

RESOLUTION NO. 02-2020

**RESOLUTION OF THE CABAZON WATER DISTRICT APPROVING ADJUSTMENTS
TO MISCELLANEOUS USER FEES**

WHEREAS, the Cabazon Water District (“District”) charges fees for various services, permits, licenses, and regulatory activity provided by the District (collectively, the “Fees”); and

WHEREAS, in order for the Fees to cover the costs of providing the services, permits, licenses, or regulatory activity for which the Fees are imposed, many of the Fees must be adjusted to reflect reasonable estimated costs of service; and

WHEREAS, certain of the Fees are subject to the adoption procedures set forth under Government Code section 66016, and others are subject to the procedures of Government Code section 66018; and

WHEREAS, in accordance with Government Code section 66016, the District has made available to the public, at least ten (10) days prior to the date of this meeting, data supporting the Fees, and notice of this meeting has been mailed to all interested persons that have requested such notice; and

WHEREAS, in accordance with Government Code section 66018, the District held a public hearing on January 21, 2020, for the purpose of receiving public comments to the proposed Fees. Notice of the public hearing was given by publication in a newspaper of general circulation within the District once a week for two weeks commencing at least ten (10) days prior to the public hearing, with at least 5 days intervening between the first and last publication. On January 21, 2020, at the time and place set for the public hearing, the Board of Directors heard and considered all oral and written presentations and comments made regarding the proposed Fees, and determined to adopt the fees; and

WHEREAS, the Board of Directors now wishes to memorialize said adoption of Fees and the amount of said Fees as set forth in Exhibit 1 hereto.

NOW, THEREFORE, the Board of Directors of the Cabazon Water District hereby finds, determines, and resolves as follows:

1. The above Recitals are true and correct and by this reference incorporated herein.
2. The Board of Directors hereby memorializes the adoption of the new or increased Fees set forth in Exhibit 1 hereto on January 21, 2020. The Fees memorialized pursuant to this Resolution shall supersede any prior fees, charges, penalties, or other exactions imposed by resolution or otherwise by the District, to the extent such prior fees, charges, penalties, or other exactions conflict with the Fees set forth in Exhibit 1 hereto.
3. The Board has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Based upon such consideration, the District finds and determines that:

(a) The Fees:

(1) are imposed for a specific government service provided directly to the payor, or for reasonable regulatory costs of the District for issuing licenses and permits, performing investigations, inspections, and administrative enforcements of the District's rules and regulations, resolutions, or ordinances;

(2) are no more than necessary to cover the reasonable costs of the governmental activity for which the Fee is imposed; and

(3) the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor's burdens on, or benefits received from, the governmental activity for which the Fee is imposed.

(c) The Fees are not taxes within the meaning of California Constitution article XIII C, section 1(e).

4. This Resolution shall take effect immediately upon its adoption. This Resolution memorializes the Fees that were adopted on January 21, 2020, and took effect on such date.


PASSED AND ADOPTED by the Board of Directors of the Cabazon Water District on this 18th day of February, 2020 by the following vote:

AYES: ISRAEL, MORRIS, LYNK, WARGO, SANDERSON

NOES: —

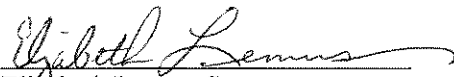
ABSENT: —

ABSTAIN: —



Robert Lynk, Chair

ATTEST:



Elizabeth Lemus, Secretary