

RESOLUTION 2019-04

A RESOLUTION OF THE
WESTWOOD COMMUNITY SERVICES DISTRICT
RESTRUCTURING WATER RATES

WHEREAS, the Westwood Community Services District ("District") has analyzed the estimated reasonable cost of providing water service to its customers.

WHEREAS, on the basis of that analysis, the District has concluded that an increase in the District's water rates is warranted;

WHEREAS, the revenues derived from the increased rates will not exceed the amounts required to provide water service; the revenues derived from the water rates will not be used for any purpose other than providing water service; the amount of the rates to be charged will not exceed the proportional cost of water service attributable to each parcel; and the rates are imposed for a service that is actually used or immediately available to all property owners charged;

WHEREAS, the District mailed notice of a public hearing (at least 45 days in advance thereof) to the record owners of all parcels that are subject to the increased water rates, stating the amount of the proposed increase, the basis for its calculation, and the reason for the rates charged;

WHEREAS, the Board of Directors of the District conducted the public hearing and considered all the protests against the increase to the water rates;

WHEREAS, written protests against the increase to water rates were received from less than a majority of the parcels subject to the increased rates;

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

Section 1. Findings.

- A. The above recitals are true and correct and incorporated herein.
- B. The water rates governed by this resolution are imposed for the purpose of (1) purchasing or leasing supplies, equipment, or materials; and (2) obtaining funds for capital projects necessary to maintain service within existing service areas.

Section 2. Water Rate.

METERED RATE SCHEDULE

Rates for customers will be as follows:

Meter Size	Monthly Rate
5/8" x 3/4"	40.40
1" Residential	40.40
1" Business	69.95
1-1/2"	104.30
2"	139.10
3"	208.65
4"	278.20
6"	486.85

Usage rate: \$0.35 per 1000-gallons per month after the Base of 30,000-gallons.

Note: Apartments to be charged at \$40.40 per unit per month. The usage rate will apply to the master meter(s).

ADDITIONAL INCREASES

On July 1, 2020 and every July 1 thereafter, the Board of Directors may increase any of the rates specified above to an amount not greater than the specified rate increased by the percentage change in the Consumer Price Index - West Urban since the original effective date of these rates, as needed to pay for increased costs of providing water service.

Section 3. Effect on Prior Actions.

All provisions of prior ordinances and resolutions of this District not inconsistent with this resolution shall remain in full force and effect.

Section 4. Effective Date.

This resolution shall take effect and be in force July 1, 2019.

Section 5. Limitations Period.

The provisions contained in California Civil Code Sections 860-870 shall be applicable to this resolution and to any action taken by the District by ordinance or resolution to determine the amount of water service charges. It is the express intent of the District in adopting this resolution that any legal action contesting the validity of the resolution and/or the service charges established hereunder shall be filed within 60 days from the date of the adoption of this resolution or the determination fixing and certifying the service charges in accordance law.

In the event that a court should decide that the validation provisions are not applicable to the adoption of this resolution or to the determination fixing and certifying the service charges, the District hereby separately declares its intent to and does hereby establish a statute of limitation in which any legal action, suit or proceeding may be initiated in court in which to attack, set aside, void or otherwise annul this resolution or any portion or provision hereof and the determination fixing and certifying the service charges. Any such action shall be initiated and filed in the appropriate court within 60 days of the date of the adoption of this resolution and/or the determination fixing and certifying the service charges. Otherwise, any such suit shall be barred.

PASSED AND ADOPTED by the Board of Directors of the Westwood Community Services District on July 1, 2019 by the following vote:

AYES: Directors Hasselwander, Compton, Binswanger, Escobar and Young

NOES:

ABSENT:



President, Board of Directors

Westwood Community Services District

ATTEST:



District Secretary