



**Salton Community Services District
Resolution No. 2008-10-4**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SALTON
COMMUNITY SERVICES DISTRICT REGARDING ADJUSTMENT OF
SEWER CHARGES**

WHEREAS, the SALTON COMMUNITY SERVICES DISTRICT (“District”) adopted Ordinance no 2008-04 (the “Ordinance”); and

WHEREAS, the Ordinance amends the Sewer Use Ordinance dated May 31, 1978 (the “Sewer Use Ordinance”) to allow the Board of Directors of the District to adopt resolutions making certain adjustments to the Sewer User Charges payable under the Sewer Use Ordinance as follows:

10.2 Adjustments. If in respect to any customer, the Board of Directors should find that the service charge is inequitable, or unfair because of unusual circumstances, it may establish a special service charge for such customer, differing from those otherwise established which will bear a closer relationship to the benefit received from use of the District System. In establishing such a special service charge the Board of Directors may reduce the charge otherwise payable retroactive to the commencement of then the present fiscal year of the District only but may not so reduce the charge for any preceding fiscal year. Such special charge may be established by resolution or agreement, but may be revoked at any time by the Board of Directors whenever it finds that continuation thereof would be inequitable or unfair under the circumstances prevailing or if the customer has misrepresented any facts to the District or to the Board of Directors concerning the customer’s sewer use or sewer hook ups.

WHEREAS, the District now wishes to adjust the Sewer User Charges due for the Salton Sea Mobile Home Park (the “Park”) located on Seaview Drive and Salton Bay Drive.

WHEREAS, the Park has 84 RV Hook Ups and 185 Mobile Home hook ups; the owner of the Park has complained to the Board that currently only 77 of the Mobile Home hook ups are being used and that the remaining hook ups will typically remain unused which has created a financial burden on the owner of the Park, and District is willing to reduce the Sewer Use Charges applicable to these unused Mobile Home hook ups.

NOW THEREFORE BE IT RESOLVED, that the SALTON COMMUNITY SERVICES DISTRICT hereby authorizes that the sewer rates for unoccupied mobile home spaces at the Park be adjusted as follows:

Unoccupied Mobile Home Spaces: \$21.00 per year (partial fiscal years due to new hook ups only to be pro rated and paid separately from tax bill)

The owner of the Park will advise the Secretary of the Board of Directors of the District in writing by first class United States mail within 5 business days of the time when a Mobile Home is attached to a previously unused mobile home hook up or when a mobile home is permanently disconnected from a hook up so as to allow the Secretary to keep accurately informed as to the number of used and unused mobile home hook ups at the Park at all times; and

RESOLVED FURTHER, that except as specifically provided herein, all other portions of the Sewer User Ordinance applicable to the Park, including but not limited to the Sewer User Charges and other fees and charges shall remain in full force and effect without modification or change.

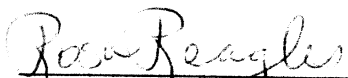
RESOLVED FURTHER, that in the event that the Standby Sewer Charges due under the Sewer Use Ordinance are increased the amount of the Sewer Use Charge for the unoccupied Mobile Home hook ups shall be increased by the same amount; and

RESOLVED FURTHER that the Assistant General Manager/Secretary, Finance Director and District legal counsel are hereby authorized and directed to take any and all other actions as they deem reasonable and appropriate in connection with carrying out these resolutions including, but not limited to, obtaining a release of claims from the owner of the Park which is applicable to the Sewer User Charges paid for all previous years containing California Civil Code 1542 waivers, and reimbursing or paying any part of the owners current secured tax bill from the County of Imperial that is attributable to the portion of the bill in excess of what is authorized by this Resolution.

President, Shirley Palmer	_____ AYE _____	_____ NAY _____
Robert Butler	_____ AYE _____	_____ NAY _____
James Barrett	_____ AYE _____	_____ NAY _____
Jerry Medders, Ph. D.	_____ AYE _____	_____ NAY _____
Darryel Neal	_____ AYE _____	_____ NAY _____

PASSED, APPROVED AND ADOPTED this ___ day of October, 2008, by the Board of Directors of the Salton Community Services District.

Attest:



**Rosa Reagles, Assistant General
Manager & Secretary to the Board
of Directors
Salton Community Services District**

**Shirley Palmer,
President of the Board of Directors
Salton Community Services District**

Salton City Mobile Home & RV Park

APN	Description	77 Mobile Units ● \$280.80	108 Vacant M.H. Lots ● \$21.00	84 RV Lots 1/4 unit ● \$70.20	TOTAL 2008-2009	Notes
13010024000	2008-2009 Fee for Service (\$280.80)	21,621.60	2,268.00	5,896.80	29,786.40	84 RV Spaces-(1/4 unit) 185 mobiles-(1 unit)
2008-2009 Amended	(185 HM + 84 RV)= (185U + 21U)= 206 units (77 HM + 84 RV)= 98 Units + 108 V-MH Savings of	\$57,844.80	\$29,786.40			
		-\$28,058.40				

I would recommend that the Salton City Mobile Home Park be assessed as indicated above.

RRR

