

RESOLUTION NO. 26-31

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT SETTING THE TIME AND PLACE FOR A PUBLIC HEARING ON NEW RATES FOR WASTEWATER SERVICES AND AUTHORIZING STAFF TO MAIL THE REQUIRED NOTICE TO PROPERTY OWNERS

Section 1. Findings. The Board of Directors finds the following.

A. Article XIID of the California Constitution and the Proposition 218 Omnibus Implementation Act (Government Code section 53750 and following) (collectively, "**Proposition 218**"), set forth certain procedures that the District must follow with respect to adopting increases in "property related fees and charges" such as sewer service rates and charges.

B. The District has prepared a rate study of sewer services ("**Rate Study**") to review the District's sewer rate structure and to make recommendations as to a revised rate structure that would provide revenues sufficient to: (1) fund the ongoing operations and maintenance of the District's sewer facilities ("**Facilities**"), (2) provide adequate reserves for unforeseen extraordinary maintenance and repairs, and (3) provide for anticipated capital expenditures.

C. The Rate Study recommends the rate schedules be effective commencing July 1, 2026, and increase July 1, 2027, 2028, 2029, and 2030.

D. The Board has determined that the sewer rates ("**Rates**") proposed for the sewer funds ("**Funds**") are necessary to, among other things, maintain and operate the District's Facilities, provide reserves for unforeseen extraordinary maintenance and repairs, and provide for anticipated capital expenditures.

E. Prior to adopting the proposed Rates, and in accordance with Proposition 218, the Board desires to provide notice ("**Notice**") of a public hearing ("**Public Hearing**") to consider the proposed Rates, which will be mailed to all owners of record for the affected property at least 45 days prior to such Public Hearing, describing (a) the amount of each fee or charge to be imposed upon each affected parcel, (b) the basis upon which the amount of each proposed fee or charge were calculated, (c) the reason for each fee or charge, and (d) the date, time, and location of the Public Hearing on each proposed fee or charge.

Section 2. Board Consideration of Rates. The Board has reviewed the Rate Study, the Rates, and the information submitted with the agenda report regarding the proposed adjustments to each Rate, the parcels to which the proposed Rates to the Rates would apply, and the reasons and basis for the proposed Rates, and the Board has determined the following: (1) the proposed Rates are not imposed as a condition of approval of a development project; (2) the Rates are established based upon a rational basis between the fees charged each parcel and the service and facilities provided to each parcel of the District's Facilities, as the case may be; (3) the revenues derived from the proposed Rates do not exceed the estimated reasonable cost to provide the property related services; (4) the revenues derived from the proposed Rates will not be used for any other purpose than that for which the Rates are imposed; (5) the proposed Rates

do not exceed the proportional cost of the service attributable to each parcel; (6) the proposed Rates are imposed on services which are immediately available to each parcel; (7) the proposed Rates are not levied for general governmental services; and (8) the proposed Rates are not discriminatory or excessive, are sufficient under California Government Code, comply with the provisions or covenants of any outstanding debt of the District payable from the revenues of the Funds, comply with the provisions of Proposition 218, and are in compliance with all other applicable laws.

Section 3. Setting Public Hearing for Proposed Rates. Pursuant to Proposition 218, the Board orders that the Public Hearing be held at the regular meeting of the Board of Directors on June 11, 2026, at 6:00 p.m., at the District offices, located at 28999 South Lower Valley Road, Tehachapi, California for the purposes of the Board's determination whether the public interest, convenience and safety require the proposed Rates, the tabulation of written protests and the determination of the existence of any majority protest and this Board's final action upon the Rate Study and the Rates. Written protests must be received prior to the conclusion of the Public Hearing. At the Public Hearing, all interested persons will be afforded the opportunity to be heard. The Public Hearing may be continued from time to time as determined by the Board.

Section 4. Mailing of Proposition 218 Notice. The Secretary of the Board is authorized and directed to cause notice of the Public Hearing ordered under Section 3 to be given by mailing, postage prepaid, in the United States mail, and such notice will be deemed to have been given when so deposited in such mail. The envelope or cover of the mailing must include the name of the District and the return address of the Secretary of the Board as the sender. The mailed notice must be given to all owners of property proposed to be subject to the Rates in the Rate Study whose names and addresses appear on the last equalized tax roll of the County of Kern. The notice must be mailed not less than 45 days before the date of the Public Hearing ordered under Section 3.

Section 5. Publication of Notice. The Secretary of the Board is directed to cause notice of the time and place of the Public Hearing to be published in the local newspaper for two consecutive weeks not less than ten (10) days before the date of the Public Hearing, and by posting a copy of this resolution on the official bulletin board customarily used by the District Board for the posting of notices and on the District's website.

Section 6. Effective Date. This Resolution will take effect upon adoption.

THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT adopts Resolution 26-31 setting the time and place for a public hearing on new rates for wastewater services and authorizes staff to mail the required notice to property owners.

PASSED, APPROVED AND ADOPTED on April 9, 2026 by the following vote:

AYES: Lewis, Hernandez, Tabor, Paparella
NOES: Frevert
ABSENT: None
ABSTAIN: None



Paul Paparella, Board President
Bear Valley Community Services District

ATTEST:

I hereby certify that the above Resolution No. 26-31 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on April 9, 2026.



Denise Jelleschitz,
Secretary of the Board of Directors

