

NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION 2023-1681

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE NIPOMO COMMUNITY SERVICES DISTRICT  
TO RESTATE, AMEND AND/OR ESTABLISH MISCELLANEOUS FEES

WHEREAS, it is a major responsibility of the Nipomo Community Services District ("District") to maintain adequate levels of revenue, equitably collected from all classes of utility customers, to meet the District's financial commitments; and

WHEREAS the District Staff performed a Miscellaneous Fee Study (herein "Study"). The Study included an analysis of existing miscellaneous fees and charges. The fees were reviewed based on estimates of District labor, materials and equipment used to perform the service to ensure the District is charging the appropriate fee for the costs incurred. In addition, the Study recommended adding new miscellaneous fees that would recover District costs where services are being provided but are not currently being charged.

WHEREAS, Government Code §61115 authorizes the District to adopt rates and charges by Resolution; and

WHEREAS, the Study is available for public inspection at the District office during regular business hours and on the District website.

WHEREAS, based upon facts and analysis presented in, the Study, the Staff Report, and public testimony received, the Board of Directors finds:

- A. The miscellaneous fees and charges that are the subject of this Resolution do not exceed the estimated reasonable cost of providing the services for which the fees and/or charge or charges are imposed;
- B. The District should recover as much as feasible of the full cost of providing services from those whom the services are provided.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED, by the Board of Directors of the District as follows:

**Section 1.**                      Incorporation of Recitals

To the best of the Board's knowledge, the Recitals are true and correct and incorporated herein by this reference. The Recitals and cited reports, facts and studies contained therein constitute and support the findings of the District in support of this Resolution.

NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION 2023-1681

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE NIPOMO COMMUNITY SERVICES DISTRICT  
TO RESTATE, AMEND AND/OR ESTABLISH MISCELLANEOUS FEES

**Section 2.** Miscellaneous Fee Schedule

The Miscellaneous Fee Schedule (Exhibit A) is approved and may be amended from time to time by Resolution of the Board. Any and all District fees and chargers that are not specifically amended by this Resolution shall remain in effect unless and until expressly amended or repealed by the District.

**Section 3.** Effect of Repeal on Past Actions and Obligations

This Resolution does not affect prosecutions for violations committed prior to the effective date of this Resolution, does not waive any fee or penalty due and unpaid on the effective date of this Resolution, and does not affect the validity of any bond or cash deposit posted, filed or deposited pursuant to the requirements of any prior Resolution or Ordinance.

**Section 4.** CEQA Findings

The Board of Directors of the District finds that the rates and charges adopted by this Resolution exempt from the California Environmental Quality Act pursuant to Public Resources Code § 21080(b)(8) and CEQA Guidelines Section 15273. The District General Manager is directed to prepare and file appropriate notices.

**Section 5.** Severance Clause

If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be unconstitutional, ineffective or in any manner in conflict with the laws of the United States, or the State of California, such decision shall not affect the validity of the remaining portions of this Resolution. The Governing Board of the District hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional, ineffective, or in any manner in conflict with the laws of the United States or the State of California.

**Section 6.** Effective Date

This Resolution shall take effect immediately. The new and proposed rates and charges adopted by this Resolution shall take effect October 1, 2023

NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION 2023-1681

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE NIPOMO COMMUNITY SERVICES DISTRICT  
TO RESTATE, AMEND AND/OR ESTABLISH MISCELLANEOUS FEES

Upon the motion of Director Eby, seconded by Director Woodson, and on the following roll call vote, to wit:

**AYES:** *Directors Eby, Woodson, Hansen, Gaddis, and Malvarose*  
**NOES:** *NONE*  
**ABSENT:** *NONE*  
**CONFLICTS:** *NONE*

the foregoing resolution is hereby adopted this 23<sup>rd</sup> day of August 2023.



RICHARD MALVAROSE  
President of the Board

ATTEST:

APPROVED AS TO FORM:



MARIO IGLESIAS  
General Manager and Secretary to the Board



CRAIG A. STEELE  
District Legal Counsel

NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION 2023-1681

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE NIPOMO COMMUNITY SERVICES DISTRICT  
TO RESTATE, AMEND AND/OR ESTABLISH MISCELLANEOUS FEES  
EXHIBIT A

**NIPOMO COMMUNITY SERVICES DISTRICT  
SCHEDULE OF MISCELLANEOUS FEES**

**NEW FEES – EFFECTIVE OCTOBER 1, 2023**

CODE SECTION	DESCRIPTION OF FEE	AMOUNT
1.04.030 (C)	Appeal Fee	\$600
2.04.070 (A)	Reimbursement and Inspection Agreement Deposit	\$3,000
2.08.045 (B)(1)	Automated Metering Opt-Out Set Up and Meter Pull/Replace Fee	\$220
2.08.045 (B)(2)	Automated Metering Opt-Out Monthly Reading Fee	\$36
3.06.110 (C)	Backflow Testing	\$220
4.04.080 (B)	FOG Permit Fee	\$555
4.04.140 (B)	Administrative Citation for Violations of Grease Trap and Grease Interceptors	1 <sup>st</sup> Violation \$100 2 <sup>nd</sup> Violation, in a calendar year \$250 3 <sup>rd</sup> Violation in a calendar Year \$500
4.06.010 (D) and 4.06.090	Wastewater Discharge Permit	\$1,000 Deposit
4.06.100	Wastewater Discharge Permit Application fee	\$1,000 Deposit
4.06.120	Wastewater Discharge Permit renewal fee	\$680
4.06.130	Wastewater Discharge permit modification fee	\$1,020
4.06.150	Wastewater Discharge permit transfer fee	\$1,020
4.06.370 (3) and (4)	Administrative fine for Wastewater Violations	1 <sup>st</sup> Violation \$250 2 <sup>nd</sup> Violation, in a calendar year \$500 3 <sup>rd</sup> Violation in a calendar Year \$1,000
N/A	Sewer Dye Test	\$365
N/A	Inquiry Fee	\$200

Note: Subject to Section 2.04.010 (B) – to be adjusted annually each July 1, commencing July 1, 2024

**EXISTING FEES – WITH PROPOSED INCREASES – EFFECTIVE OCTOBER 1, 2023**

CODE SECTION	DESCRIPTION OF FEE	PROPOSED AMOUNT
2.04.050 (A) and (B)	Application for Verification of Service Letter for Water and/or Sewer	\$380
2.04.070 (A)	Water Lateral Inspection Fee	\$420
2.04.070 (A)	Sewer Lateral Inspection Fee	\$275
2.06.030 (E)(7)(a)	Fee to Request Extension of Intent to Serve Letter	\$200
3.04.010 (D)	Fire Flow Letter	\$155
3.04.030 (A)	Fire Hydrant Meter (at designated location)	\$3,500.00 deposit, \$30.00 per month equipment rental with one month minimum fixed charge plus cost of water

Note: Subject to Section 2.04.010 (B) – to be adjusted annually each July 1, commencing July 1, 2024

NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION 2023-1681

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE NIPOMO COMMUNITY SERVICES DISTRICT  
TO RESTATE, AMEND AND/OR ESTABLISH MISCELLANEOUS FEES  
EXHIBIT A

**EXISTING FEES – (NO PROPOSED INCREASE) REMAIN IN EFFECT**

CODE SECTION	DESCRIPTION OF FEE	AMOUNT
1.04.040 (D)	Variance Deposit	Actual cost with \$900 deposit
2.04.080 (A)	Meter Fees	See Below
2.04.080 (B)(1) and (2) and 2.08.170	Meter removal/re-install fee	Actual cost plus \$118 minimum plus capacity charge, if applicable
2.06.020 (C )	Application Fees for Development	See Below
2.06.090 (A)	Annexation Application Fee	\$1,500
2.06.090 (B)	Annexation Fees	\$500 per acre or parcel, if less than one acre
2.08.020 (A)	Account Set Up Fee	\$42
2.08.040 (D) and 2.08.045 (B)(2)	Meter Read Surcharge	\$36
2.08.040 (G)	Duplicate Billing	\$1.50 per billing cycle
2.08.060 (B)	Late Fee Penalty	Greater of \$10 or 10% of unpaid balance
2.08.070 (B)	Non-Payment/reconnection fee	\$50
2.08.090 (A)	Shut Off Notice (Door Hanger) Non-Residential	\$20
2.08.100 (B)	Turn On/Off after hours	\$147
2.08.140	Returned Check Fee	\$28
2.08.150	Water Meter Calibration Check	\$118 plus cost of calibration
2.08.160 (B)	Tampering	\$137
3.04.010 (E)	Fire Flow Test	\$175 per hour with 1.5 hour minimum
3.04.030 (A)	Fire Hydrant Access (Near Office)	\$39 plus account set up plus cost of water
3.04.030 (B)	Fire Hydrant Relocation Charge	\$150
3.06.050 (B)	Backflow Administration Fee	\$1 per billing cycle
N/A	Board Room Use Fee	Rental Fees of \$10 or \$15 an hour plus \$50 open/close fee
N/A	Special Meeting Fee	Actual cost plus 15% overhead
N/A	In house copy charge, Black and White Standard Size 8.5 x 11	\$0.15 per page normal size 8.5 x 11 black/white, except \$0.10 per page of FPPC campaign and economic disclosure statements (Not subject to annual increase)
N/A	In-house copy charge, Color	\$1.50 first page and \$0.40 each page thereafter
N/A	Outside Copy Charge	\$25 plus actual cost
N/A	CD/Thumb Drive Charge	\$10
N/A	Lien Release Fee	Pass Through Fee from San Luis Obispo County

Note: Subject to Section 2.04.010 (B) – to be adjusted annually each July 1, commencing July 1, 2024

NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION 2023-1681

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE NIPOMO COMMUNITY SERVICES DISTRICT  
TO RESTATE, AMEND AND/OR ESTABLISH MISCELLANEOUS FEES  
EXHIBIT A

2.04.080 (A)	Meter Fees			
Meter Size	Meter Setting(1)	Meter Cost(2)	MXU Radio(2)	Total Cost
1"	\$120	\$564	\$251	\$935
1.5"	\$200	\$1,816	\$251	\$2,267
2"	\$200	\$2,095	\$251	\$2,546
3"	\$250	\$2,653	\$251	\$3,154
4"	\$250	\$4,609	\$251	\$5,110
6"	\$350	\$7,960	\$251	\$8,561

- (1) Subject to Section 2.04.010 (B) – to be adjusted annually each July 1, commencing July 1, 2024  
(2) Cost adjusted annually to reflect pass through cost from meter vendor

2.06.020 (C)	Application Fees for Development	
	PROJECT SIZE/TYPE	AMOUNT
	Residential <3 units*	\$1,437
	Residential 4-20 units*	\$1,974
	Residential > 20 units*	\$2,325
	Commercial <1 acre*	\$1,974
	Commercial 1-3 acres*	\$2,325
	Commercial > 3 acres*	\$3,212
	Mixed Use 3 or less Dwelling Units*	\$2,325
	Mixed Use with four or more Dwelling Units*	\$3,212
	*Outside Consulting and Legal fees will be billed to the Applicant at direct rate.	

Note: Subject to Section 2.04.010 (B) – to be adjusted annually each July 1, commencing July 1, 2024