

Department of Public Works
Special Districts Water and Sanitation Division

Written Responses to the Written Objections

County of San Bernardino
County Service Area 70 (Cedar Glen)
Written Response to Proposition 218 Objection

Purpose of This Response

This written response is provided pursuant to California Government Code section 53759.1, which requires the County to respond in writing to timely objections alleging that proposed water or sewer service charges fail to comply with Article XIII D of the California Constitution (Proposition 218). The County has reviewed the written objection form letters received timely, and the written objection dated May 20, 2026, together with the CSA 70 CG Cedar Glen Water Rate Study (March 2026) and supporting financial materials.

Summary of the Objection

The written objection asserts that:

1. The proposed rates violate Proposition 218 stating that “No fee or charge may be imposed for service unless that service is actually used by, or immediately available to the owner of property in question.”

This claim is addressed below.

Legal Standards Under Proposition 218

Article XIII D, section 6 of the California Constitution requires that:

- Revenues derived from water service charges not exceed the funds required to provide the service.
- The amount imposed on any parcel shall not exceed the proportional cost of service attributable to that parcel.
- Charges be imposed only for a property-related water service, not for general governmental purposes.

Proposition 218 does not prohibit uniform or fixed charges where they are supported by a cost-of-service analysis and applied consistently within a customer class.

Response to Specific Grounds for Objection

A. Availability of Water Service

Water services is currently being provided to and used by customers in CSA 70 CG who will pay the proposed water rates, if approved.

Conclusion

Based on the review of the written objection and the CSA 70 CG Cedar Glen Water Rate Study, the County concludes that:

- The service is available to and used by the specific customer who submitted the objection and other customers who also receive water service.
- The rate structure complies with Article XIII D, section 6 of the California Constitution.
- The objection does not demonstrate noncompliance with Proposition 218.

This response is provided for purposes of Government Code section 53759.1 to address the specific grounds raised in the written objection. The County Board of Supervisors will consider this response, along with all other timely objections, as part of the public hearing process.