RESOLUTION NO. 2026-941

RESOLUTION OF THE BOARD OF DIRECTORS OF THE RUBIDOUX COMMUNITY SERVICES DISTRICT ADOPTING WATER AND SEWER CAPACITY FEES

WHEREAS, the Rubidoux Community Services District ("District") is organized and operates pursuant to the California Community Services District Law, Division 3 of Title 6 of the California Government Code commencing with Section 61000. The District is authorized to fix and collect water and sewer capacity fees ("Fees") as a condition for obtaining water and sewer service pursuant to California Government Code Section 66013; and

WHEREAS, the District retained an independent consultant to conduct a cost-of-service analysis and fee study to determine the appropriate level of funding necessary to ensure that new connections pay for their proportionate share of existing and future facilities necessary to provide them with water and sewer service, whereas the study has been on file at the District's office and available for public inspection for at least 10 days prior to this meeting; and

WHEREAS, the study includes data indicating the amount of cost, or estimated cost, required to provide the service for which the proposed Fees are to be levied; and

WHEREAS, the Board of Directors of the District has determined that: (1) the rates of the proposed Fees do not exceed the estimated reasonable cost of the services and facilities for which the Fees will be imposed; and (2) the allocation of those costs are fair or reasonable in relation to the burdens on, or benefits that those who pay the Fees will receive from such services and facilities; and

WHEREAS, the proposed Fees will be imposed upon new water and sewer connections, and upon existing water and sewer connections which require additional capacity to serve the property due to change in use or additional development; and

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WHEREAS, the District shall deposit Fee revenue in a separate capital facilities fund with other Fees received, and shall account for and expend such revenues in accordance with applicable law; and

WHEREAS, in accordance with Government Code Sections 66016, notice was provided to any interested person that submitted a written request for notice.

NOW, THEREFORE, be it hereby resolved, determined and ordered by the Board of Directors of the Rubidoux Community Services District as follows:

1. The Recitals set forth above are incorporated herein and made an operative part of this Resolution.

2. The Board has been presented with a study showing the justification for the proposed Fees, a copy of which is available for inspection at the office of the District. Accordingly, the District finds that the schedule of Fees attached hereto as Exhibit "A" will not exceed the value of water and sewer facilities in existence at the time the charge is imposed or new water and sewer facilities to be constructed in the future that are of proportional benefit to the new or increased connections.

3. The Schedule of Fees set forth in Exhibit "A" is hereby adopted and District Staff is hereby authorized and directed to collect Fees according to the Schedule on and after the effective date of the Fees as set forth below.

4. The Board of Directors finds that the Fees are intended to provide reliable water and sewer service for new development and to provide equity between new development and existing customers. These Fees do not commit the District to approve any particular project, program, or capital improvement, but will be placed in a separate fund for potential future projects. These Fees are in response to the District's projected need for facilities and infrastructure to provide services, to its existing customers and new development. Any activities, including infrastructure improvements, to be funded by Fees will be subject to future environmental review under CEQA, as applicable, prior to approval by the District.

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The Board of Directors therefore finds that the Fees are not subject to environmental review under CEQA. First, the Fees, in and of themselves, do not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and therefore are not considered a "project" under CEQA. (Pub. Resources Code, § 21065, 14 Cal. Code Regs., § 15378, subd. (a).) Second, the Fees are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment; here, there is no possibility that the Fees, in and of themselves, may have a significant effect on the environment. (14 Cal. Code Regs., § 15061, subd. (b)(3).) And third, the Fees are considered a government funding mechanism that does not involve any commitment on behalf of the District to any specific project which may result in a potentially significant physical impact on the environment. (14 Cal. Code Regs., § 15378, subd. (b)(4).)

The determination that the Fees are not subject to CEQA review reflects the Board of Directors' independent judgment and analysis.

The documents and materials that constitute the record of proceedings on which these findings have been based are located at 3590 Rubidoux Blvd., Jurupa Valley, CA 92509. The custodian for these records is the General Manager/Board Secretary.

5. If any section, subsection, clause or provision in this Resolution or the application thereof to any person or circumstances is for any reason held invalid, the validity of the remainder of this Resolution or the application of such provisions to other persons or circumstances shall not be affected thereby. The Board hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof to any person or circumstance be held invalid.

6. District Staff is hereby authorized to develop such forms and procedures as may be necessary to implement this Resolution.

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7. The District shall automatically increase the adopted capacity fees annually on the first day of each fiscal year based on the change in the Engineering News Record Construction Cost Index for Los Angeles (ENR CCI-LA), as detailed in the Capacity Fee Report. The first adjustment shall occur on July 1, 2027.

8. The District is authorized to adopt these Fees by resolution pursuant to Ordinance No. 2026-146. Accordingly, this Resolution shall supersede and otherwise control over the provisions of any other Resolution, Ordinance or policy which may be in conflict with the provisions of this Resolution.

9. This Resolution shall become effective upon the date of adoption.

ADOPTED, SIGNED AND APPROVED this 19th day of November, 2026, at the regular meeting of the Board of Directors of the Rubidoux Community Services District, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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_____

Diana Leja, President
Rubidoux Community Services District

(SEAL)

ATTEST:

_____

Brian R. Laddusaw, General Manager-Secretary
Rubidoux Community Services District

APPROVED TO FORM AND CONTENT:

_____

John R. Harper, District General Counsel

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EXHIBIT "A"

SCHEDULE OF FEES

		Effective November 19, 2026	
Meter Size	Capacity Units	Water Charge	Sewer Charge
3/4"	1.00	$ 11,020	$ 8,670
1"	1.67	$ 18,403	$ 14,479
1 1/2"	3.33	$ 36,697	$ 28,871
2"	5.33	$ 58,737	$ 46,211
3"	10.00	$ 110,200	$ 86,700
4"	16.67	$ 183,703	$ 144,529
6"	33.33	$ 367,297	$ 288,971
8"	53.33	$ 587,697	$ 462,371
10"	80.00	$ 881,600	$ 693,600

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Notes:

1. Multi-unit residential development without individual unit landscape irrigation will be assessed Water Capacity Charges based on 0.67 capacity units per residential unit.
2. Multi-unit residential development with individual unit landscape irrigation will be assessed Water Capacity Charges based on 1.0 capacity unit per residential unit.
3. Water Capacity Charges for landscape irrigation meters will be based on meter size. This applies to common area landscaping for multi-unit residential development and all separate landscape irrigation meters for all non-residential development.
4. Multi-unit residential development will be assessed Sewer Capacity Charges based on 1.0 capacity unit per residential unit. All other Sewer Capacity Charges will be based on water meter size.
5. Water and Sewer Capacity Charges assessed shall be those in effect at the time of water meter installation. In instances where only a sewer lateral connection is required (namely those switching from septic to sewer), Sewer Capacity Charges assessed shall be those in effect at the time of sewer lateral connection.