

BOARD OF DIRECTORS
AVILA BEACH COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2001-13

**RESOLUTION ESTABLISHING WATER FACILITIES ASSESSMENT SCHEDULE
AND PROCEDURES FOR COLLECTION THEREOF, AND DEFINING CREDITS FOR
PAST WATER USAGE**

The Board of Directors makes the following findings:

A. By its Ordinance No. 2-87 Avila Beach County Water District, as predecessor in interest to this District, established a system for payment of water facilities assessments for new construction within the District and for expansion of existing uses resulting in a greater use of water than the prior use.

B. Pursuant to said Ordinance the District thereafter adopted Resolutions Nos. 87-9, 88-4, 93-5, 94-09, and 2000-2002, which Resolutions amended the Water Assessment Schedule and established policies and procedures to determine the extent to which properties not currently receiving water were to be credited for prior water usage.

C. On August 22, 2001 this District adopted Ordinance No. 2001-2, which revised the provisions of Ordinance No. 2-87.

D. By this Resolution the Board desires and intends to rescind each of the Resolutions described above, and to replace them with the terms and conditions of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Avila Beach Community Services District as follows:

1. **Adoption of Water Facilities Assessment Schedule:**

The water facilities assessments payable under Ordinance No. 2001-2 shall be as set forth in Exhibit "A", attached hereto. The Board finds that the Schedule represents the reasonable estimated cost for the acquisition or construction of additional water facilities for the District apportioned among various land uses.

2. **Time for Payment of Water Facilities Assessments:**

Water facilities assessments shall be paid as follows:

A. One-half at the time of issuance of a final "will serve letter" by the District.

B. One-half at the time of completion for occupancy of the new or enlarged improvement.

3. **Credits for Previous Uses of Property:**

Where property within the District was in the past serviced with water by the District, but the improvements previously existing thereon have been destroyed or removed so that the properties are not being served with water as of the date of this Resolution, such property shall be entitled to a credit for the level of its prior water usage calculated as provided in this section. In determining the water facilities assessment to be paid for new construction on such property, the District shall first ascertain the assessment for such improvement under the Water Facilities Assessment Schedule, and then shall deduct therefrom the credit for prior usage.

The credit for prior usage shall be determined by calculating the average annual water usage by the property for the past five (5) years prior to and including the 1995/96 fiscal year, and then calculating the assessment which would have been payable based on such usage under the Water Facilities Assessment Schedule. Beginning two (2) years after the adoption of Ordinance No. 2001-2, calculations for the past five years of usage will begin with the issuance of a final "Will Serve" and payment of fees. In no event will the credit given be less than the minimum usage amount in accordance with minimum service charges in effect during the applicable 5 year period provided that service was maintained during that period to the property.

4. Interpretations:

The Board of Directors shall have the authority to make determinations and interpretations as to the amount of any water facilities assessment payable in individual situations which are not clearly addressed by Ordinance No. 2001-02 or by this Resolution, which interpretations shall be consistent with the provisions and intent of said Ordinance and this Resolution.

5. Repeal of Prior Resolutions:

Resolutions Nos. 87-9, 88-4, 93-5, 94-09, and 2000-2002 are hereby repealed in their entirety.

On motion of Director Helenius, seconded by Director Allen, and on the following roll call vote, to wit:

AYES	:	Helenius, Allen, Grife
NOES	:	None
ABSTAIN	:	Kelley

ABSENT : Guernsey

The foregoing Resolution was adopted. August 22, 2001


President of the Board of Directors

ATTEST:


District Secretary

APPROVED AS TO FORM:

STEPHEN N. COOL, Attorney for
District

Resolution 2001-13 Adopted August 22, 2001

AGREEMTS\ABCSD.RES

Adopted 4-11-2000

Avila Beach Community Services District

Calculation of Connection Charges for Water System Costs

Type of Use	Water Hookup Fee
Single Family Residence or Condominium, per Residence	
One Bedroom	\$ 4,780.57
Two Bedroom	\$ 7,170.86
Three Bedroom	\$ 9,561.15
Four Bedroom	\$ 11,951.43
Multi Dwelling	
One Bedroom	\$ 3,824.46
Two Bedroom	\$ 5,736.69
Three Bedroom	\$ 7,648.92
Mobile Home	\$ 4,780.57
Barber Shop (per Chair)	\$ 1,912.23
Beauty Shop (per Chair)	\$ 2,390.29
Dentist Office (per Chair)	\$ 14,341.72
Department Store (per employee)	\$ 764.89
or, if larger, (per 1,000 square feet)	\$ 2,292.92
Drug Store	\$ 9,561.15
w/Fountain Service add:	\$ 25,815.10
if Serving Meals add: (per seat)	\$ 956.11
Laundry	
(per Standard washing machine)	\$ 19,122.29
Meat Market (per 1,000 square feet of floor area)	\$ 956.11
Motel or Hotel (per room)	\$ 2,390.29
Office Building (per employee)	\$ 478.06
or, if larger, (per 1,000 square feet)	\$ 2,294.68
Physicians Office (per examining room)	\$ 3,824.46

Avila Beach Community Services District

Calculation of Connection Charges for Water System Costs

Type of Use		Water Hookup Fee
Restaurant	(per seat at 20 gallons per day per seat)	\$ 382.45
Theatre	(per seat)	\$ 57.37
Other non water intensive establishments:		
	(per 500 gallons per day)	\$ 9,561.15
Boarding School, Elem	(per student)	\$ 1,434.17
Boarding School, Senior	(per student)	\$ 1,912.23
Church	(per seat)	\$ 57.37
Country Club	(per member)	\$ 478.06
Civic Club	(per member)	\$ 57.37
Elementary School	(per student)	\$ 305.96
Nursing Homes	(per bed)	\$ 2,868.34
Rooming House	(per resident)	\$ 1,912.23
Summer Camps	(per resident or camper)	\$ 1,147.34

For uses not specifically included in this schedule, and for hybrid uses, assessments shall be determined by calculating annual water usage of the use in acre feet and multiplying by \$17,057.09