

**RESOLUTION NO. 2022 – 3  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE IRISH BEACH WATER DISTRICT  
INCREASING CONNECTION FEES**

WHEREAS, pursuant to Government Code section §66013, the Irish Beach Water District (the "District") is authorized to impose fees for water connections, and to impose capacity charges for public facilities in existence at the time the charge is imposed or for new facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged; and

WHEREAS, said connection fees and capacity charges are not "taxes" as defined in Section 1, paragraph( e) of Article XIII C of the California Constitution (commonly referred to as "Proposition 26") because said fees are imposed for a specific service provided directly to the payer that is not provided to those not charged, and which does not exceed the reasonable cost to the District of providing the service; and/or the fee is imposed for a specific government service provided directly to the payer that is not provided to those not charged, and which does not exceed the reasonable cost to the District of providing the service; and

WHEREAS, California Environmental Quality Act (CEQA) Guidelines section §15273 state that CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of: 1. Meeting operating expenses; 2. Purchasing or leasing supplies, equipment, or materials; 3. Meeting financial reserve needs and requirements; 4. Obtaining funds for capital projects, necessary to maintain service within existing service; and

WHEREAS, the District's current connection fee is less than the estimated reasonable cost of materials and labor necessary to make connections to the water system.

NOW, THEREFORE, IT IS RESOLVED that unless an exemption exists, from the time of adoption of this resolution, connection fees will be as follows:

	¾"	1"
Materials& Equipment (Meter, EMR Upgrade, Pipes & Fittings, Backhoe)	\$338	\$1,138
Labor (Workers, Admin., Manager, Benefits)	\$187	\$398
Indirect Costs	\$75	\$75
<b>Total Connection Fee</b>	<b>\$600</b>	<b>\$1,611</b>

AND BE IT FURTHER RESOLVED that no meters for a single residence will be authorized larger than 1" in diameter. The installation of a new meter on a currently connected parcel to support one Accessory Dwelling Unit (ADU) will be authorized and priced on a case-by-case basis to account for non-standard modifications that may be necessary from the service line; and

AND BE IT FURTHER RESOLVED that the Board of Directors shall review the connection fee annually in conjunction with the budget formulation process and revise the fee if necessary;

AND BE IT FURTHER RESOLVED that if any section, subsection, clause, phrases, or portion of this resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this resolution.

This resolution becomes effective 45 days after notification by posting on kiosks and the District website, WWW.IBWD.ORG, of the adoption of this resolution. Pursuant to Government Code section §53759, the District shall mail notice of such connection fee increase to all landowners in the District that a 120-day statute of limitations period applies to legal challenges to any connection fee increases related to water service.

Upon the effective date of Resolution 2022 – 3, the following resolutions will be obsolete:

1. Resolution 89 – 7 (Increasing Fees for Hooking Up to the Water System); and
2. Resolution 90 – 2 (Establishing Hookup Fees to be Paid for Service Larger than Residential ¾" Diameter Line).

This resolution was passed at the May 14, 2022, regular meeting of the Board of Directors by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Kenneth Terry, President

ATTEST: \_\_\_\_\_  
Judy Murray, Clerk/Treasurer