

RESOLUTION NO. 2010-02

RESOLUTION OF INTENTION OF THE UKIAH VALLEY SANITATION DISTRICT BOARD OF DIRECTORS TO ESTABLISH A ZONE WITHIN THE DISTRICT TO BE KNOWN AS THE GARDENS GATE UNIT ONE ZONE

WHEREAS, the Ukiah Valley Sanitation District was duly created and formed by the Board of Supervisors of Mendocino County on July 6, 1954 as a County Sanitation District; and

WHEREAS, Section 4850 et seq of the Health and Safety Code of the State of California authorizes the District Board of a County Sanitation District to establish by resolution zones within the District for the purpose of levying a special tax upon the parcels within the zone sufficient to pay the expenses for the maintenance, repair and operation of sewerage works that exclusively benefit the parcels within the zone; and

WHEREAS, it is in the interest of the public to provide gravity sewer service wherever and whenever possible in lieu of sewer systems which relay on pressure pumps; and

WHEREAS, Gardens Gate Subdivision Unit One (Unit One) is the first phase of the Gardens Gate Subdivision Tentative Map approved by said Board of Supervisors (Subdivision) and Unit One's location within the Subdivision prevents it from being provided with gravity sewer service until the sewer collection system for the Subdivision is constructed; and

WHEREAS, temporary sewer service to the parcels within Unit One can be provided by constructing a sewerage system consisting of a gravity sewer line discharging into a sewer lift station from which the sewage is pumped to the public sewer located in Oak Knoll Road; and

WHEREAS, the lift station is temporary in that it will be removed once the sewer collection system for the Subdivision is completed and the gravity line in Unit One is connected to said sewer collection system; and

WHEREAS, the operation, maintenance, and repair of said lift station will create additional expenses beyond the normal expenses of the District associated with providing sewer service to its rate payers and it is appropriate that the parcels within Unit One be assessed for the additional expenses related to said lift station; and

WHEREAS, said code sections require the District to declare its intention to form a zone by adopting a Resolution of Intention with said resolution describing the boundaries of the proposed zone, declaring that the District Board finds that the area within the proposed zone will be benefitted by the maintenance and operation of facilities within the zone and that the public interest and necessity demands its creation, and stating the reasons therefore and the name of the proposed zone, and setting the time and place for a public hearing on the question of the creation of the zone.

NOW, THEREFORE, BE IT RESOLVED, that the District Board declares that it finds that the parcels within the proposed zone to be named the Gardens Gate Unit One Zone will be exclusively benefitted by the operation, maintenance, and repair of said sewer lift station and that the public interest and necessity demands its creation for the reasons stated in this resolution. The Boundaries of the proposed Gardens Gate Unit One Zone are as shown on the attached Exhibit "A" being comprised of the four proposed parcels of Gardens Gate Subdivision Unit One and the parcel designated as Assessor's Parcel Number 184-033-014. The Board hereby sets the time and place of the public hearing to hear the question of the creation of said zone to be on February 10 th at 5:30 pm in the Studio of Ukiah Valley Community Television located at 171Brush Street, Ukiah, CA.

The foregoing Resolution was introduced by Chair Paulin followed by a motion to adopt the Resolution from Director Pallesen and seconded by Director Porter; motion carried this 21st day of February, 2010, by the following roll call vote:

AYES: Directors Porter, Pallesen, Ronco, and Paulin

NOES: None

ABSTAIN: None

ABSENT: Director McNerlin

WHEREUPON, the Chair declared said Resolution **ADOPTED and SO ORDERED**.

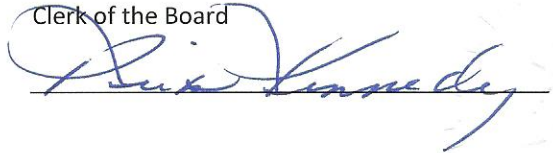


CLIFFORD PAULIN, Chair
Ukiah Valley Sanitation District

ATTEST:

RICK KENNEDY

Clerk of the Board



APPROVED AS TO FORM

ROSS WALKER

District Legal Counsel



Resolution of Intention to Establish the Zone to Be Known as the Gardens Gate Unit
One Zone

