

RESOLUTION 21/22-08

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT ADOPTING A WATER STANDBY CHARGE FOR FISCAL YEAR 2021/22

The Board of Directors of the Bear Valley Community Services District resolves as follows:

Section 1. Findings. The Board finds as follows:

- A. This resolution establishes a water standby charge on unimproved parcels not currently receiving water service for the District's fiscal year beginning July 1, 2021.
- B. The Bear Valley Community Services District provides water service within the boundaries of the District and is authorized by the Community Services District Law (commencing at Government Code section 61000) to collect charges, including standby or availability charges, to cover the costs of providing such services including the cost of any bonded indebtedness or other debt incurred to construct, maintain or operate the facilities necessary to provide such services.
- C. Under Government Code section 61124, the District may elect to fix, levy and collect an authorized standby charge for water service under the procedures specified in the Uniform Standby Charge Procedures Act (commencing at Government Code section 54984).
- D. The proposed water standby charge fully complies with Article XIII D of the California Constitution (Proposition 218), which defines standby charges as assessments and which further allows assessments to finance the maintenance of sewer systems to continue without undergoing a new assessment procedure and approval process until the amount of the charge is increased.
- E. The proposed water standby charge of forty dollars and twenty-eight cents (\$40.28) per year does not exceed the maximum charge that was previously established, and as such does not constitute an increase in the standby charge under Government Code section 53750 (which is part of the Proposition 218 Omnibus Implementation Act).
- F. The proposed water standby charge does not exceed the estimated reasonable cost of providing the service for which the charge is imposed.

Section 2. Adoption of Water Standby Charge. The Board hereby adopts a water standby charge of forty dollars and twenty-eight cents (\$40.28) for Fiscal Year 2021/22, which charge is to be imposed on the parcels identified by Assessor's parcel number in Exhibit A, which list is on file in the District office.

Section 3. Collection of Standby Charge. The water standby charge adopted by this Resolution will be collected on the tax roll at the same time and in the same manner as the collection of general taxes levied and collected by the County of Kern.

Section 4. Effective Date. This Resolution is effective for the District's fiscal year beginning July 1, 2021.

Section 5. Transmittal to County. The District Secretary is directed to transmit certified copies of this Resolution to the Clerk of the Board of Supervisors of Kern County and to the County Auditor-Controller-County Clerk.

PASSED, APPROVED AND ADOPTED on July 9, 2020 by the following vote:

AYES: Carlyn, Grace, Jensen, Quinn, Hahn
NOES: None
ABSENT: None
ABSTAIN: None



Gregory Hahn, President
Bear Valley Community Services District

ATTEST:

I hereby certify that the above Resolution No. 21/22-08 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on July 29, 2021.



Kristy McEwen,
Secretary of the Board of Directors