

ORDINANCE NO. 284

AN ORDINANCE OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AS IT RELATES TO STANDBY CHARGES FOR THE FISCAL YEAR COMMENCING JULY 1, 2022

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT as follows:

Section 1. Purpose

This ordinance fixes and continues a standby charge to be levied against each lot or parcel within the district for the fiscal year commencing July 1, 2022, for the purpose of financing the district's potable water replacement program. This charge is imposed pursuant to the Municipal Water District Law.

Section 2. Findings

The Board of Directors finds, determines and declares as follows:

- (a) The board has provided a duly published and mailed notice of public hearing and has conducted a public hearing to consider adoption of a standby assessment;
- (b) The board has considered the written and oral comments presented by interested parties concerning the assessment;
- (c) The district has approved a categorical exemption for the project under the California Environmental Quality Act because the charges are not designed to increase or expand services;
- (d) The standby assessment will be used to pay for a portion of the cost of the potable water replacement programs instituted by the district. Revenue generated from the standby charge does not exceed the cost of the program.
- (e) The report of a qualified engineer that forms the basis for the standby charge is on file with the District;
- (f) It is in the best interests of the district and the community which it serves to pay for a portion of water programs from the proceeds of standby assessments because landowners benefit from maintaining available water supply.

Section 3. Standby Charge

An annual standby charge in the amount of \$10.00 per acre for parcels over one acre, and \$10.00 for each parcel of land of less than one acre is hereby levied against all land within the district for the fiscal year commencing July 1, 2022. A description of the lands (by assessor parcel number) affected by the assessment is on file with the secretary.

Section 4. Collection

The Board of Supervisors and Auditor of the County of Los Angeles are hereby directed to levy, collect and remit to the district this standby charge at the time and in the manner required by law for the levying of taxes for county purposes.

Section 5. Deferrals

(a) A property owner may request a complete or partial deferral from the standby charge by filing a written request by April 12th, 2022 during the fiscal year for which the deferral is sought. The deferral shall be processed and evaluated in accordance with this section.

(b) The following property is eligible for deferral:

(i) Property owned and occupied by a federal, state or local governmental agency.

(ii) Property permanently dedicated to open-space.

(iii) Property which cannot use water supplied by the district due to restrictions imposed by deed or governmental agencies with land use jurisdiction.


(iv) Property which cannot reasonably be expected to derive any benefit from facilities constructed with the proceeds of the water standby charge.

(c) If the general manager approves the request, the charges paid by the applicant shall be refunded and no charge shall be levied for subsequent years. The applicant shall execute an agreement to repay the charges with interest if the property ceases to be eligible for the deferral. The agreement shall be recorded.

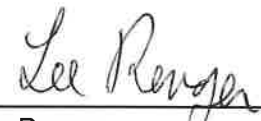
(d) If the general manager denies the request, the applicant may appeal denial of the deferral by the general manager by filing a written request for review within 10-days after the general manager's decision. The board shall promptly consider the request for review. The decision of the board shall be final.

(e) The general manager shall adopt reasonable rules and regulations to implement this section.

PASSED, APPROVED and ADOPTED on February 1, 2022



Jay Lewitt
President



Lee Renger
Secretary

APPROVED AS TO FORM:


W. Keith Lemieux
District Counsel

(SEAL)

STATE OF CALIFORNIA)
) SS.
COUNTY OF LOS ANGELES)

I, JOSIE GUZMAN, Deputy Secretary of the Board of Directors of Las Virgenes Municipal Water District, DO HEREBY CERTIFY the foregoing Ordinance No. 284 was duly adopted by the Board of Directors of said District at a regular meeting of said Board held on the 1st day of February, 2022, and it was so adopted by the following vote:

- YES: Directors: Caspary, Lewitt, Lo-Hill, Polan, Renger
- NOES: Directors: None
- ABSENT: Directors: None
- ABSTAIN: Directors: None



Deputy Secretary of Las Virgenes Municipal Water District and of the Board of Directors thereof

(SEAL)