

RESOLUTION NO. 72-6-1

RESOLUTION OF THE BOARD OF DIRECTORS OF
THE CHINO BASIN MUNICIPAL WATER DISTRICT
DECLARING ITS INTENTION TO FORM AN IMPROVE-
MENT DISTRICT, DESIGNATED AS IMPROVEMENT
DISTRICT "C", AND FIXING THE TIME AND
PLACE OF HEARING

WHEREAS, Chino Basin Municipal Water District has approved a plan entitled "General Plan for Water and Waste Water Systems" which, among other things: (i) recommends that sewage collection agencies own, control and operate all community sewer systems within the Chino Basin and that Chino Basin Municipal Water District own, control and operate a regional sewerage system serving all community sewer systems within the Chino Basin by providing for the transmission, treatment, reclamation and disposal of all sewage, and (ii) states that the goals and objectives of the regional sewerage system include, not only the protection of public health, but also the enhancement of the entire area served by the regional sewer system by protecting the quality of existing and future water sources, by improvement of water management through integration of the various sources of water supply, including sewage effluent, and by improving general conditions for industrial, residential, commercial and agricultural development; and

WHEREAS, Chino Basin Municipal Water District may use sewage from municipal treatment facilities in satisfaction of its obligation in Orange County County Water District v. City of Chino, Superior Court for Orange County, Case #117628; and

WHEREAS, said general plan will be implemented in stages over a period of years and, from time to time, Chino Basin Municipal Water District will acquire various existing interceptor

sewers and sewage treatment facilities as part of its regional sewerage system; and

WHEREAS, Chino Basin Municipal Water District proposes to enter an agreement or agreements for the purchase or lease of certain existing interceptor sewers and sewage treatment and disposal facilities which shall constitute a portion of its regional sewerage system; and

WHEREAS, said general plan recommends that Chino Basin Municipal Water District finance the capital costs of the acquisition and construction of all existing and future facilities comprising its regional sewerage system through the formation of an improvement district and the imposition of ad valorem taxes, sewage standby or availability charges and other charges and that all agencies contracting for the services of the regional sewerage system pay the costs and expenses incurred by Chino Basin Municipal Water District for maintenance and operation of its regional sewerage system:

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Chino Basin Municipal Water District as follows:

Section 1. That this Board of Directors deems it necessary and hereby declares its intention to form an improvement district, pursuant to Sections 72000 et seq. of the Water Code, for the purpose of undertaking and implementing said regional sewerage system.

Section 2. That, in the opinion of this Board of Directors, only a portion of the Chino Basin Municipal Water District will be benefited by the accomplishment of the purpose stated herein, which portion shall be designated as Improvement District "C" of the Chino Basin Municipal Water District.

Section 3. That, in order to undertake and implement said regional sewerage system, this Board of Directors acting in behalf of said proposed improvement district shall be authorized and empowered to investigate, study, analyze, appraise, finance, acquire, construct, operate, maintain, extend, repair or improve works and facilities for the transmission, treatment and disposal of sewage, waste and storm waters including equipment for operation and maintenance of said works and facilities and for the foregoing appurtenances and appurtenant works, and including acquisition of all lands, easements, machinery, equipment, materials, apparatus and other property necessary therefor, and including all engineering, inspection, appraisal, accounting, legal, fiscal agent and financial consultant fees and costs, cost of special elections, cost of issuing bonds, notes, warrants and any other evidence of indebtedness, interest on any indebtedness, and all other costs and expenses incidental to or connected with undertaking and implementing said regional sewerage system.

Section 4. That, based upon 1972 prices, the average annual expenditures to undertake and implement said regional sewerage system are estimated to be \$1,500,000 per year.

Section 5. That said regional sewerage system shall be financed by any or all of the following means: ad valorem taxes levied exclusively upon taxable property within said proposed improvement district; sewage standby or availability charges levied exclusively on acreage within said proposed improvement district; fees and charges for annexation to said proposed improvement district; extraordinary capital outlay charges and annual capital outlay

charges levied on territory outside of said proposed improvement district as compensation for receiving services of the regional sewerage system; service charges collected for sewage delivered into the regional sewerage system; charges for delivery or sale of sewage treated and reclaimed in the regional sewerage system; and such additional amount of ad valorem taxes as may be necessary to pay principal of and interest on bonds issued in connection with said regional sewerage system.

Section 6. That Wednesday, the 16th day of August, 1972, at the hour of 10:00 o'clock A.M., of said day, at the Central School, located at 7955 Archibald Avenue, Cucamonga, California, be and the same is hereby fixed by this Board of Directors as the time and place for a hearing by this Board of Directors on the formation and extent of said proposed improvement district; on the purpose for which said proposed improvement district is to be formed; on the estimated expenses of carrying out such purposes; and in any other matters set forth in this resolution.

Section 7. That at the time and place fixed for said hearing, or at any time and place to which said hearing is adjourned, this Board of Directors shall proceed with the hearing and shall hear and consider all written and oral objections, protests or comments from any person interested, including all persons owning property in the Chino Basin Municipal Water District or in said proposed improvement district, to any matters set forth in this resolution.

Section 8. That a map showing the exterior boundaries of said proposed improvement district, with relation to the territory

immediately contiguous thereto, is on file with the Secretary of Chino Basin Municipal Water District and is available for inspection by any person or persons interested at the Offices of the Chino Basin Municipal Water District, located at 8555 Archibald Avenue, Cucamonga, California.

Section 9. That said map showing the exterior boundaries of said proposed improvement district shall govern for all details as to the extent of said proposed improvement district.

Section 10. That notice of said hearing shall be given by the Secretary of this Board of Directors by publication of a copy of this resolution in the DAILY REPORT, a newspaper of general circulation printed and published in said proposed improvement district, pursuant to Section 6066 of the Government Code.

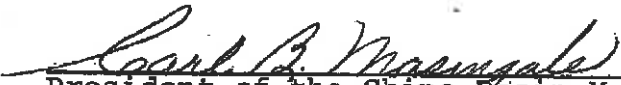
Section 11. That further notice of said hearing shall be given by the Secretary of this Board of Directors by posting a copy of this resolution in three (3) public places within said proposed improvement district at least two (2) weeks prior to the time fixed for said hearing.

Section 12. That said copy of this resolution so published and posted shall be accompanied by a notice subscribed by said Secretary, with the seal of the district attached, to the effect that the hearing referred to in this resolution will be had at the time and place above specified, that at said time and place this Board of Directors shall hear and consider all written and oral objections, protests and comments from any person interested on any matters set forth in this resolution, and that a map of said

proposed improvement district is on file with the Secretary of the district and available for inspection by any interested person.

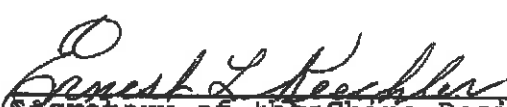
Section 13. That said Secretary is directed to give further notice of said hearing by placing in the mail, postage prepaid, first class, copies of said notice and of this resolution, addressed to all persons owning property within said proposed improvement district, as shown on the last equalized assessment roll used by the district, said mailing to be completed at least fifteen (15) days prior to said hearing.

ADOPTED this 21st day of June, 1972.



President of the Chino Basin Municipal
Water District and of the Board of
Directors thereof.

ATTEST:



Secretary of the Chino Basin Municipal
Water District and of the Board of
Directors thereof.

(SEAL)

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

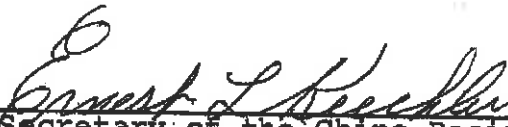
I, ERNEST KEECHLER, Secretary of the Board of Directors of the Chino Basin Municipal Water District, DO HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Directors of said district at a regular meeting of the Board held on the 21st day of June, 1972 and that it was so adopted by the following vote:

AYES: Directors Masingale, Ferguson, Keechler,
Comstock, Tobin

NOES: None

ABSENT: None


(SEAL)


Secretary of the Chino Basin Municipal
Water District and of the Board of
Directors thereof.

STATE OF CALIFORNIA)
)
COUNTY OF SAN BERNARDINO)

I, ERNEST KEECHLER, Secretary of the Board of Directors of the Chino Basin Municipal Water District, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolution No. 72-6-1 of said Board, and that the same has not been amended or repealed.

DATED: June 21, 1972.


Secretary of the Chino Basin Municipal
Water District and of the Board of
Directors thereof.

(SEAL)