

Ordinance No. 42
Order No. 10-28

**AN ORDINANCE AND ORDER INCREASING THE SEWER SERVICE
CHARGE**

WHEREAS, at its regularly-scheduled meeting on June 1, 2010, after giving all required notices, the Board of Directors (the "Board") of Ironhouse Sanitary District, a California Sanitary District (the "District") held a public hearing to consider an increase in the District's sewer service charge.

WHEREAS, at the public hearing on June 1, 2010 the Board considered all testimony presented.

NOW, THEREFORE, BE IT RESOLVED, by the Board that, based on the foregoing facts and circumstances and on the entire administrative record, the Board hereby finds and determines as follows:

1. Data indicating the amount of cost, or estimated cost, required to provide the services for which the service charge is levied, and the revenue sources anticipated to provide the services, including any General Fund revenues, was made available for review at the District's office prior to May 21, 2010. Such data was also available online at the District's web site at www.ironhousesanitarydistrict.com
2. The proposed increase in the sewer service charge will enable the District to meet its operating expenses, including employee wage rates and benefits, and to fund pay as you go financing and future debt service for the new wastewater treatment plant. As such, the increase is to enable the District to meet its existing obligations and maintain service within its existing service area and is not for the purpose of expanding the District's service area or for the purpose of expanding its services within its existing service area. Such increase is accordingly statutorily exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15273 of the State CEQA Guidelines. In any case, it can be seen with certainty that there is no possibility that the proposed increase in the sewer service charge may have a significant effect on the environment, and it is therefore exempt from CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines. To the extent that such increase is not statutory exempt from CEQA, or may have a significant effect on the environment, such effects were adequately analyzed in the final Supplemental Environmental Impact Report certified by the ISD Board of directors in January 2007.

FURTHER RESOLVED, by the Board that, based on the foregoing facts and

circumstances and on the entire administrative record, the Board hereby ordains and orders as follows:

The annual sewer service charge shall be increased by \$32, bringing the charge to \$574 per equivalent service unit (ESU), effective July 1, 2010.

To the maximum extent permitted by law, the sewer service charge, including the proposed increase, shall apply to state and local educational and other public entities.

This is both an ordinance and an order establishing a general regulation. If any portion of this ordinance or order is determined invalid or unenforceable for any reason by a court of competent jurisdiction, then such portion shall be deemed severed to the extent of the invalidity or unenforceability, and the remainder of this ordinance and order shall remain in full force and effect.

The District Secretary is hereby designated as the officer to publish or post this ordinance and order pursuant to applicable legal requirements.

I hereby certify that the foregoing is a full, true and correct copy of an ordinance and order duly passed and adopted by the Sanitary Board of the Ironhouse Sanitary District at a meeting thereof held on the 1st day of June, 2010.

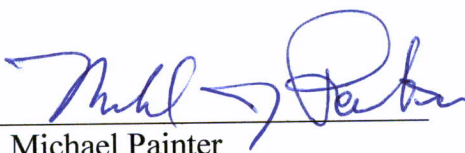
AYES, and in favor thereof, Members: L. Byer, D. Hardcastle, C. Lauritzen, D. Lew, and M. Painter

NOES, Members: None

ABSENT, Members: None



Susan V. Walde
Secretary to the Board
(SEAL)

APPROVED: 

Michael Painter
Vice President of the Board