

Resolutions 2001

2001-1	No Resolution for this Number
2001-2	Commending Jay Alcon
2001-3	Commending Dan Leonard
2001-4	Commending Mitch West
2001-5	Commending Supervisor Peg Pinard
2001-6	Commending Seamus Slattery
2001-7	Approving outside user agreement for Marren Property and LAFCO to approve agreement
2001-8	Project Storage Tank Environmental Impact ED-00-02
2001-9	Weed Abatement
2001-10	Weed Abatement
2001-11	No Resolution in File
2001-12	No Resolution in File
2001-13	Facilities Assessment Schedule Defining Credits for Past Water Usage
2001-14	Sewer Facilities Assessment Schedule for Collection and Defining Credits for Past Sewer Usage.

AVILA BEACH COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2001-2

**RESOLUTION COMMENDING
DIRECTOR JAY ALCON
FOR SERVICE TO THE AVILA BEACH COMMUNITY SERVICES DISTRICT**

WHEREAS, JAY ALCON has served the Avila Beach Community Services District since 1999 as a Director of the Board; and

WHEREAS, JAY ALCON was instrumental in guiding the District through a period of transition during the Unocal Remediation project; and

WHEREAS, JAY ALCON was also instrumental in guiding the District in its transition to contract operations for the Fire Department and utility operations; and

WHEREAS, JAY ALCON participated in the formation of the Avila Beach Community Foundation to create a unique vehicle for the receipt and administration of funds for the benefit of the entire Community of Avila Beach; and

WHEREAS, JAY ALCON has been highly effective in providing consistent vision, structure, and public accountability to the District, in his role as a Director of the Board and;

WHEREAS, JAY ALCON has earned the respect of his colleagues and the community for his continuing dedication and service to the community of Avila Beach;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Avila Beach Community Services District, San Luis Obispo County, California, as follows:

That the Avila Beach Community Services District does hereby recognize and commend JAY ALCON for his two years of dedication, leadership and extraordinary commitment as a Director for the Avila Beach Community Services District, and adopts this Resolution as a public statement of their recognition.

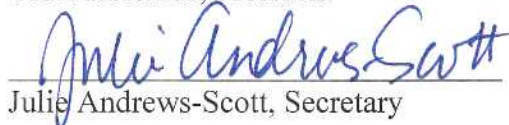
UPON MOTION of Director Helenius seconded by Director Grife, and on the following roll call vote to wit:

AYES: Helenius, Grife, Allen, Guernsey
NOES: None
ABSENT: Andrews-Scott
ABSTAINING:

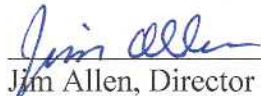
the foregoing Resolution is hereby adopted this 13th day of February, 2001.



Chris Helenius, President



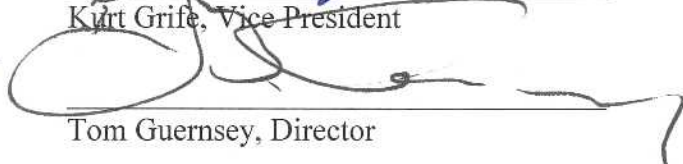
Julie Andrews-Scott, Secretary



Jim Allen, Director



Kurt Grife, Vice President



Tom Guernsey, Director

ATTEST:



Secretary to the Board of Directors

AVILA BEACH COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2001-03

**RESOLUTION COMMENDING
DAN LEONARD
FOR SERVICE TO THE AVILA BEACH COMMUNITY SERVICES DISTRICT**

WHEREAS, DAN LEONARD has served the Avila Beach Water District and Avila Beach Community Services District since 1995 as Director and President of the Board; and

WHEREAS, DAN LEONARD was instrumental in guiding the District through a period of transition in the formation of the Avila Beach Community Services District, merging the County Street Lighting District with the Water District to provide more efficient services to the Community; and

WHEREAS, DAN LEONARD participated in the formation of the Avila Beach Community Foundation to create a unique vehicle for the receipt and administration of funds for the benefit of the entire Community of Avila Beach; and

WHEREAS, DAN LEONARD has also provided leadership to the District in administering over 1.3 million dollars of grant funding to complete the construction of a major expansion of the District's Wastewater Treatment Plant; and

WHEREAS, DAN LEONARD has been highly effective in providing consistent vision, structure, and public accountability to the District, in his role as Director and President of the Board of Directors, and;

WHEREAS, DAN LEONARD has earned the respect of his colleagues and the community for his continuing dedication and service to the community of Avila Beach;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Avila Beach Community Services District, San Luis Obispo County, California, as follows:

That the Avila Beach Community Services District does hereby recognize and commend DAN LEONARD for his five years of dedication, leadership and extraordinary commitment as a Director for the Avila Beach Community Services District, and adopts this Resolution as a public statement of their recognition.

UPON MOTION of Director Helenius, seconded by Director Grife, and on the following roll call vote to wit:

AYES: Helenius, Grife, Allen, Guernsey
NOES: None
ABSENT: Andrews-Scott

the foregoing Resolution is hereby adopted this 13TH day of February 2001.



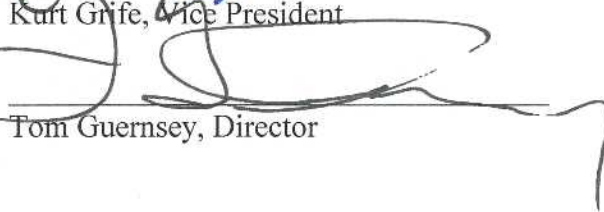
Chris Helenius, President



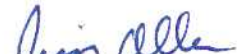
Kurt Grife, Vice President



Julie Andrews-Scott, Secretary



Tom Guernsey, Director



Jim Allen, Director

ATTEST:



Secretary to the Board of Directors

AVILA BEACH COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2001-4

**RESOLUTION COMMENDING
DIRECTOR MITCH WEST
FOR SERVICE TO THE
AVILA BEACH COMMUNITY SERVICES DISTRICT**

WHEREAS, MITCH WEST has served the Avila Beach Water District and Avila Beach Community Services District since 1999 as a Director of the Board; and

WHEREAS, MITCH WEST was instrumental in guiding the District through a period of transition during the Unocal Remediation project; and

WHEREAS, MITCH WEST participated on the initial Board of Trustees of the Avila Beach Community Foundation; and

WHEREAS, MITCH WEST has been highly effective in providing consistent vision, structure, and public accountability to the District, in his role as a Director of the Board and;

WHEREAS, MITCH WEST has earned the respect of his colleagues and the community for his continuing dedication and service to the community of Avila Beach;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Avila Beach Community Services District, San Luis Obispo County, California, as follows:

That the Avila Beach Community Services District does hereby recognize and commend MITCH WEST for his two years of dedication, leadership and extraordinary commitment as a Director for the Avila Beach Community Services District, and adopts this Resolution as a public statement of their recognition.

UPON MOTION of Director Helenius, seconded by Director Grife, and on the following roll call vote to wit:

AYES: Helenius, Grife, Allen, Guernsey
NOES: None
ABSENT: Andrews-Scott

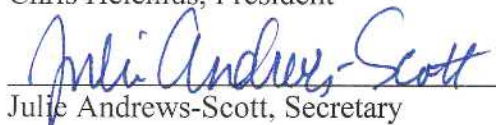
the foregoing Resolution is hereby adopted this 13th day of February, 2001.



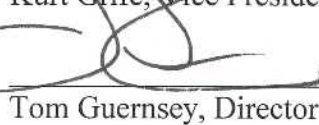
Chris Helenius, President



Kurt Grife, Vice President



Julie Andrews-Scott, Secretary



Tom Guernsey, Director



Jim Allen, Director

ATTEST:



Secretary to the Board of Directors



AVILA BEACH COMMUNITY SERVICES DISTRICT

Post Office Box 309, Avila Beach, CA 93424
Office and Meeting Room - 191 San Miguel Street, Avila Beach
Telephone (805) 595 - 2664 FAX (805) 595 - 7623

AVILA BEACH COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2001-5

RESOLUTION COMMENDING SAN LUIS OBISPO COUNTY SUPERVISOR PEG PINARD FOR SERVICE TO THE AVILA BEACH COMMUNITY SERVICES DISTRICT

WHEREAS, PEG PINARD is the County Supervisor responsible for the County's Third Supervisorial District, which includes the Avila Beach Community Services District (District); and,

WHEREAS, PEG PINARD has dedicated many hours with extraordinary effort on behalf of the Community of Avila Beach and was instrumental in assisting the District through a very difficult period of transition during the Unocal Remediation project; and

WHEREAS, the Community could not rebuild without the critical infrastructure required for new construction; and

WHEREAS, PEG PINARD worked tirelessly for, and was instrumental in obtaining grant funding for the District's installation of a new water storage tank and water line; and

WHEREAS, PEG PINARD participated in numerous meetings and gave untold hours of effort to facilitate the completion of the Unocal Remediation project for the benefit of the entire Community of Avila Beach; and

WHEREAS, PEG PINARD has been highly effective in providing consistent vision, structure, and public accountability to the Community, in her role as a San Luis Obispo County Supervisor and;

WHEREAS, PEG PINARD has earned the respect of the community for her continuing dedication and service to the community of Avila Beach;

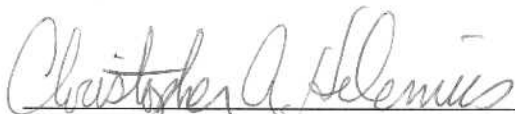
NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Avila Beach Community Services District, San Luis Obispo County, California, as follows:

That the Avila Beach Community Services District does hereby recognize and commend PEG PINARD for her continuing dedication, leadership and extraordinary commitment as an advocate for the Avila Beach Community, and adopts this Resolution as a public statement of their recognition.

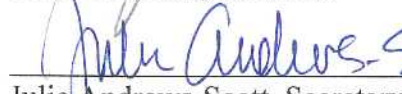
UPON MOTION of Director Guernsey, seconded by Director Allen, and on the following roll call vote to wit:

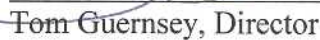
AYES:	Guernsey, Allen, Helenius, Grife, Andrews-Scott
NOES:	None
ABSENT:	None
ABSTAINING:	None

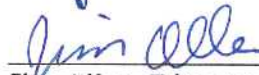
the foregoing Resolution is hereby adopted this 13th day of March, 2001.


Chris Helenius, President


Kurt Grife, Vice President


Julie Andrews-Scott, Secretary


Tom Guernsey, Director


Jim Allen, Director

ATTEST:


Secretary to the Board of Directors



AVILA BEACH COMMUNITY SERVICES DISTRICT

Post Office Box 309, Avila Beach, CA 93424
Office and Meeting Room - 191 San Miguel Street, Avila Beach
Telephone (805) 595 - 2664 FAX (805) 595 - 7623

AVILA BEACH COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2001-6

RESOLUTION COMMENDING SEAMUS SLATTERY FOR SERVICE TO THE AVILA BEACH COMMUNITY SERVICES DISTRICT

WHEREAS, the Community of Avila Beach was faced with a critical obstacle to its ability to rebuild after the completion of the Avila Beach Remediation Project; and

WHEREAS, SEAMUS SLATTERY had the vision and recognized the opportunity to secure grant funding absolutely necessary for the fire protection and rebuilding of the community; and

WHEREAS, SEAMUS SLATTERY organized the Community, secured the cooperation of other public agencies, participated in numerous meetings and gave untold hours of effort for the benefit of the entire Community of Avila Beach; and

WHEREAS, SEAMUS SLATTERY was instrumental in obtaining grant funding for installation of a major water storage tank and waterline facility in the amount of \$647,000; and

WHEREAS, SEAMUS SLATTERY continues to be highly effective in his role as a community leader and;

WHEREAS, SEAMUS SLATTERY has earned the respect of the community for his continuing dedication and service to the community of Avila Beach;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Avila Beach Community Services District, San Luis Obispo County, California, as follows:

That the Avila Beach Community Services District does hereby recognize and commend SEAMUS SLATTERY for his continuing dedication, and extraordinary effort as an advocate for the Avila Beach Community, and adopts this Resolution as a public statement of their recognition.

UPON MOTION of Director Allen seconded by Director Grife, and on the following roll call vote to wit:

AYES:	Allen, Grife, Helenius, Guernsey, Andrews-Scott
NOES:	None
ABSENT:	None
ABSTAINING:	None

the foregoing Resolution is hereby adopted this 10th day of April, 2001.



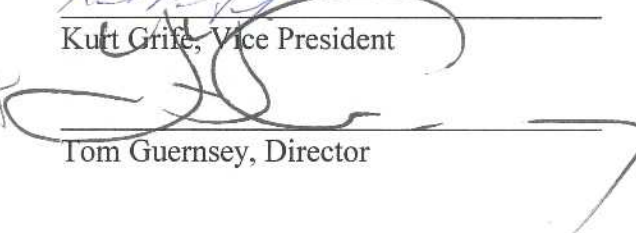
Chris Helenius, President



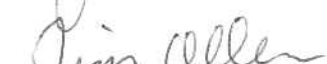
Kurt Grife, Vice President



Julie Andrews-Scott, Secretary



Tom Guernsey, Director



Jim Allen, Director

ATTEST:



Secretary to the Board of Directors

**AVILA BEACH COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2001- 7**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE AVILA BEACH
COMMUNITY SERVICES DISTRICT APPROVING AN OUTSIDE USER
AGREEMENT FOR THE MARREN PROPERTY AND A REQUEST FOR LAFCO TO
APPROVE SAID AGREEMENT**

WHEREAS, the Board of Directors of the Avila Beach Community Services District (herein referred to as "District") has received a request from Mr. and Mrs. Marren to provide water services to their property located at 933 and 943 Avila Beach Drive ("Property") in Avila Valley within the District's Sphere of Influence; and

WHEREAS, the District has determined that it has the capacity to serve the property on a temporary basis; and

WHEREAS, in order to serve the property it is necessary for the District to do the following:

1. Execute an Outside User Agreement ("Agreement") with the owners of the property.
2. Reach an agreement with the County of San Luis Obispo regarding connection to the Lopez Water system; and

WHEREAS, the District has determined that an in lieu connection fee is appropriate for this connection in accordance with the current District ordinances and subject to any modifications contained within the Agreement; and

WHEREAS, the District has determined that it is desirable for the District to provide service to the property until such time as the District requires use of the water for any other purpose including, but not limited to, use for properties inside the District boundaries;

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

1. That the form of Agreement attached as Exhibit "A", Outside User Agreement for the Property is hereby approved subject to final review for form and legal effect by District Counsel.
2. That the Board of Directors has determined that it is desirable to provide service to the Property and through this resolution requests that the Local Agency Formation Commission approve the District's Outside User Agreement.

**AVILA BEACH COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2001- 7**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE AVILA BEACH
COMMUNITY SERVICES DISTRICT APPROVING AN OUTSIDE USER
AGREEMENT FOR THE MARREN PROPERTY AND A REQUEST FOR LAFCO TO
APPROVE SAID AGREEMENT**

WHEREAS, the Board of Directors of the Avila Beach Community Services District (herein referred to as "District") has received a request from Mr. and Mrs. Marren to provide water services to their property located at 933 and 943 Avila Beach Drive ("Property") in Avila Valley within the District's Sphere of Influence; and

WHEREAS, the District has determined that it has the capacity to serve the property on a temporary basis; and

WHEREAS, in order to serve the property it is necessary for the District to do the following:

1. Execute an Outside User Agreement ("Agreement") with the owners of the property.
2. Reach an agreement with the County of San Luis Obispo regarding connection to the Lopez Water system; and

WHEREAS, the District has determined that an in lieu connection fee is appropriate for this connection in accordance with the current District ordinances and subject to any modifications contained within the Agreement; and

WHEREAS, the District has determined that it is desirable for the District to provide service to the property until such time as the District requires use of the water for any other purpose including, but not limited to, use for properties inside the District boundaries;

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

1. That the form of Agreement attached as Exhibit "A", Outside User Agreement for the Property is hereby approved subject to final review for form and legal effect by District Counsel.
2. That the Board of Directors has determined that it is desirable to provide service to the Property and through this resolution requests that the Local Agency Formation Commission approve the District's Outside User Agreement.

3. That the San Luis Obispo County Public Works Department, acting on behalf of County Flood Control Zone 3 and County Service Area No. 12, accommodate a water connection for the property; and
4. The President is authorized to sign all documents relating to items 1, 2, and 3 above.

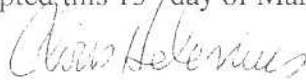
On motion of Director Guernsey, seconded by Director Andrews-Scott, and on the following roll call vote, to wit:

AYES: Guernsey, Andrews-Scott, Helenius, Grife, Allen

NOES: None

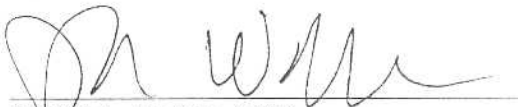
ABSENT: None

the foregoing resolution was passed and adopted this 13th day of March, 2001.



CHRIS HELENIUS
BOARD PRESIDENT

ATTEST:



JOHN L. WALLACE
GENERAL MANAGER

Approved:

STEPHEN N. COOL
LEGAL COUNSEL

3. That the San Luis Obispo County Public Works Department, acting on behalf of County Flood Control Zone 3 and County Service Area No. 12, accommodate a water connection for the property; and
4. The President is authorized to sign all documents relating to items 1, 2, and 3 above.

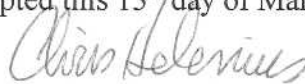
On motion of Director Guernsey, seconded by Director Andrews-Scott, and on the following roll call vote, to wit:

AYES: Guernsey, Andrews-Scott, Helenius, Grife, Allen

NOES: None

ABSENT: None

the foregoing resolution was passed and adopted this 13th day of March, 2001.



CHRIS HELENIUS
BOARD PRESIDENT

ATTEST:



JOHN L. WALLACE
GENERAL MANAGER

Approved:

STEPHEN N. COOL
LEGAL COUNSEL

AVILA BEACH COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2001- 8

**A RESOLUTION FINDING NO SIGNIFICANT DETRIMENTAL ENVIRONMENTAL IMPACT
AND DIRECTING THE FILING OF A MITIGATED NEGATIVE DECLARATION OF
ENVIRONMENTAL IMPACT REGARDING THE AVILA BEACH WATER STORAGE TANK
PROJECT ED-00-02**

THE BOARD OF DIRECTORS OF THE AVILA BEACH COMMUNITY SERVICES DISTRICT
DOES RESOLVE AS FOLLOWS:

WHEREAS, THE California Environmental Quality Act of 1970, as set forth in the Public Resources Code, Section 21000 to 21174, requires the evaluation of the environmental impact and the preparation of an environmental impact report or negative declaration for certain projects; and

WHEREAS, the District has reviewed and considered an initial environmental study for the hereinafter described project; and

WHEREAS, there appears to be no substantial detrimental environmental impact from the proposed project, due to the incorporation of the mitigation measures outlined in Initial Environmental Study, E-00-02 (incorporated herein by reference), into the project approval.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. It is the finding of the Avila Beach Community Services District that there will be no substantial detrimental environmental impact arising from the proposed project. As long as the mitigation measures set forth in the study are preformed.
2. The District President is hereby authorized and directed to file a mitigated negative declaration with the County Clerk.

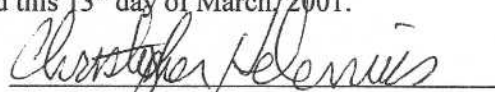
On motion of Director Helenius, seconded by Director Andrews-Scott, and on the following roll call vote, to wit:

AYES: Helenius, Andrews-Scott, Grife, Allen

NOES: Guernsey

ABSENT: None

the foregoing resolution was passed and adopted this 13th day of March, 2001.


CHRIS HELENIOUS
BOARD PRESIDENT

ATTEST:


JOHN L. WALLACE
GENERAL MANAGER

AVILA BEACH COMMUNITY SERVICES DISTRICT

Resolution No. 2001-9

RESOLUTION OF THE BOARD OF DIRECTORS OF THE AVILA BEACH COMMUNITY SERVICES DISTRICT DECLARING WEEDS, DRY GRASS, AND TRASH TO BE A NUISANCE AND THREAT TO PUBLIC SAFETY, AND PROVIDING FOR ABATEMENT

WHEREAS, there exists on certain lots and parcels of real property within the District, weeds, dry grass, brush, litter and other flammable material which endanger the public safety,

WHEREAS, The Board of Directors finds these conditions constitute a public nuisance and safety hazard and deem that these conditions should be abated,

WHEREAS, pursuant to law, notice shall be given to destroy, remove, and clear, dry weeds, grass, brush, litter, trash and other flammable materials on certain lots and parcels of land within the District, and a hearing where concerns about such matters will be heard is hereby set for the 10th day of July at 7:00 P.M. at the Avila Beach Community Services District meeting place at 191 San Miguel Street, Avila Beach Ca. 93424,

WHEREAS, the Fire Chief of the Avila Beach Fire Department (CDF Contract Agency) is hereby designated as the person referred to in the Health and Safety code 14890, to abate these conditions.

AVILA BEACH COMMUNITY SERVICES DISTRICT

Resolution No. 2001-10

Not adopted
No weeds to
be cut

RESOLUTION FINDING NO OBJECTIONS TO WEED AND RUBBISH ABATEMENT PROCEEDINGS AND ORDERING THE ABATEMENT OF THE NUISANCES.

WHEREAS, a time was set for the hearing before the Board of Directors of the Avila Beach Community Services District of objections from the public to the proposed removal of weeds from various lots and parcels within the District, as described in Resolution #2001-9, previously adopted; and it appearing that notice of this hearing has been duly and regularly given as required by law, and it appearing that no persons have come forward to object to the proposal, and that the President has declared the hearing closed;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS AS FOLLOWS:

1. That any objections to said proposal were heard and resolved;
2. That the District has jurisdiction to proceed to perform the work of removal;
3. That the Fire Department is ordered to abate the nuisance referred to in Resolution 2001-9 on the lots and parcels described in Exhibit A, attached hereto;
4. That upon completion of said abatement, the Fire Chief

shall submit to this Board, as provided in Health and Safety code 14905, an itemized written report showing the cost of abatement to each parcel abated where clearing was done by the Fire Department.

5. That said report shall be heard and considered by the Board on August 14, 2001 at the regular meeting time, along with any objections from owners liable to be assessed. The Fire Chief shall cause a copy of said report to be posted at the Board meeting place at least 3 days prior to said meeting, as required by law, and file his Certificate of Posting.

ON MOTION of Director _____, seconded by Director _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

PASSED AND ADOPTED this 10th day of July 2001.

President of the Board

ATTEST:

Secretary to the Board

NOW, THEREFORE, be it resolved that the Fire Chief is hereby directed to post notice and send written notice to property owners where the conditions described above exist.

ON MOTION of Director Guernsey, seconded by Director Grife, and on the following roll call vote, to wit:

AYES: Guernsey, Grife, Helenius

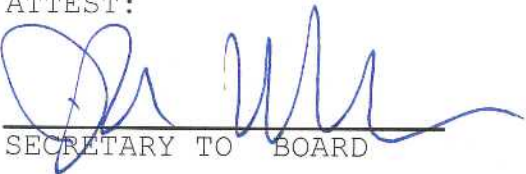
NOES: none

ABSENT: Allen, Andrews-Scott

The foregoing resolution is hereby adopted this 12th day of June 2001.

Chris Helenius, President

ATTEST:



SECRETARY TO BOARD

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:

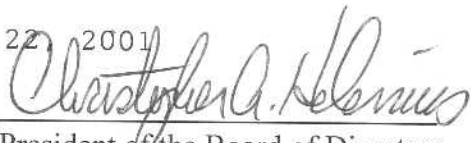
Resolutions Nos. 87-9, 88-4, 93-5, 94-09, and 2000-2002 are hereby repealed in their entirety.

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

AGREEMENTS\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

BOARD OF DIRECTORS

AVILA BEACH COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2001-14

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

The Board of Directors makes the following findings:

A. By its Ordinance No. 1-87 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. 87-8, 88-3, 93-4, 94-09, and 2000-2003, which Resolutions amended the Sewer Assessment Schedule and established policies and procedures to determine the extent to which properties not currently receiving sewer service were to be credited for prior usage.

C. On August 22, 2001 this District adopted Ordinance No. 2001-01, which revised the provisions of Ordinance No. 1-87.

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 Sewer Facilities Assessment Schedule:

The sewer facilities assessments payable under Ordinance No. 2001-01 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 sewerage facilities for the District apportioned among various land uses.

2. Time for Payment of Sewer Facilities Assessments:

Sewer 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 sewer service by the District, but the improvements previously existing thereon have been destroyed or removed so that the properties are not being served as of the date of this Resolution, such property shall be entitled to a credit for the level of its prior sewer usage calculated as provided in this section. In determining the Sewer Facilities Assessment to be paid for new construction on such property, the District shall first ascertain the assessment for such improvement under the Sewer 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 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 Sewer Facilities Assessment Schedule. Beginning two (2) years after the adoption of Ordinance No. 2001-01, 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 Sewer Facilities Assessment payable in individual situations which are not clearly addressed by Ordinance No. 2001-01 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:

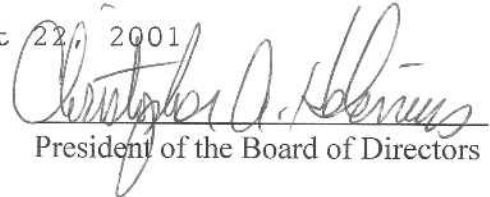
Resolutions Nos. 87-8, 88-3, 93-4, 94-09, and 2000-2003 are hereby repealed in their entirety.

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

AYES	:	Helenius, Grife, Allen
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 2001-14 Adopted August 22, 2001

AGREEMENTS\ABCSD.RES

Adopted 4-11-2000
Hybrid Corrections
7-11-2000

Avila Beach Community Services District Calculation of Connection Charges for Wastewater System Costs

Type of Use	Wastewater Hookup Fee
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A. Uses in which a ratio of water used to sewage produced is essentially - 100% water used, 80% sewage produced; based upon ~~\$1,087.54~~ per acre foot annual water use.
2,800 -

B. Uses in which a ratio of water used to sewage produced is essentially - 100% water used, 90% sewage produced; based upon ~~\$2,208.38~~ per acre foot of water used, marked by *.
3,150 -

C. Uses in which essentially 100% of the water used is converted to sewage; based upon ~~\$3,229.74~~ per acre foot of water used, marked by **.
3,500

Single Family Residence or Condominium, per Residence

One Bedroom	\$	980.94
Two Bedroom	\$	1,471.41
Three Bedroom	\$	1,961.88
Four Bedroom	\$	2,452.35

Multi Dwelling*

One Bedroom	\$	784.75
Two Bedroom	\$	1,177.13
Three Bedroom	\$	1,569.51

Mobile Home ~~X~~	\$	980.94
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Barber Shop** (per Chair)	\$	392.38
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Beauty Shop** (per Chair)	\$	490.47
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Dentist Office** (per Chair)	\$	2,942.83
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Department Store** (per employee)	\$	156.95
or, if larger, (per 1,000 square feet)	\$	470.49

Drug Store**	\$	1,961.88
w/Fountain Service add:	\$	5,297.09
if Serving Meals add: (per seat)	\$	196.19

Laundry**	(per Standard washing machine)	\$	3,923.77
Meat Market**	(per 1,000 square feet of floor area)	\$	196.19
Motel or Hotel	(per room)	\$	490.47
Office Building**	(per employee)	\$	98.09
	or, if larger, (per 1,000 square feet)	\$	470.85
Physicians Office**	(per examining room)	\$	784.75
Restaurant**	(per seat at 20 gallons per day per seat)	\$	78.48
Theatre**	(per seat)	\$	11.77
Other non water intensive establishments**:			
	(per 500 gallons per day)	\$	1,961.88
Boarding School, Elem	(per student)	\$	294.28
Boarding School, Senior	(per student)	\$	392.38
Church	(per seat)	\$	11.77
Country Club	(per member)	\$	98.09
Civic Club**	(per member)	\$	11.77
Elementary School	(per student)	\$	62.78
Nursing Homes	(per bed)	\$	588.57
Rooming House**	(per resident)	\$	392.38
Summer Camps	(per resident or camper)	\$	235.43

For those uses not specifically included in the foregoing Schedule, and for hybrid usees, assessments shall be determined by calculating annual water usage of the use in acre feet and multiplying by the applicable acre foot rate for that use(s) under Paragraph A, B, or C of this section.