

RESOLUTION 2020-10
RESOLUTION OF THE BOARD OF DIRECTORS OF THE HIDDEN VALLEY LAKE
COMMUNITY SERVICES DISTRICT, COUNTY OF LAKE, STATE OF CALIFORNIA,
ADOPTING MOBILE AND STATIONARY METER USE FEES

WHEREAS, pursuant to Government Code section 66013, the Hidden Valley Lake Community Services District (the "District") is authorized to impose fees for water connections, defined as the connection of a structure or project to a public water system.

WHEREAS, an analysis of the District's water and sewer rates was prepared by NBS dated March 2015, entitled "Water and Sanitary Sewer Rate Study" ("Report"), a copy of which is on file in the Office of the District Secretary, and is hereby incorporated by reference; and

WHEREAS, on April 21, 2015, the District's Board of Directors (the "Board") approved and adopted the Report; and

WHEREAS, pursuant to Government Code 53755 and 53756, and Proposition 26, the Report establishes the cost of service providing water to the mobile or stationary meter as a fair and reasonable relationship to the payor's burden on, or benefits received from, the District services, in the form of volumetric charge to this point of service, attached hereto as Exhibit "A"

WHEREAS, the District desires to implement water rates that will keep pace with the annual rate of inflation while reducing the administrative burden of annual modification; and

WHEREAS, pursuant to District Ordinance 57.1, the Board must establish and impose capacity fees, connection fees, and other miscellaneous fees and charges by resolution; and

WHEREAS, the California Environmental Quality Act (CEQA), Section 15273. Rates, Tolls, Fares, and Charges, states that CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of obtaining funds for capital projects, necessary to maintain service within existing service areas; meeting operating expenses; meeting financial reserve needs and requirements, and similar activities.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of the District finds and determines that the foregoing Recitals are true and correct, and hereby incorporates the Recitals herein.
2. The Mobile and Stationary Meter Use fees, as set forth in Exhibit "A", attached hereto and incorporated herein, are hereby approved and adopted.
3. The revenue derived from the Mobile and Stationary Meter Use fees, as imposed and set forth in Exhibit "A" attached hereto, shall be used respectively for the exclusive purpose of providing facilities for water source, treatment and transmission of the Water System. Such revenues shall not be used to replace existing components of either the Water System except to the extent that such replacement provides additional capacity to the Water System. Said revenues shall be maintained in separate funds and are not to be considered as or commingled with any other funds of the utilities system.
4. The Mobile and Stationary Meter Use fees, as set forth in Exhibit "A", shall become effective immediately upon adoption of this Resolution.

5. If any section, subsection, clause, phrases, or portion of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution.
6. All other previously approved Mobile and Stationary Meter Use fees are rescinded upon adoption of this Resolution.

This Resolution shall be effective immediately upon adoption and shall remain in effect until such time as modified, repealed, or superseded by further resolution of the Board.

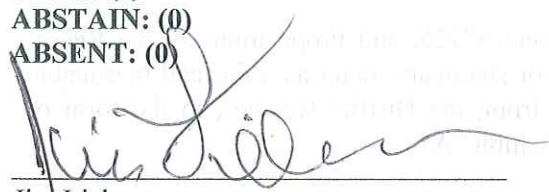
PASSED AND ADOPTED on August 18, 2020 by the following vote:

AYES: (5) Director Brown, Graham, Grave, Freeman and Lieberman


NOES: (0)

ABSTAIN: (0)

ABSENT: (0)



Jim Lieberman,
President of the Board of Directors

ATTEST: 

Penny Cuadras,
Secretary to the Board of Directors

