

KEYES COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2020-542

RESOLUTION AMENDING WATER CONSUMPTION USE RATES IN RESPONSE  
TO COVID-19

WHEREAS, on March 4, 2020, the Governor of the State of California declared a State of Emergency to exist in California as a result of the threat of Novel Coronavirus 2019 (“COVID-19”); and

WHEREAS, on March 12, 2020, the Governor issued Executive Order N-25-20 in further response to the spread of COVID-19, mandating compliance with state and local public health officials as pertains to measures to control the spread of COVID-19; and

WHEREAS, on March 19, 2020, the Governor of the State of California issued Executive Order N-33-20, ordering all individuals living in the State of California to stay home or at their place of residence excepted as needed to maintain continuity of operations of the federal critical infrastructure sectors; and

WHEREAS, the Governor’s Executive Order N-33-20 will have a significant financial impact on the District’s water service users income; and

WHEREAS, to help prevent the spread of respiratory diseases like COVID-19, the California Department of Public Health recommends, among other things, that individuals wash their hands with soap and water regularly; and

WHEREAS, the public health of the Keyes Community Services District ("District") water users is a legitimate interest of government, and the expenditure of money to promote health is an expenditure for a public purpose; and

WHEREAS, the District owns and operates water utilities within its jurisdictional boundaries and the District is sole water service provider for its users; and

WHEREAS, the District desires to promote water usage in an effort to prevent the spread of COVID-19 by temporarily amending water service rates to generate increased water use, which will benefit the public interest; and

WHEREAS, the District has complied with the procedures of the California Constitution Articles XIII C and XIII D, and has duly authorized the current water service rates; and

WHEREAS, in an effort to prevent the continued spread of COVID-19, for the time period under which the customers, both residential and commercial, that are receiving water service from the District are ordered to stay home by the Governor, State, or other local authority in response to COVID-19, the District desires to amend the water consumption rates to allow for regular volumetric water consumption rates to accrue only once a water service user has consumed a volume of 25 hundred cubic feet (“HCF”) in a single billing cycle.

NOW, THEREFORE, BE IT RESOLVED, AND IT IS HEREBY RESOLVED, by the Board of Directors of the Keyes Community Services District:

1. The foregoing recitals are true and correct and incorporated as part of this Resolution.
2. That during the period of time when residential and commercial customers that are receiving water service from the District are ordered to stay home by the Governor, State, or other local authority in response to COVID-19, that monthly volumetric water consumption charges for residential and commercial customers using the District’s water service only accrue volumetric water service rates once a water service user has consumed a volume of 25 HCF in a single billing cycle, and any volumetric charges thereafter be at the current adopted water service charge rate.
3. That the amended water service rates are temporary and only to achieve the public purpose of public health and safety by encouraging water use during the District’s response to the spread of COVID-19.
4. That the amended water service rates will return to the current rates as set forth in Exhibit A upon either the Governor, State, or other local authority lifting any order for individuals to stay home, or at the discretion of the District’s General Manager, whichever comes first.
5. If any provision of this resolution or application thereof to any person or circumstances is held invalid, such invalidity shall not effect other provisions or applications of the resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are severable. The District Board of Directors hereby declares that it would have adopted this resolution irrespective of the validity of any particular portion thereof.
6. That this Resolution become effective immediately after its final passage.

**PASSED AND ADOPTED** by the Keyes Community Services District on this 24th day of March, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTION:

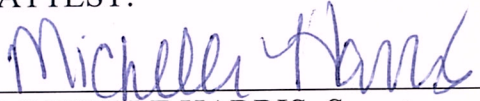


DAVIE LANDERS

President, Board of Directors

Keyes Community Services District

ATTEST:



MICHELLE HARRIS, Secretary