

Attachment D

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AUG 13 2004

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PUBLIC WORKS - ADMIN Before the Board of Supervisors in and for the County of Monterey, State of California

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Resolution No. 04-237

A resolution to delete sewer service as an)
extended service provided by County Service)
Area 66 to Oak Tree Views.....)

WHEREAS, the Board of Supervisors adopted Resolution No. 75-425 on October 7, 1975, establishing County Service Area 66 (CSA 66); and

WHEREAS, CSA 66 as shown on exhibit A, is a subdivision consisting of 42 single-family residential units located off Olmstead Road with access provided by Camino Monterra; and

WHEREAS, the wastewater treatment for Oak Tree Views area is a step system where discharge from the individual lot septic tanks flow to the Cañada Woods Water Company's wastewater treatment plant for final treatment, processing, and discharge; and

WHEREAS, beginning in Fiscal Year 1998-99 septic system maintenance was provided by CSA 66; and

WHEREAS, the maintenance of the septic tanks is an integral part of the overall treatment process and one discharge operator should have total responsibility for the entire wastewater treatment process; and

WHEREAS, Cañada Woods Water Company, a PUC regulated privately owned public utility, has received a Certificate of Public Necessity and Convenience from the California Public Utilities Commission to provide sewer and water service to the Oak Tree Views Subdivision, and is ready, willing and able to perform the maintenance for individual septic systems currently carried out by CSA 66; and

WHEREAS, public convenience and necessity no longer require that extended sewer service be provided by CSA 66;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors, acting on behalf of CSA 66, eliminate sewer service as a service provided by CSA 66 effective June 30, 2004.

PASSED AND ADOPTED on this 22nd day of June 2004, by the following vote:

AYES: Supervisors Armenta, Calcagno, Lindley, Johnsen, Potter
NOES: None
ABSENT: None

I, Sally R. Reed, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original resolution of said Board of Supervisors duly made and entered in the minutes thereof at page of Minute Book 72, on June 22, 2004.

Dated: June 29, 2004

Sally R. Reed, Clerk of the Board of Supervisors, County of Monterey, State of California.

By *Sandra Anderson*
Deputy

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MAY 24 2004

PUBLIC WORKS - ADMIN

Before the Board of Supervisors in and for the
County of Monterey, State of California

Adopt a resolution of intention to delete sewer)
service as an extended service provided by CSA)
66 to Oak Tree Views, set for hearing on June)
22, 2004, at 10:30 a.m. to consider the question)
of eliminating sewer service as a service)
provided by CSA 66, and direct the Clerk of the)
Board of Supervisors to give notice of public)
hearing no later than June 14, 2004 in the Salinas)
Californian and the Monterey County Herald)

Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta,
and carried by those members present, the Board of Supervisors, acting on behalf of CSA 66 -
Oak Tree Views, hereby:

1. Adopts a resolution of intention to delete sewer service as an extended service provided by CSA 66;
2. Sets for public hearing on June 22, 2004, at 10:30 a.m. to consider the question of eliminating sewer service as a service provided by CSA 66; and
3. Directs the Clerk of the Board of Supervisors to publish a Notice of Public Hearing no later than June 14, 2004 in the Salinas Californian and the Monterey County Herald.

PASSED AND ADOPTED on this 18th day of May 2004, by the following vote, to-wit:

AYES: Supervisors Armenta, Calcagno, Lindley, Johnsen, and Potter

NOES: None

ABSENT: None

I, Sally R. Reed, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof at page of Minute Book 72, on May 18, 2004.

Dated: May 19, 2004

Sally R. Reed, Clerk of the Board of Supervisors, County of Monterey,
State of California.

By Cynthia Juarez
Cynthia Juarez Deputy

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MONTEREY COUNTY



DEPARTMENT OF PUBLIC WORKS

312 E. Allsal Street, Salinas, CA 93901-4371 • (831) 755-4800 • FAX (831) 755-4958

Lew C. Bauman, Ph.D., P.E., Public Works Director

VIA FAX AND U.S. MAIL

May 10, 2004

MS DERINDA L MESSENGER
LOMBARDO & GILLES
PO BOX 2119
SALINAS CA 93902-2119

**SUBJECT: CANADA WOODS AND MONTERRA RANCH SUBDIVISIONS -
CSAs 66, 69, AND 100**

Dear Ms. Messenger:

Thank you for your letter dated May 6, 2004 regarding Canada Woods Water Company's, LLC, intent to assume septic tank maintenance at Monterra Ranch - Oak Tree Views on July 1, 2004. In response to this request, our Department will begin the process to request that the Board of Supervisors terminate extended services for septic tank maintenance provided by CSA 66 to avoid redundant service charges.

With regard to your request to terminate the other agreements relating to backup water and sewer services in the subject subdivisions, the Department would recommend their termination upon LAFCO's approval of detachment of the area served by the Canada Woods utility from CSAs 69 and 100. Upon LAFCO's approval of the proposed detachment, I respectfully request that you notify Mr. Ron Lundquist, Assistant Director, at (831) 755-4929 to commence the process to terminate those agreements.

Sincerely,


LEW C. BAUMAN, P.E.
PUBLIC WORKS DIRECTOR

LCB:mbz

cc: Lee Blankenship, County Counsel

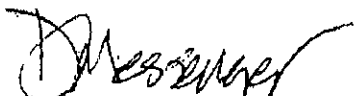
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Dr. Lew Bauman
Monterey County Public Works Department
May 6, 2004
Page 2

If you have any questions regarding this matter, please call me as soon as possible. If you need any additional documentation, I will be pleased to provide whatever you need.

Sincerely,

Lombardo & Gilles, PC



Derinda L. Messenger

DLM:ncs/js

cc: Mr. Alan Williams, Manager
Mr. Michael Waxer, Manager

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CAÑADA WOODS WATER COMPANY

JUN 22 2004

PUBLIC WORKS - ADMIN

June 22, 2004

Dr. Lew Bauman
Monterey County Public Works Department
312 East Alisal Street
Salinas, CA 93901

Re: Cañada Woods Water Company

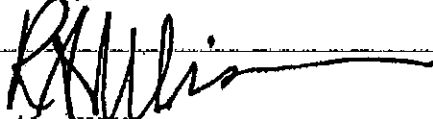
Dear Dr. Bauman:

Pursuant to the authority of the California Public Utilities Commission Decision No. 02-04-006, Cañada Woods Water Company shall assume full responsibility for operation and maintenance of the Oak Tree Views inclusionary housing septic tanks and collection system commencing on July 1, 2004. Further, Cañada Woods Company will assume the wastewater responsibilities and obligations for Oak Tree Views as of July 1, 2004, as set forth in Agreement No. A-07513 (Agreement For Property Related Services For Inclusionary Housing) between the County of Monterey and Oak Tree Housing dated September 9, 1997 and as detailed in Section 2. CSA 66 - Responsibility For Maintenance and Repair as set forth in that Agreement.

Accordingly, Cañada Woods Water Company requests that Monterey County commence amendment of the above Agreement to reflect the new provision of wastewater services by the Utility in lieu of the services provided by CSA-66.

Attached hereto as Exhibits "A" and "B" are the tariff sheets for provision of sewer service to the 42 units within the Oak Tree Views subdivision and a breakdown itemizing the cost of each element of provision of such service.

Sincerely,



R. Alan Williams, Manager

RAW:js

Schedule S

SEWER SERVICE

APPLICABILITY

Applicable to all sewage disposal service.

TERRITORY

The territory within the Canada Woods and Monterra Ranch developments in Monterey County, and as described on the service area map.

RATES

Service Charges (based on size of septic tank):

	<u>Per Connection</u> <u>Per Month</u>
1,500 gallon size	\$ 44.34
2,500 gallon size	\$ 74.05
3,000 gallon size	\$ 88.68
5,000 gallon size	\$147.65

SPECIAL CONDITIONS

- All bills are subject to the Public Utilities Commission Reimbursement Fee set forth on Schedule No. UF.

Septic tank sizes not specified above are billed at \$0.0295 per gallon of capacity.

(To be inserted by Sewer Utility)

Issued By

(To be inserted by Cal. P.U.C.)

Advice Letter No. 1

R. Alan Williams

Date Filed MAY 8 2002

Decision No. 02-04-006

NAME
Manager
TITLE

Effective MAY 1 3 2002

Resolution No. _____

EXHIBIT A

Schedule No. UF

SURCHARGE TO FUND
PUBLIC UTILITIES COMMISSION
REIMBURSEMENT FEE

APPLICABILITY

This surcharge applies to all sewer bills rendered under all tariff rate schedules authorized by the Commission.

TERRITORY

This schedule is applicable within the entire territory served by the utility.

RATES

A 1.4% surcharge shall be added to all customer bills*.

*In 1982, the Legislature established the Public Utilities Commission Reimbursement Fee to be paid by utilities to fund their regulation by the Commission (Public Utilities Code Section 401-443). The surcharge to recover the cost of that fee is ordered by the Commission under authority granted by the Public Utilities Code Section 433.

(To be inserted by Sewer Utility)

Issued By

(To be inserted by Cal. P.U.C.)

Advice Letter No. 1

R. Alan Williams

Date Filed MAY 8 2002

NAME

Decision No. 02-04-006

Manager

Effective MAY 13 2002

TITLE

Resolution No. _____

CAÑADA WOODS WATER COMPANY

OAK TREE VIEWS INCLUSIONARY HOUSING SEWER TARIFF
BREAKDOWN

\$12.50 per month

\$ 5.35 per month

\$11.60 per month

Septic Tank Pumping

Collection System Maintenance

Collection, Treatment and Disposal

\$29.50 per Month

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JUL 9 1 2004

Before the Board of Supervisors in and for the
County of Monterey, State of California

PUBLIC WORKS - ADMIN

Conduct public hearing to consider eliminating)
sewer service as an extended service provided)
by CSA 66 - Oak Tree Views and adoption of)
resolution to eliminate the sewer service.....)

Upon motion of Supervisor Potter, seconded by Supervisor Johnsen,
and carried by those members present, the Board of Supervisors, acting on behalf of County
Service Area No. 66 (CSA 66) - Oak Tree Views hereby:

1. Conducts a public hearing to consider eliminating sewer service as an extended service provided by CSA 66;
2. Adopts a resolution to eliminate the sewer service; and
3. Directs Public Works to eliminate sewer service charges from the Written Report for Service Charges for CSA 66 for Fiscal Year 2004-05.

PASSED AND ADOPTED on this 22nd day of June 2004, by the following vote, to-wit:

AYES: Supervisors Armenta, Calcagno, Lindley, Johnsen, Potter

NOES: None

ABSENT: None

I, Sally R. Reed, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof at page of Minute Book 72, on June 22, 2004.

Dated: June 29, 2004

Sally R. Reed, Clerk of the Board of Supervisors, County of Monterey,
State of California.

By *Sam R. Anderson*
Deputy

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