

**ORDINANCE 2007-2**

**AN ORDINANCE OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT AMENDING THE MCSD RULES AND REGULATIONS TO SET FEES AND CHARGES FOR STORM WATER CAPACITY**

**WHEREAS,** The MCSD Board of Directors has established a policy to sell storm water capacity at the Hiller East Marsh Site; and

**WHEREAS,** The MCSD offers to sell capacity to other agencies and/or development not to exceed five surface acres or 15 acre-feet in volume.

**NOW THEREFORE, THE BOARD OF DIRECTORS OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT DOES HEREBY AMEND THE MCSD RULES AND REGULATIONS AS FOLLOWS:**

**Rule 73.12. Storm Water Capacity Fee.** Storm Water Capacity is available at the Hiller East Marsh for the following fees and charges.

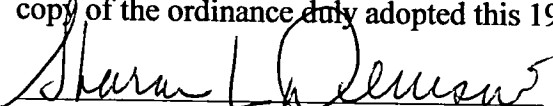
- A. Surface area capacity is to be charged at a minimum rate of \$115,000.00 per acre or \$2.64 per square foot. The District is willing to discuss terms for a conservation easement if that is a necessary requirement of an Agency mitigation requirement at this site.
- B. Developer capacity charge will be at a minimum of \$58,351.00 per acre-foot or \$1.34 per cubic foot if one acre-foot or more is purchased. For capacity amounts less than one acre-foot the charge will be \$1.68 per cubic foot.
- C. Maintenance fees: Monthly maintenance fees will be \$2.00 per Equivalent Residential Unit (ERU). The monthly fee will be billed with the monthly sewer and water billing. Nonpayment may result in the loss of service to the applicants' residence and is subject to remedy as set forth in related sections of this Ordinance applicable to Water and Sewer Payment.
- D. These fees are subject to increase if Local, State or Federal Regulatory Action causes increased expenses for the District to monitor or maintain this wetland site. Further, annual adjustment will be made to the capacity and maintenance fee structure based upon the annual Price and Population Increase as provided by the State Department of Finance. District Labor cost will be increased annually based upon COLA indexes as defined in the Personnel Policy Manual.

This is a second reading of the ordinance. Upon the second reading on December 19, 2007 the foregoing ordinance will be duly accepted for implementation effective on January 19, 2008.

AYES: Wennerholm, Corbett, Edwards, Dunk and Reid  
NOES: none  
ABSENT: none

  
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President, Board of Directors

Attest: I, Sharon Denison, Secretary to the Board of Directors of the McKinleyville Community Services District hereby certify that the foregoing is a full, true and correct copy of the ordinance duly adopted this 19<sup>th</sup> day of December, 2007.

  
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Secretary to the Board of Directors