

RESOLUTION NO. 0414-01

A RESOLUTION ADOPTING WATER SYSTEM DEVELOPMENT CHARGES

WHEREAS, on October 13, 1994, the District Commissioners of the Seal Rock Water District adopted Ordinance No. 1094-1 providing for the establishment of system development charges and for procedures for collecting and expending system development charges; and

WHEREAS, Section 4 of Ordinance 1094-1 provides that the amount of the System Development Charge (SDC) shall be established or revised by Resolution of the Seal Rock Water District; and

WHEREAS, the Seal Rock Water District has determined that certain capacity expanding capital improvements to the District's water system are now in need of construction and the District should establish an SDC charge for water facilities to provide funds for recovering the costs of projects associated with such planned capacity expanding improvement.

NOW, THEREFORE, PURSUANT TO ORDINANCE NO. 1094-1, THE SEAL ROCK WATER DISTRICT RESOLVES AS FOLLOWS:

Section 1: Definitions. As used in this Resolution, the following terms shall mean:

- (a) Connection to System. The actual physical connection to the District's water system or the application for service and payment of required fees.
- (b) Abandoned or forfeited connection. Properties within, or outside the District service area that were once connected to the system that have abandoned or forfeited service, or connection to the system.
- (c) Equivalent Dwelling Unit (EDU). The water discharged by a single family residential dwelling unit. For purposes of the water system development charge other EDU's for other types of dwelling units or other buildings shall be assigned as set forth in the Residential and Non-Residential Customers Assessment Schedule for Water and Wastewater System SDCs (Table 3.5 of the Methodology).
- (d) All other terms as used in the resolution shall have the same meaning as found in Districts Water System Development Charge Methodology December 2010.

Section 2: Collection of System Development Charge.

- (a) The Seal Rock Water District shall collect the SDC as determined by the General Manager upon the following;

- (i) As a condition of issuance of a Lincoln County building permit; or
 - (ii) A permit/application to connect to the water system is issued by the District; or
 - (iii) A development permit for development not requiring the issuance of a building permit is issued by Lincoln County.
 - (iiii) Reconnection of abandoned or forfeited service connection to the system that have unpaid System Development Charges.
- (b) To the extent that the General Manager finds that a development has occurred in accordance with subsection (a) (iii), the system development charge for the existing use, if applicable, shall be calculated. If this amount is less than the system development charge for the use that will result from the development, the difference between the system development charge for the existing use and the system development charge for the proposed use shall be the system development charge. In no instance will a refund be provided if it is found that the change in usage results in a decrease in the number of equivalent dwelling units.

Section 3: Methodology.

- (a) The methodology used to establish the reimbursement fee shall be based on rate-making principles employed to finance publicly owned capital improvements, prior contributions by existing users, gifts of grants from federal or state government or private persons, the cost of then existing facilities or the value of unused capacity available to future users, and other relevant factors identified by the District. The methodology shall promote the objective that future system users shall contribute no more than an equitable share of the cost of then existing facilities.
- (b) The methodology used to establish the improvement fee shall demonstrate consideration of the cost of projected capital improvements needed to increase the capacity of the system to which the fee is related that will be required to serve the demands placed on the system by future users. Improvement fees shall be calculated to obtain the costs of capital improvements for the projected need for available system capacity for future users.
- (c) The system development charge project plan and methodology used by the District to adopt the System Development Charge established by this Resolution is contained in the Public Infrastructure from Civil West Consulting Engineers prepared at the request of the District. This Methodology contains the methodology the District hereby relies upon and adopts in adopting this Resolution, and is incorporated herein by this reference. This methodology is the

basis for the District to adopt a System Development Charge for its water system in the total of maximum defendable rate effective July 01, 2014 for a rate of \$3,670.50 per EDU.

Section 4: System Development Charge Calculation.

- (a) Based on the methodology specified in Section 3, above, the System Development Charge for the Districts water system is hereby established in the amount of \$3,670.50 per EDU effective July 01, 2014.
- (b) The filing fee for an appeal of an expenditure, or appeal of any other decision shall be \$60.00.

Section 5: Effective Date.

- (a) The SDC established in Section 4, above, shall be effective at 8:00 a.m. PDT on the 1st day of July, 2014.

PASSED by the Board of Commissioners on this
10 day of April, 2014.

APPROVED by the Chair on this
10 day of April, 2014.

ATTEST:

APPROVED:


Secretary, Board of Commissioners


Chairman, Board of Commissioners