

**RESOLUTION 2019-05**  
**A RESOLUTION OF THE**  
**WESTWOOD COMMUNITY SERVICES DISTRICT**  
**AMENDING SEWER RATES**

**WHEREAS**, the Westwood Community Services District (District) has analyzed the estimated reasonable cost of providing sewer service to its customers; and,

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

**WHEREAS**, the revenues derived from the increased rates will not exceed the amounts required to provide sewer service; the revenues derived from the sewer rates will not be used for any purpose other than providing sewer service; the amount of the rates to be charged will not exceed the proportional cost of sewer 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; and,

**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 sewer rates, stating the amount of the proposed increase, the basis for its calculation, and the reason for the rates charged; and,

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

**WHEREAS**, written protests against the increase to sewer 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 sewer rates governed by this resolution are imposed for the purpose of (1) providing sewer system services; (2) purchasing or leasing supplies, equipment, or materials necessary for providing sewer system services; and (3) obtaining funds for capital projects necessary to maintain sewers system services within existing service areas.

Section 2. Sewer Rates.

Residential Rates

Rates for residential customers will be as follows:

<u>Classification</u>	<u>Monthly Rate</u>
Sewer Basic	39.31
Sewer Other	39.31
Sewer Senior Apartments	943.49
Sewer Valley Fair	1336.62

Commercial and Industrial Rates

Rates for commercial and industrial customers will be as follows:

<u>Classification</u>	<u>Monthly Rate</u>
Sewer Business	39.31
Sewer Commercial	41.41
Sewer Elementary School	51.02
Sewer Mt. Lassen Power	107.20

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 sewer 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.

Section 6. Effective Date.

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

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 & Young  
NOES:  
ABSENT:

  
\_\_\_\_\_  
Chairman, Board of Directors  
Westwood Community Services District

ATTEST:

  
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District Secretary