

ORDINANCE NO. 14

AN ORDINANCE AMENDING ORDINANCE NO. 4 ENTITLED
"AN ORDINANCE ESTABLISHING RATES, RULES AND
REGULATIONS FOR WATER SERVICE BY THE SUNNYSLOPE
COUNTY WATER DISTRICT"

BE IT ORDAINED by the Board of Directors of the Sunnyslope County Water District, San Benito County, California, as follows:

Section 1. Article 6 of Ordinance No. 4, entitled "An Ordinance Establishing Rates, Rules and Regulations for Water Service by the Sunnyslope County Water District", passed and adopted September 8, 1955, is hereby amended by adding Section 109 and Section 110 thereto, to read as follows:

"109. Reimbursements. Where the cost of main extension has been paid by the property owner pursuant to Section 108 and Section 128, hereof, the District shall thereafter, but for not longer than ten (10) years after the date said extension is originally connected to the District's water system, collect from any water user connecting to such extension that fraction of the cost of such extension, as approved by the District, as the number of front feet or acreage, or combination of the two, held by said water user bears to the total number of front feet or acreage, or combination of the two, which may be served by such extension as determined by the District at the time such extension is connected to the District's water system. Such sums as are thus actually received by the District shall be paid by the District only to the property owner originally installing such extension, but the District shall in no way be obligated to assure that the property owner making such extension is paid the total cost thereof nor to initiate any action or incur any expense to collect any sum to be paid to property owner; nor shall such refund be from any revenues derived from the sale of water. Where different property owners contribute to the making of the extension, such sums shall be refunded to such property owners pro rata according to the amounts which they severally contributed

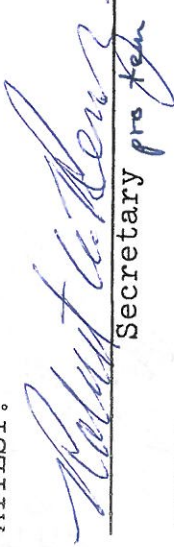
towards the extension and pursuant to the preceding plan."

"110. Special Reimbursement Agreements. Where special conditions exist in the opinion of the District which justify reimbursement to the person paying the cost of a main extension which justify reimbursement on any basis other than that provided in Section 109 hereof, the Board may authorize a special reimbursement contract by the District and the person or persons constructing the main extension. Said special reimbursement agreement shall be made and entered into prior to acceptance of the work and water main by the District."

Section 2. This ordinance shall take effect immediately upon its passage.


Section 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

ATTEST:


Secretary pro tem

(SEAL)

* * * * *


President of the Board of Directors
of Sunnyslope County Water District

PASSED and ADOPTED at a regular meeting of the Board of Directors of the Sunnyslope County Water District, San Benito County, California, duly held on the 26th day of April, 1969, by the following vote:
AYES, and in favor thereof, Directors: Churchill, Greer, Loofbourrow, Porteur, Renz

NOES, Directors: None

ABSENT, Directors: None


Secretary pro tem

April 24, 1969

Sunnyslope County Water District
1320 Hillcrest Road
Hollister, California 95023

Attention: Herbert W. Bengard, Secretary

Re: Sunnyslope County Water District - Ordinance No. 14

Gentlemen:

Enclosed herewith is a proposed Ordinance No. 14. The ordinance would authorize reimbursement agreements with persons providing main extensions which may serve other properties. The formula provided in Section 109 for computing the amount of future reimbursements is intended to provide some flexibility to the engineer. The combination of front footage and acreage should permit the engineer to calculate an appropriate method of reimbursement in most instances.

Section 110 has been added to permit the District to enter into special agreements if the combination formula stated in Section 109 is inequitable in any given situation.

We are transmitting copies of the ordinance to W. J. Hanna & Sons and to Dan Weatherly. We hope that they will contact Perry Loofbourrow immediately if they have any questions.

The proposed special meeting to consider Ordinance No. 14 can be called by President Loofbourrow by giving notice to each of the directors. The notice should indicate that the purpose of the special meeting is to consider adoption of an ordinance authorizing reimbursement agreements and to indicate the intention of the district to enter into such an agreement for the Jones-Bauder main extension. If any newspaper, radio station, or television station has requested notice of special meetings,

Sunnyslope County Water District
Attn: Mr. Herbert W. Bengard

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they must be given written notice of the proposed meeting.

Following adoption of Ordinance No. 14, the Board should adopt a motion indicating its intention to enter into a reimbursement agreement relating to the Jones-Bauder extension in accordance with the terms and conditions to be approved by the District prior to acceptance of the main extension by the District.

Please see that one of the copies of Ordinance No. 14 is conformed to the original so as to show the vote and to contain the signatures called for. The copy should be returned to us for our file with the District seal impressed upon the Secretary's signature.

If there are any questions as to any of the matters referred to herein, please let us know.

Very truly yours,

for WILSON, JONES, MORTON & LYNCH

JTM:gl
Enclosures

cc: W. J. Hanna & Sons
255 North Egleberry
Gilroy, California 95020

Mr. Perry Loofbourrow
920 Sunnyslope Road
Hollister, California 95023

Mr. Dan Weatherly
447 Monterey Street
Hollister, California 95023