures for each respective stage.

- 5) The proposed Water Shortage Surcharge by stage (expressed as a percent increase to the water consumption charges.
- 6) The proposed reduction in capital spending by stage.
- 7) The anticipated financial deficit that will occur by stage (after accounting for the mitigating measures.

Each of the above steps are detailed in the respective subsections below.

Water Shortage Surcharge by Drought Stage for Marina and Ord
(percentage increase applied to Consumption Charges only)

Stage 1	Stage 2	Stage 3	Stage 4	Stage 5
0%	10%	20%	30%	40%

Section 14. Capacity charges for new or modified sewer service connections. Section 6.12.020 (A) and (B) of the District Code is hereby amended to read as follows:

6.12.020 Capacity charges for new or modified sewer service connections.

- A. The collection system capacity charge for residential and equivalent dwelling units ("EDU", as defined in Section 1.04.010) shall be as follows:

Marina service area \$2,650.00 per EDU.

Ord service area \$3,575.00 per EDU.

- B. Connector element: \$1,080 per EDU, charged only to properties which will be served by facilities not considered in the adopted facilities plan and which must be constructed by the district.
- C. The capacity charges adopted by this code shall each year, commencing on July 1, 2003, and continuing thereafter on each succeeding July 1st, be adjusted by an increment based on the change in the Engineering News Record 20-City Average Construction Cost Index over the prior year, using the index published for the first quarter of the calendar year, and rounded to the nearest twenty-five dollars. The board may, by resolution adopted before the effective date of any annual adjustment, determine that such adjustment shall not be effective for the next succeeding year, or that the adjustment shall be some other amount within the ranges set forth in this code.

[Note: The adjustments to the capacity charges in "A" are in accordance with "C" which was previously adopted in Ord. 37]

Section 15. Industrial waste discharge permit. Section 6.12.030 of the District Code is hereby amended to read as follows:

6.12.030 Industrial waste discharge permit.

The industrial waste discharge permit charge is \$132 per year.

Section 16. Capacity charge for new and modified sewer service connection. Section 6.12.040 of the District Code is hereby amended to read as follows:

6.12.040 Capacity charge for new and modified sewer service connection.

Table 6.12.040 summarizes the sewer collection system charge.

Table 6.12.040
SEWER CAPACITY CHARGES

Residential Units

Marina service area sewer collection system capacity charge \$2,650 per EDU. Ord service area sewer collection system capacity charge \$3,575 per EDU.

The per unit charge for single-family residential connection is 1 EDU.

The per unit charge for multiple dwelling, condominium, trailer space, or mobile home is 0.8 EDU. For example, 5 multiple dwelling units equals four (4) EDU's for a capacity fee of \$10,600 when the capacity charge per EDU is \$2,650 in the Marina service area or \$14,300 when the capacity charge per EDU is \$3,575 in the Ord service area.

Nonresidential Units

Sewer collection system capacity charge—Based on fixture units as defined in the Uniform Plumbing Code per structure.

Fixture units are to be assigned based on ultimate plumbing fixtures per approved building plans, regardless of number of fixtures initially installed.

Each nineteen fixture units are equivalent to one equivalent dwelling unit (EDU).

A hotel/motel unit is nonresidential.

The sewer collection system capacity charge is collected at the ratio of one EDU per each nineteen fixture units. For example, twenty-three fixture units equals one point two one (1.21) EDU's for a capacity fee of \$3,207 when the capacity charge per EDU is \$2,650 in the Marina service area or \$4,326 when the capacity charge per EDU is \$3,575 in the Ord service area.

Each nonresidential connection is a minimum of one EDU.

Section 17. Wastewater collection rates Section 6.12.050 of the District Code is hereby amended to read as follows:

6.12.050 Wastewater collection rates.

Wastewater collection rates for all classes of customers within the District shall be as follows per month per equivalent dwelling unit (EDU), calculated using the table of user classifications and wastewater demand factors set forth in Appendix D of this code.

Marina Sewer Schedule of Rates

Sewer Charges	Charges (Effective August 1, 2024)	Charges (Effective July 1, 2025)	Charges (Effective July 1, 2026)	Charges (Effective July 1, 2027)	Charges (Effective July 1, 2028)
Fixed Monthly Charges (per EDU)	\$9.45	\$10.87	\$12.50	\$13.75	\$15.13
Flow-Based Charges (per hcf)	\$1.85	\$2.13	\$2.45	\$2.70	\$2.97

Ord Sewer Schedule of Rates

Sewer Charges	Charges (Effective August 1, 2024)	Charges (Effective July 1, 2025)	Charges (Effective July 1, 2026)	Charges (Effective July 1, 2027)	Charges (Effective July 1, 2028)
Fixed Monthly Charges (per EDU)	\$20.55	\$21.37	\$22.22	\$23.11	\$24.03
Flow-Based Charges (per hcf)	\$4.02	\$4.18	\$4.35	\$4.52	\$4.70

Section 18. Charges for services common to water and sewer service Section (A), (B) and (C) 6.16.010 of the District Code is hereby amended to read as follows:

6.16.010 Charges for services common to water and sewer service.

A. Plan review.

1. The district shall require a fee of \$350 before undertaking a plan review/water conservation review for all existing residential modifications or additions and \$700 for all existing commercial modifications or additions. The district shall require a fee of \$875 before undertaking a plan review for a small project. For a large project, the district shall require a fee of \$875, plus an additional cost as determined by the district engineer, in order to recover the district's actual costs incurred for inspections, plan checks, administrative and legal costs. The applicant shall be advised before the additional cost is incurred and shall be given the option of withdrawing the plans or being billed for the additional cost.
2. The review is intended to provide: (a) an assessment of the proposed connection(s), and (b) an estimate of the development's impact on the district's facilities, (c) an estimate of fire flow rates in the vicinity of the project, and (d) a projection of the project's potential contribution to connection fees or reimbursement agreements.

B. Construction inspection.

1. The district shall require a deposit before undertaking a construction inspection check review of a proposed development. The fee shall be \$875 for a large project, and \$700 for a small project. A small project is defined as a single-family residence, duplex, etc. that is connecting to an existing main, with minimal on-site piping. A large project is defined as a subdivision, an apartment complex, a commercial development, or other project larger than a single-family home. If the construction inspection costs more than the fee, the applicant shall be advised before the additional cost is incurred and shall be given the option of withdrawing the plans or being billed for the additional cost.
2. The applicant will submit actual construction bid data. The submitted data shall be in a unit cost format and shall be certified by both the contractor and the applicant as being the actual costs incurred in furnishing and installing the water and sewer facilities. The water and sewer construction costs must be reviewed and accepted by the district.
3. The applicant shall deposit the appropriate inspection fee with the district at the time that permits are issued. The district will charge expenses incurred in inspecting the

project against this account. Should the district incur costs in excess of the amount deposited, the developer will be required to make additional deposits.

C. Permit fees. Each water service or sewer lateral: \$88.

Section 19. Requirements for Rates, Fees and Charges. The rates, fees and charges adopted by this ordinance shall not exceed the reasonably estimated costs of providing the services for which the rates, fees or charges are imposed.

Section 20. Effective Date. All sections of this Ordinance pertaining to water service rates, fees, and charges shall be in full force and effect thirty (30) days from and after the date of adoption. All sections of this Ordinance pertaining to wastewater service rates, fees, and charges shall be in full force and effect immediately upon adoption in accordance with section 31105(a) of the California Water Code.

Section 21. Publication and Posting. Within 10 days after adoption, the district shall publish, in a newspaper published in Monterey County and circulated within the district, a summary of this ordinance with the names of those directors voting for and against adoption, and shall post in the district office a certified copy of the full text of this ordinance as adopted along with the names of those directors voting for and against adoption.

Section 22. Notice of Exemption Notice of Determination. The Secretary is authorized and directed to give due notice of exemption of this ordinance from the provisions of CEQA, pursuant to Title 14 California Code of Regulations section 15062.

Section 23. Existing Charges. Existing rates, fees and charges in effect when this ordinance is adopted shall remain in effect unless specifically changed by this ordinance.

Section 24. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, or superseded by some other provision of law, such provisions shall be severed from and shall not affect the validity of the remaining provisions of this ordinance. The Board hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any other part thereof be unconstitutional or invalid, or superseded by some other provision of law. The parts of this ordinance which are not unconstitutional, invalid, or superseded shall remain in full force and effect and shall be enforced according to their terms.

Section 25. Interpretation. Words and phrases used in this ordinance shall be read conjunctively with and shall have the same meaning as in prior district ordinances and the district Code, unless specifically changed by this ordinance or unless the context requires some other construction. If there is any inconsistency between this ordinance and prior provisions, this ordinance shall control.

Section 26. Annual Modification of Rates and Charges. All rates, fees and charges specified in this ordinance are the maximum amounts that may be imposed by the District for the applicable time period. The Board of Directors as part of its review and adoption of the annual District budget may determine by resolution to impose less than the applicable rate, fee or charge set forth in this ordinance for all or a portion of time period covered by that District budget.

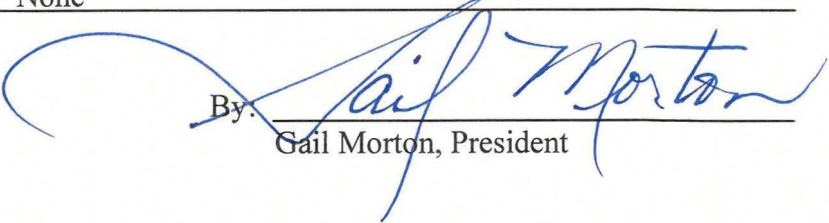
On motion of Director Moore, seconded by Director Imamura, the foregoing Ordinance is enacted and shall take effect on July 1, 2024 by the following roll call of the Board:

Ayes: Directors Cortez, Imamura, Moore, Shriner, Morton

Noes: Directors None

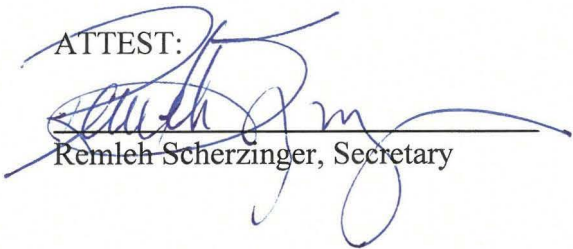
Absent: Directors None

Abstained: Directors None

By: 

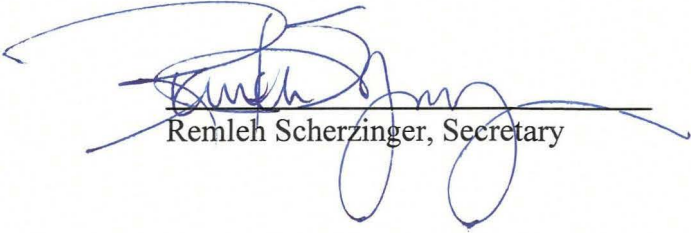
Gail Morton, President

ATTEST:


Remleh Scherzinger, Secretary

CERTIFICATE OF SECRETARY

The undersigned hereby certifies that the foregoing Ordinance was adopted and approved by the Board of Directors at their regular meeting on June 17, 2024.


Remleh Scherzinger, Secretary