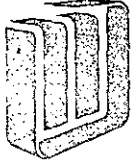


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Revised May 12, 1992
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MWD

[Signature]
EXECUTIVE SECRETARY
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

May 12, 1992

Board of Directors

General Manager

Resolutions to Impose Water Standby Charges and Availability of Service Charges

Report

At yesterday's Water Problems Committee meeting, the committee voted to amend the third paragraph in the General Manager's recommendation in the letter dated May 8, 1992, and Attachment B as shown in the attachment to this letter. The revised recommendation is set forth below.

Recommendations

FINANCE AND INSURANCE AND WATER PROBLEMS COMMITTEES FOR ACTION.

1) Find that the adoption of water standby and service charges is exempted from the California Environmental Quality Act by Public Resources Code Section 21080(b)(8) since the charges are for the purpose of obtaining funds for capital projects necessary to maintain service within existing service areas;

2) Adopt the form of resolution shown as Attachment A imposing a water standby charge of \$5 per acre for each acre of land, or \$5 for each parcel of land less than an acre, within the District's service area to which water is made available for any purpose by the District, whether the water is actually used or not, subject to exemptions as provided; and

3) Adopt the form of resolution shown as Attachment B imposing availability of service charges directly upon the member public agencies of the District, allocated proportionally based on each agency's water deliveries from the District during the four fiscal years ended June 30, 1991,

excluding however, regular and seasonal storage in lieu groundwater and reservoir storage deliveries, reclaimed water deliveries and deliveries initiated for operational needs of the distribution system to compensate for the outage of Garvey Reservoir.


Carl Boronkay

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Attachment

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ATTACHMENT A

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

RESOLUTION 8367

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA
IMPOSING WATER STANDBY CHARGES ON LAND

WHEREAS, pursuant to a 1984 legislative grant of authority embodied in Section 134.5 of the Metropolitan Water District Act, the Board of Directors (the "Board") of The Metropolitan Water District of Southern California ("Metropolitan") may impose from time to time water standby charges on land within Metropolitan;

WHEREAS, the amount of revenue to be raised by water standby charges shall be as determined by the Board;

WHEREAS, water standby charges may be imposed by Metropolitan against individual parcels within its service area through the exercise of the water standby charge powers specified in the County Water District Law;

WHEREAS, those powers authorize a district to fix a water standby charge of not to exceed \$10 per acre per year for each acre of land, or \$10 per year for each parcel of land less than an acre within the district to which water is made available for any purpose by the district, whether the water is actually used or not;

WHEREAS, by Resolution 8358, adopted at its meeting held February 11, 1992, Metropolitan's Board resolved and determined that the public interest and necessity require Metropolitan to develop firm revenue sources, exclusive of ad valorem property taxes, of approximately 50 million dollars for fiscal year 1992-1993; and that in order to allocate a reasonable share of the costs of benefits made available by Metropolitan throughout its service area in an equitable manner, approximately 50 percent of such firm revenue, exclusive of ad valorem property taxes, should be raised by water standby charges imposed upon land within Metropolitan's service area to which water is made available by Metropolitan for any purpose, whether the water is actually used or not;

WHEREAS, notice was given by Resolution 8358 to each member public agency of Metropolitan of the intention of Metropolitan's Board to consider and take action at its regular meeting on May 12, 1992, on the General Manager's recommendations to impose water standby charges for fiscal

year 1992-1993 at a rate of \$5 per acre of land, or \$5 per parcel of land less than an acre, which water standby charges are estimated to raise in total an approximate amount of 25 million dollars;

WHEREAS, the water standby charges proposed by the General Manager are based on the Engineer's Report dated February 28, 1992, on file with Metropolitan, a copy of which is attached as **Exhibit A**;

WHEREAS, notice of the proposed water standby charge and of the series of public hearings at the times and locations specified in Resolution 8358 was published prior to the hearings, pursuant to Section 6066 of the Government Code, in various newspapers of general circulation within Metropolitan, and an identical notice in writing, a sample copy of which is attached as **Exhibit B**, was mailed to each person listed on the relevant county assessment roll as an owner of land proposed to be assessed the standby charge;

WHEREAS, members of the Board conducted a series of public hearings at the times and locations specified in Resolution 8358 at which interested parties were given the opportunity to present their views regarding the proposed water standby charges and the Engineer's Report and

to file written protests, if they so desired, for consideration prior to final implementation of the proposed water standby charges; and

WHEREAS, transcripts of all public comment and protests made at those hearings have been prepared and copies furnished to each member of the Board for his or her consideration before the Board's final action on the proposed water standby charges.

NOW, THEREFORE, the Board of Directors of The Metropolitan Water District of Southern California does hereby resolve, determine and order as follows:

Section 1. The Board of Directors of the District, pursuant to the attached Engineer's Report, finds that lands within Metropolitan are benefited as described in the report and, on that basis, hereby fixes and imposes a water standby charge for fiscal year 1992-1993 at a rate of \$5 per acre of land or \$5 per parcel of land less than an acre on all land within Metropolitan to which water is made available for any purpose by Metropolitan whether water is actually used or not.

Section 2. Notwithstanding Section 1, the following lands shall be exempt from the water standby charge:

(a) Lands owned by the government of the United States, the

State of California, or by any political subdivision thereof, or unit of local government; (b) Lands permanently committed to open space and maintained in their natural state that are not now and will not in the future be supplied water; (c) Lands, not included in (a) or (b) above, which the General Manager, in his discretion, finds do not now and cannot reasonably be expected to derive a benefit from the projects to which the proceeds of the water standby charge will be applied; (d) Lands within the City of Los Angeles and the City of Santa Monica, the governing bodies of which have elected and committed to pay out of funds available for that purpose, in installments at the time and in the amounts as established by Metropolitan, the entire amount of the water standby charges which would otherwise be imposed upon lands within those member public agencies. The General Manager may develop and implement further criteria and guidelines for exemptions in order to effectuate the intent expressed herein.

Section 3. The General Manager shall establish procedures for filing and consideration of applications for exemption from the water standby charge pursuant to subsections (b) and (c) of Section 2 above. All applications for such exemptions and documentation supporting such claims must be received by the District in writing on or before June 1, 1992. The General Manager is further directed to review any such applications for exemption submitted in a timely

for exemption submitted in a timely manner to determine whether the lands to which they pertain are eligible for such exemption, and to allow or disallow such applications based upon those guidelines. The General Manager shall also establish reasonable procedures for the filing and timing of appeals from his determination, pursuant to Section 4 below.

Section 4. An Ad Hoc Committee of the Board shall be appointed by the Chairman of the Board for the purpose of considering, in the Committee's discretion, appeals from decisions by the General Manager to deny an exemption from the water standby charge pursuant to Section 3 above. The Ad Hoc Committee shall make recommendations to the Board to affirm or reverse the General Manager's determinations. The Board shall act upon such recommendations, and its decision as to such appeals shall be final.

Section 5. The General Manager is hereby directed to take all necessary action to secure collection of the water standby charge by appropriate county officials, including the payment of the reasonable cost of collection.

ATTACHMENT B

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

RESOLUTION 8368

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA
IMPOSING AVAILABILITY OF SERVICE CHARGES
UPON MEMBER PUBLIC AGENCIES**

WHEREAS, pursuant to Section 134.5 of the Metropolitan Water District Act, the Board of Directors (the "Board") of The Metropolitan Water District of Southern California (the "District") may impose from time to time availability of service charges (the "service charges") within the District;

WHEREAS, the amount of revenue to be raised by the service charges shall be as determined by the Board;

WHEREAS, the service charges may be collected from the member public agencies of the District;

WHEREAS, allocation of the service charges among

member public agencies shall be in accordance with the method established by the Board and factors that may be considered in the allocation process include historical water deliveries by the District;

WHEREAS, by Resolution 8358, adopted at its meeting held February 11, 1992, the District's Board resolved and determined that the public interest and necessity require the District to develop firm revenue sources, exclusive of ad valorem property taxes, of approximately 50 million dollars for fiscal year 1992-1993; and that approximately 50 percent of such firm revenue, exclusive of ad valorem property taxes, should be raised by service charges, to be collected from the District's member public agencies;

WHEREAS, notice was given by Resolution 8358 to each member public agency of the District of the intention of the District's Board to take action at its regular meeting on May 12, 1992, to impose upon and collect from the member public agencies of the District service charges for fiscal year 1992-1993 in the total approximate amount of 25 million dollars; and

WHEREAS, the Board met in an adjourned regular session on Tuesday, April 21, 1992, at 10:00 a.m., in the Board Room at the District's headquarters, at which interested

parties were given the opportunity to present their views regarding the proposed service charges.

NOW, THEREFORE, the Board of Directors of The Metropolitan Water District of Southern California does hereby resolve, determine and order as follows:

Section 1. The Board of Directors of The Metropolitan Water District of Southern California hereby imposes upon the member public agencies of the District service charges for fiscal year 1992-1993 in the total amount of 25 million dollars.

Section 2. The service charges so imposed shall be allocated among the member public agencies in proportion to total acre feet of water deliveries by the District to each member public agency during the four fiscal year period ending June 30, 1991, excluding, however, (1) in lieu groundwater deliveries pursuant to MWD Administrative Code Sections 4108 and 4114, (2) in lieu reservoir storage deliveries pursuant to MWD Administrative Code Sections 4109 and 4114, (3) reclaimed water deliveries pursuant to MWD Administrative Code Section 4113, (4) local project program yield deliveries pursuant to MWD Administrative Code Section 4115, and (5) deliveries initiated for the operational needs of the distribution system to compensate for the outage of Garvey Reservoir, as more

particularly described in Exhibit A to this Resolution.

Section 3. The service charges shall be due in ten equal installments on the last business day of the month (as defined in MWD Admin. Code, § 4507(a)(1)), commencing September 30, 1992.

Section 4. The Executive Secretary is hereby directed to transmit a certified copy of this Resolution to the presiding officer of the governing body of each member public agency.

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ALTERNATE 1

MEMBER AGENCIES	ACRE-FEET *	PERCENTAGE	DOLLARS
City of Beverly Hills	57,726.3	0.83%	\$206,281
City of Burbank	65,119.6	0.93%	\$232,700
Central Basin MWD	457,496.4	6.54%	\$1,634,829
City of Compton	17,648.7	0.25%	\$63,066
Foothill MWD	40,067.5	0.57%	\$143,178
City of Glendale	79,612.4	1.14%	\$284,489
Las Virgenes MWD	53,706.8	0.77%	\$191,917
City of Long Beach	156,344.6	2.23%	\$558,686
City of Los Angeles	708,536.3	10.13%	\$2,531,901
City of Pasadena	59,563.3	0.85%	\$212,845
City of San Fernando	3,437.5	0.05%	\$12,284
City of San Marino	4,058.6	0.06%	\$14,503
City of Santa Monica	41,746.9	0.60%	\$149,179
Three Valleys MWD	278,577.7	3.98%	\$995,476
City of Torrance	67,841.1	0.97%	\$242,425
Upper San Gabriel MWD	247,019.7	3.53%	\$882,706
West Basin MWD	701,121.1	10.02%	\$2,505,403
Los Angeles County	3,065,227.7	43.81%	\$10,953,358
City of Anaheim	61,813.0	0.88%	\$220,884
Coastal MWD	174,588.5	2.50%	\$623,879
City of Fullerton	50,215.7	0.72%	\$179,442
MWD of Orange County	852,236.3	12.18%	\$3,045,402
City of Santa Ana	41,229.3	0.59%	\$147,330
Orange County	1,180,082.8	16.87%	\$4,216,936
Eastern MWD	188,482.7	2.69%	\$673,529
Western MWD of Riverside Co.	300,953.6	4.30%	\$1,075,435
Riverside County	489,436.3	7.00%	\$1,748,963
Chino Basin MWD	119,493.5	1.71%	\$427,001
San Bernardino County	119,493.5	1.71%	\$427,001
Calleguas MWD	394,738.5	5.64%	\$1,410,568
Ventura County	394,738.5	5.64%	\$1,410,568
San Diego CWA	1,747,112.3	24.97%	\$6,243,173
San Diego County	1,747,112.3	24.97%	\$6,243,173
Total	6,996,091.1	100.00%	\$25,000,000

* Acre-feet includes water delivered as Domestic Non-Interruptible, Direct GWR, Agricultural, and Sea Water Barrier. Excludes In-Lieu, Garvey Reservoir, and Reclaimed.

EXHIBIT A

SERVICE CHARGE ALLOCATED ON LAST 4 YEARS WATER DELIVERIES

MEMBER AGENCIES	Acre-feet Delivered From MWD 1987-88 to 1990-91*	Percent of Total	Allocation of \$25 Million Service Charge
LOS ANGELES CO.			
Beverly Hills	57,726.3	0.7%	\$164,789
Burbank	88,659.6	1.0%	253,093
Central Basin	561,544.4	6.4%	1,603,016
Compton	18,963.7	0.2%	54,135
Foothill MWD	41,864.7	0.5%	119,509
Glendale	108,162.7	1.2%	308,767
Las Virgenes	76,963.3	0.9%	219,704
Long Beach	188,199.4	2.1%	537,245
Los Angeles	1,175,566.3	13.4%	3,355,838
Pasadena	98,394.5	1.1%	280,882
San Fernando	5,708.0	0.1%	16,294
San Marino	4,058.6	0.0%	11,586
Santa Monica	42,389.8	0.5%	121,008
Three Valleys	282,135.8	3.2%	805,401
Torrance	86,969.5	1.0%	248,268
Upper San Gabriel	247,168.1	2.8%	705,580
West Basin	737,899.7	8.4%	2,106,450
ORANGE CO.			
Anaheim	109,799.5	1.3%	313,440
Coastal	178,284.5	2.0%	508,941
Fullerton	62,258.5	0.7%	177,727
Santa Ana	69,886.8	0.8%	199,503
MWD of Orange Co.	1,044,544.0	11.9%	2,981,814
RIVERSIDE CO.			
Eastern MWD	195,528.9	2.2%	558,168
Western MWD	306,859.4	3.5%	875,978
SAN BERNARDINO CO.			
Chino Basin MWD	200,668.1	2.3%	572,838
SAN DIEGO CO.			
San Diego CWA	2,353,086.2	26.9%	6,717,253
VENTURA CO.			
Calleguas MWD	414,330.9	4.7%	1,182,772
Total	8,757,621.2	100.0%	\$25,000,000

* Excluding Local Projects reclaimed water.