

CHAPTER 2

SEWER SERVICE CHARGE SURCHARGE FOR MARIN LAGOON

Section 1. Findings. This Board, having approved a sanitary sewerage system necessary to serve that portion of the District more particularly shown on that certain map entitled "Map of Marin Lagoon" filed on February 8, 1989, in the office of the County Recorder of Marin County, California, in Volume 20 of Maps at Page 62, makes the following findings:

- a) Said sanitary sewerage system includes nine (9) sanitary sewerage lift stations together with all appurtenances thereto necessary to provide adequate sanitary sewerage service to the properties within said Marin Lagoon;
- b) The inordinate number of sanitary sewerage lift stations necessary to provide such service to this portion of the District is necessitated by the topography of said property and such necessity is uniquely applicable thereto.
- c) In no other portion of the District is the need for a comparable number of sanitary sewerage lift stations necessary to provide such service to such a limited area of the District;
- d) The cost of maintenance and operation of said sanitary sewerage lift stations by District as a part of its system will result in costs which are far in excess of those costs incurred by the District in providing such service to other parts of the District and it would be unfair and inequitable to impose the excess cost of maintaining and operating said sanitary sewerage lift stations upon the District as a whole inasmuch as the benefits to be derived therefrom will be limited to said properties within said Marin Lagoon;
- e) The District has caused a study to be made of the cost of maintaining and operating said sanitary sewerage lift stations in order to determine a fair

and equitable charge to be imposed upon the properties benefitted thereby and such study has been submitted to and considered by this Board;

- f) This Board has determined, on the basis of this study, that a sewer service charge surcharge should be imposed upon such properties within said Marin Lagoon to cover said excess costs of maintaining and operating said sanitary sewerage lift stations and that such surcharge should be reviewed periodically by this Board in order to ensure that said costs of maintenance and operation imposed by District upon said properties shall, at all times, fairly and equitably reflect the costs thereof, and, in connection therewith, further studies of the costs of maintenance and operation thereof shall be made and presented to this Board for its consideration; and
- g) It is in the best interest of the District and its inhabitants that a sewer service charge surcharge be imposed upon said properties to cover the excess costs of maintenance and operation of said sanitary sewerage lift stations.

Section 2. Sanitary Sewer Service Charge Surcharges. The Board of Directors has reviewed, in accordance with Section 3 below, the special sanitary sewer surcharge previously authorized to be \$253.00 per year for all properties within that portion of the District known as Marin Lagoon, more particularly shown on that certain map entitled, "Map of Marin Lagoon" filed on February 8, 1989, in the Office of the County Recorder of Marin County, California in volume 20 of Maps at Page 62, and determined that the charge can be reduced from \$253.00 per annum to \$110.00 per annum, and sets such charge in addition to the annual sewer service charge. As the sewer service surcharge proposed is a decrease, no further notification must be made under Proposition 218 or the Proposition 218 Omnibus Implementation Act.

Section 3. Review of Surcharge. This Board shall periodically review said surcharge and shall amend or revise said surcharge based upon a study of the cost of maintenance and operation of said sanitary sewerage lift stations to be prepared, submitted to and considered by this Board in establishing said surcharge.