

CHAPTER 3

SEWER SERVICE CHARGE SURCHARGE FOR CAPTAIN'S COVE

Section 1. WHEREAS, on June 26, 2003, the Las Gallinas Valley Sanitary District entered into an Agreement with the Captain's Cove Homeowner's Association to accept into its public sewer system the private sewer pumping and collections systems serving Captain's Cove, a 160-unit condominium project,

WHEREAS in consideration of accepting that installation the property owners within Captains Cove agreed to have an annual sewer service surcharge of \$120/unit imposed, WHEREAS all of these statements are contained in the AGREEMENT FOR ACQUISITION AND RECONSTRUCTION OF PUMP STATION AND GRAVITY/FORCE MAIN LINE IMPROVEMENTS CAPTAIN'S COVE HOMEOWNERS ASSOCIATION,

WHEREAS the Board now desires to lower the existing annual sewer service surcharge from \$120/unit to \$100/unit,

WHEREAS the Board has the authority to lower the rate without processing a Proposition 218 Notice for an increase for a property-related service,

WHEREAS such charges may be placed on the tax roles in accordance with Health and Safety Code § 5470 et seq.

Section 2. The Board of the Las Gallinas Valley Sanitary District has determined that the annual special sewer service surcharge for Captain's Cove can be lowered from \$120/unit to \$100/unit. All other terms of the Agreement for Acquisition and Reconstruction of Pump Station and Gravity/Force Main Line Improvements Captain's Cove Homeowners Association remain the same. The Agreement and attachments are attached as "Exhibit A" to this Ordinance. There is no requirement for notification of an increase under proposition 218 as this annual sewer service surcharge is being decreased from \$120 to \$100.