



Department of Public Works

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NOTICE OF PUBLIC HEARING

PROPOSITION 218 NOTICE OF PUBLIC HEARING PROPOSED INCREASES TO RATES FOR SEWER RATES For County Service Area 70 S-3 (Lytle Creek)

Dear Property Owner:

Notice is hereby given that pursuant to California state law (Proposition 218), the Board of Supervisors (Board), acting as the governing body of San Bernardino County, County Service Area 70 S-3 Lytle Creek (CSA 70 S-3), will conduct a public hearing on June 9, 2026, at 10:00 a.m. in the Covington Chambers, First Floor, 385 North Arrowhead Avenue, San Bernardino, California, as part of its regularly scheduled meeting, to consider proposed increases to rates charged for sewer services. If adopted, the proposed rate changes will become effective on August 1, 2026.

The purpose of this notice is to set forth the proposed updated charges for sewer service and to notify you of the public hearing. At the public hearing, the Board will consider all written objections, consider written and verbal comments, tabulate written protests, and if a majority protest is not received, consider adopting the updated sewer service charges. The procedures for submitting a written objection and/or a written protest are detailed in this notice.

Why is a Sewer Service Charge Adjustment Proposed?

While CSA 70 S-3 continually strives for cost efficiency and the maximization of assets, it also needs to keep pace with inflation, labor, material, and other operational cost increases including compliance with State imposed regulations. All revenue generated from customer sewer bills is used to pay for the regulatory changes, ongoing operation, maintenance, repair and replacement of the existing sewer system. The last rate increase was applied to CSA 70 S-3 in fiscal year 2023/2024 in the amount of 3.50% for three consecutive years. By State law, CSA 70 S-3 may not collect more revenue than is necessary to recover the costs of providing services. If approved, the proposed rate increase of 10% for year one and 7.50% for years two through five would commence August 1, 2026, and adjust annually thereafter for five consecutive years.

How Were the Proposed Charges Calculated?

A third-party consultant prepared a Sewer Rate Study Report for CSA 70 S-3 to determine the total revenue necessary to ensure there will be adequate funding to complete planned capital improvement projects, along with maintaining reserve funds, preparing for emerging regulatory requirements, and covering the cost of operation, maintenance, construction, and improvement of the facilities used for the collection, treatment, and disposal of wastewater. The rates recommended by this study are the proposed service charges set forth in this notice. The Sewer Rate Study Report may be found at: <https://specialdistricts.sbcounty.gov/ratestudies/>.

CSA 70 S-3 sewer rates are based on a fixed monthly sewer charge based on equivalent dwelling units (EDUs) regardless of the type of customer. The fee for multi-family residential and non-residential customers will be dependent on the number of EDUs associated with the property. The following table shows the proposed sewer rates over the next five years.

BOARD OF SUPERVISORS

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Vice Chair, Fifth District

Luther Snoke
Chief Executive Officer

| Sewer Rate Schedule ¹ | Current Rates | Proposed Sewer Rates | | | | |
|---|-------------------|----------------------|------------|------------|------------|------------|
| | | FY 2026/27 | FY 2027/28 | FY 2028/29 | FY 2029/30 | FY 2030/31 |
| Monthly Fixed Service Charge Per EDU | | | | | | |
| <u>All Customers</u> | Per Dwelling Unit | | | | | |
| All Customers | \$66.03 | \$72.63 | \$78.07 | \$83.93 | \$90.22 | \$96.99 |

PROTESTS AND OBJECTIONS TO THE PROPOSED CHARGES

Protests:

Property owners or customers of record subject to the proposed sewer service rates may file a written protest and/or a written objection to the proposed maximum rates. Protests to the proposed rates may be submitted pursuant to section 6 of Article XIII D of the California Constitution, and if protests are submitted by a majority of parcels receiving sewer services, then the Board cannot adopt the proposed rates.

REQUIREMENTS FOR A VALID PROTEST

1. Must be in writing.
2. Must include a statement that it is a protest against the proposed change in sewer rates.
3. Must provide the name of the record owner or customer of record submitting the protest.
4. Must identify the parcel associated with the person filing the request by assessor's parcel number or service address.
5. Must include the original signature of the record owner or customer of record submitting the protest.

Protests will not be counted if any of the required elements of a written protest are omitted. Written protests must be received at the address below by 9:00 a.m. on June 9, 2026, if mailed or submitted in person prior to the public hearing. Written protests may also be hand delivered to the Board Secretary at the Board of Supervisors meeting on June 9, 2026, up until the close of the public input portion of the public hearing on the matter. Prior to the public hearing, hours for in person protest submittal are **8:00 a.m. – 5:00 p.m. Monday through Friday.**

ATTN: Clerk of the Board of Supervisors (Sewer Service Charge Protest CSA 70 S-3)

San Bernardino County
385 N. Arrowhead Ave., 2nd Floor
San Bernardino, CA 92415

If prior to the close of the public input portion of the public hearing, written protests are presented by a majority of parcels that receive sewer services, the Board will not increase the sewer service rates from their existing level. Only one written protest per parcel will be counted in calculating a majority protest.

Objections:

Objections may be submitted pursuant to Government Code section 53759.1, and any person that wishes to challenge the rates in a legal proceeding must file an objection, which complies with the requirements detailed below. While the same person or entity may submit both a protest and an objection, to be valid, protests and objections must be submitted separately, as clearly labeled, and be distinct documents.

REQUIREMENTS FOR A VALID OBJECTION

1. Must include a clear statement that it is an objection to the proposed sewer service rates.

2. Must be filed separately from protests.
3. Must include the name of the record owner or customer of record and the assessor's parcel number or service address associated with the objector's parcel that is subject to the proposed sewer service rates.
4. Must include the specific subsections of the California Constitution Article XIII D, section 6(b) or any other applicable law that the objector believes would be violated by the approval and/or imposition of the proposed sewer service rates.
5. Must include a detailed explanation, with references to the Sewer Rate Study, legal authority, and any additional data or evidence the objector chooses to present that will enable CSA 70 S-3 to understand the grounds for the objector's claim that the proposed sewer service rates do not comply with Proposition 218 or any other applicable law.
 - a) An objection may include expert analysis in support of the objection.
 - b) If an objection includes expert analysis, the expert's contact information and statement of their qualifications must be included.
6. Must include the original signature of the objector. As such, electronic objections will not be valid.

To be valid, all written objections must include the information listed above and be received by the Board Secretary by 9:00 a.m. on May 26, 2026, at the address below. Hours for in person objection submittal are 8:00 a.m. – 5:00 p.m. Monday through Friday.

ATTN: Clerk of the Board of Supervisors (Sewer Service Charge Objection CSA 70 S-3)

San Bernardino County
385 N. Arrowhead Ave., 2nd Floor
San Bernardino, CA 92415

Failure to timely object in writing bars any right to challenge the proposed sewer service rates through a legal proceeding and any such action may be limited to issues identified in the challenger's objection.

If any of the requirements for a valid, written objection are not met, then the objection will be deemed invalid and will not be considered by CSA 70 S-3. Objections must be submitted separately from protests and any written submission labeled as both a protest and an objection shall be deemed invalid.

Prior to the close of the public hearing, the Board will consider and respond in writing to any timely, valid written objection. Written responses to timely submitted written objections will be prepared and made available to the public prior to or at the public hearing on the proposed sewer service rates. Responses may be posted on the County's website and made available through the Clerk of the Board. Copies may also be provided upon request. CSA 70 S-3's response will explain the substantive basis for retaining or altering the proposed sewer service rates in response to the written objection, and, if applicable, the grounds for not making any amendments in response to the objection.

The proposed sewer service rates are subject to Government Code section 53759. You are hereby notified pursuant to Government Code section 53759 that any judicial action or proceeding to attack, review, set aside, void, validate, or annul the Board's adoption of the proposed sewer service rates must be commenced within 120 days of the effective date or the date of the final passage, adoption, or approval of the ordinance or resolution adopting the sewer service rates, whichever is later.