

MARIPOSA PUBLIC UTILITY DISTRICT

ORDINANCE #57

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE  
MARIPOSA PUBLIC UTILITY DISTRICT ADOPTING NEW WATER  
AND WASTEWATER RATES FOR THE MARIPOSA PUBLIC UTILITY DISTRICT**

**WHEREAS**, on October 6, 2020 the Board of Directors of the Mariposa Public Utility District (“District”) set the date and time for a public hearing on proposed new water and wastewater rates for November 30, 2020, at 6:30 p.m., at the MPUD Fire Station #1 located at 5273 Highway 49 North, Mariposa, California 95338, and directed staff to provide notice of said public hearing in accordance with the provisions of Article XIII(D) of the California Constitution also known as Proposition 218; and

**WHEREAS**, the District Board finds that Notice of the Public Hearing on the proposed water and wastewater rates was given pursuant to the provisions of Article XIII(D) of the California Constitution also known as Proposition 218, a copy of that notice is attached to this ordinance and incorporated by this reference herein as Exhibit A; and

**WHEREAS**, the District Board finds that a public hearing was held regarding the proposed new water and wastewater rates on November 30, 2020, at 6:30 p.m., or soon thereafter as the matter could be heard in accordance with the aforementioned notice; and

**WHEREAS**, the Board of Directors finds that the total number of protests to the proposed new water and wastewater rates received by the District, including those received at the public hearing was 2; and

**WHEREAS**, the Board of Directors finds that the total number of protests needed to constitute a majority protest is 303; and

**WHEREAS**, the District Board finds that written protests to the proposed water and wastewater rates have not been received from a majority of affected property owners of the identified parcels; and

**WHEREAS**, the District finds that the revenue received from the proposed new water and wastewater rates as detailed in the Mariposa Public Utility District 2020 Water and Wastewater Rate Cost of Service Study (Service Study), Exhibit B, will not exceed the funds required to provide those property-related services; and

**WHEREAS**, the District Board finds that the revenues derived from the proposed new water and wastewater rates, as detailed in the Service Study will not be used for any purpose other than for which they are imposed; and

**WHEREAS**, the District Board finds that the proposed new rates for water and wastewater services do not exceed the proportional cost of the service attributable to any parcel or person as an incident of property ownership; and

**WHEREAS**, the District Board finds that the proposed new rates for water and wastewater services do not constitute a fee or charge imposed for a service that is not actually used by or immediately available to the owner of the property in question; and

**WHEREAS**, the District Board finds that the proposed new rates for water and wastewater services do not constitute a fee or charge imposed by the District for any general governmental service.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE  
MARIPOSA PUBLIC UTILITY DISTRICT AS FOLLOWS:**

Section 1. That the above findings are true and correct.

Section 2. That this ordinance shall supersede Ordinance #53, or any prior ordinance of the Mariposa Public Utility District setting rates for water and wastewater services.

Section 3. That the Board of Directors of the Mariposa Public Utility District does hereby adopt the proposed new water and wastewater service rates as detailed in Exhibit B attached hereto and incorporated by this reference herein.

Section 4. That the effective date of the new rates shall be implemented as detailed in Exhibit A attached to this ordinance.

This Ordinance was passed and adopted this 1<sup>st</sup> day of **December 2020**, by the following vote:

AYES: Directors Bondshu, Cleary, Dulcich, Finney, and Mock

NOES: None

ABSENT: None

Mike Cleary  
Chairman, Board of Directors

ATTEST:

Susan A. Wages  
Clerk, Ex-officio, Secretary