

RESOLUTION 3-83



A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LAKE SHASTINA COMMUNITY SERVICES DISTRICT AMENDING ORDINANCE 4-80 TO ALLOW PARTIAL CREDIT FOR "GRANT-IN-AID OF CONSTRUCTION" WHEN AN ALTERNATE PUBLIC SEWER EXTENSION IS APPROVED BY THE BOARD OF DIRECTORS

RESOLVED, by the Board of Directors of the Lake Shastina Community Services District, Siskiyou County, California as follows:

WHEREAS the District has undertaken to furnish sewage disposal services pursuant to Ordinances 1-80 and 4-80, and,

WHEREAS the District has established a policy of approving an alternate gravity sewage disposal system in lieu of the low pressure system wherever feasible and in the best interest of the District as well as the property owner, and,

WHEREAS Ordinance 4-80 and amendments thereto establish the hookup fee for both the gravity and low pressure systems, and,

WHEREAS said hookup fee includes an inspection fee and the nominal cost of actually making the physical connection to the public sewer system, and,

WHEREAS the intent of this resolution is to give partial credit in an amount equal to the "Grant-in-Aid of Construction" also identified as that share each property owner must pay to cover the original cost of the system now installed, escalated to current costs using the ENR Index, plus the cost to complete the low pressure system including 22% for contingencies as presented by the District Engineer's letters of 7 June and 10 June 1983.

WHEREAS the above may also, in special circumstances, refer to the gravity sewer system as well as the low pressure sewer system, and,

WHEREAS the District desires to place a ten year time limit on all refunds in order to limit the administrative burden of keeping records for said alternate sewer extensions,

NOW THEREFORE BE IT RESOLVED:

1. That Article II, Section 3. "Sewer Service and Connection Charges" be amended by adding the following paragraph:

If an alternate sewer hookup to the gravity system is requested by the applicant and approved by the District Engineer, General Manager and the Board of Directors, all costs associated therewith are in addition to the gravity hookup fee set by this ordinance.

2. The cost of the alternate sewer extension shall be apportioned to the number of lots which will ultimately be served by such alternate sewer extension as determined by the District Engineer, and said apportionment shall be charged to those lots when application for service is made, in addition to the hookup fee and all applicable additional costs.

3. The time limit on refunds due the owner of the original installation shall be ten years from date of acceptance of the alternate sewer extension by the District.

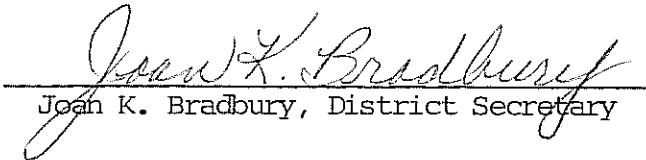
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I hereby certify that the foregoing is a fully true and correct copy of a resolution duly passed and adopted by the Board of Directors of the Lake Shastina Community Services District, Siskiyou County, California, at a meeting thereof duly held on the 12th day of July 1983 by the following vote:

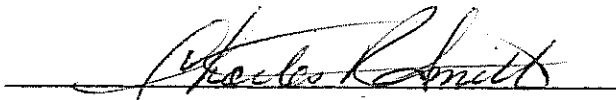
AYES and in favor thereof: Directors Barbier, Dutro and Spahr

NOES: None

ABSENT: Directors Trager and Worsnop


Joan K. Bradbury, District Secretary

ATTEST:


Charles R. Smith
General Manager

IV. PUBLIC HEARINGS:

A. Resolution 2-83 - Sewer Hookup Fees. Director Barbier read Resolution 2-83 which by reference is incorporated herein. He then announced the opening of the public hearing. There being no one in the audience wishing to speak to this resolution, the public hearing was closed. Director Dutro moved that Resolution 2-83 setting gravity sewer hookup fees at \$400.00 and low pressure sewer hookup fees at \$1,190.00 be adopted by the Board. The motion was seconded by Director Spahr and upon vote carried.

B. Resolution 3-83 - Fee for alternate sewer hookup to the gravity system. Director Barbier read Resolution 3-83 which by reference is incorporated herein. He then announced the opening of the public hearing. There being no one in the audience wishing to speak to this resolution, the public hearing was closed. Director Spahr moved that Resolution 3-83 be approved for adoption, seconded by Director Dutro. Upon vote the motion carried.

V. APPROVAL OF CONSENT AGENDA:

Upon motion made by Director Dutro, seconded by Director Spahr, the Board voted to approve the Consent Agenda.

VI. WRITTEN COMMUNICATIONS:

A. General Manager Smith read aloud President Worsnop's letter to Chief Bailey dated 21 June 1983 having to do with the recent increase in police personnel salaries, which letter by reference is incorporated herein. Director Spahr moved the Board go on record as endorsing the concept expressed in President Worsnop's letter, seconded by Director Dutro and upon vote carried.

B. 1. CSDA "Newsbriefs" B. 2. CSDA Notice of Annual Conference - information only.

C. Counsel's letter regarding liability of firemen performing non fire fighting function. A copy of this letter had been presented to each Board member and filed with the Secretary. Said letter is by reference incorporated herein. Counsel's letter states firemen have immunity only when engaged in fire fighting activities. With regard to the previously mentioned subject of the proposed police/fire consolidation for purposes of public safety, Counsel is not presently aware of any case law pertaining thereto. It is his opinion that if a public