

RESOLUTION NO. 17-01

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE WHEELER CREST COMMUNITY SERVICES
DISTRICT ESTABLISHING A NEW OR INCREASED
ANNUAL FEE FOR HILLTOP WATER SYSTEM SERVICES, AND
PROVIDING CERTAIN DETAILS REGARDING
ITS COLLECTION AND ENFORCEMENT

WHEREAS, the Wheeler Crest Community Services District (the "District") is a community services district duly organized and existing under and pursuant to the laws of the State of California; and

WHEREAS, the District provides certain water services to District parcels utilizing the Hilltop Water System and currently charges an annual fee of \$500 per parcel for a connected lateral and \$210 per parcel for an unconnected lateral; and

WHEREAS, the District has proposed to replace the current fees with a new or increased annual fee of \$650 per parcel for connected laterals and \$400 for unconnected laterals, comprised of components for ongoing maintenance, payment of loan for new well, and major repairs including the pending repair / replacement of the existing Hilltop steel reservoir. These items have been described in public documents and notices to affected property owners advising them of the proposed fee increase and at a public hearing held on January 18, 2017, at which written protests regarding the proposed fee would be considered (in accordance with the requirements of Proposition 218), all of which is incorporated herein by this reference; and

WHEREAS, there were no written protests filed prior to the close of the public hearing;

NOW, THEREFORE, it is RESOLVED by the Board of Directors of the Wheeler Crest Community Services District as follows:

SECTION ONE: Commencing with the 2017-18 tax year, an annual fee of \$650 per parcel for connected laterals and \$400 per parcel for unconnected laterals for the Hilltop Water System services is hereby charged, levied, and established, which shall apply only to those particular parcels of land served by the Hilltop Water System within the District. Note that the increase of the annual fees constitutes a replacement of the current fees and shall be charged in lieu of the former fees. Said annual fees shall be used only for Hilltop Water system purposes, as described more fully in the public notices and documents, incorporated herein by reference.

SECTION TWO: In accordance with Government Code section 61115, the Board hereby provides the following details regarding collection and enforcement of the annual fee:

- The annual fee of \$650 per parcel for connected laterals and \$400 per parcel for unconnected laterals shall be collected on the tax roll in the same manner as property taxes, commencing with property tax bills for the 2017-2018 tax year.
- There will be a \$150 one-time only billing to all parcels owners for the 2016-2017 tax year.

- The Board hereby imposes a basic penalty for nonpayment of said fee of 10 percent, plus an additional penalty of 1 percent per month for the nonpayment of the fee and the basic penalty if not paid with 90 days of billing. Said penalties shall also be collected on the tax roll in the same manner as property taxes.
- Every year, the chairman of the board of directors shall follow the procedures specified by subdivision (b) of Government Code section 61115 (as the same may be amended from time to time) or any other applicable statutes with respect to preparing and adopting a report that describes each affected parcel of real property and the amount of charges and delinquencies for each affected parcel, and shall file a final report with the county auditor on or before August 10th of each year.
- If all or part of any annual fee or any penalty thereon is not paid, the District may discontinue any or all services to the delinquent parcel.
- The District reserves the right to pursue any other lawful remedies and means of recovering the annual fee and any penalties thereon.

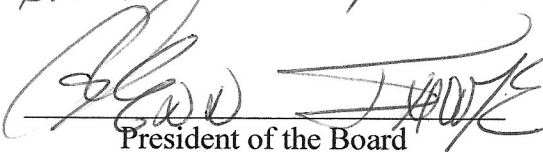
PASSED, APPROVED AND ADOPTED this 18 day of January, 2017, by the following vote:

AYES: ALAN INOUE, RAY TOMPMUSKAS, WILLIAM DONLAP

NOES: NONE

ABSTENTIONS: NONE

ABSENT: BRENT MILLER, DAN COXNERS

Approved: 
President of the Board

Attest: 
Secretary of the Board