

**POINT ROBERTS WATER DISTRICT NO. 4
WHATCOM COUNTY, WASHINGTON**

RESOLUTION NO. 638

RESOLUTION OF THE BOARD OF COMMISSIONERS OF POINT ROBERTS WATER DISTRICT NO. 4, WHATCOM COUNTY, WASHINGTON, REVISING AND ESTABLISHING SEWER SERVICE RATES AND CHARGES FOR THE MARINA LOSS.

WHEREAS, RCW 57.08.081 authorizes the Point Roberts Water District Board of Commissioners (“District”) to fix rates and charges for providing sewer service, such rates and charges to be fixed as deemed necessary by the District Board of Commissioner so that uniform charges will be made for the same class of customer or service and facility; and

WHEREAS, RCW 57.08.081 authorizes the District Board of Commissioners in classifying customers to consider in its discretion several factors including the difference in cost to various customers, the location of the various customers within and without the District, the difference in cost of maintenance, operation, repair and replacement of the various parts of the system, the different character of the service furnished to various customers, the quantity and quality of the service and facility furnished, the time of its use, the achievement of water conservation goals and the discouragement of wasteful practices and any other matters which present a reasonable difference as a ground for a distinction in the establishment of sewer service rates and charges; and

WHEREAS, the District entered into a "Lease and Management Agreement" dated December 4, 1978, and as such may have been amended ("Agreement"), with Point Roberts Marina, Inc. ("Developer"), whereby the Developer agreed to lease to the District and the District agreed to lease from the Developer an on-site sewage disposal system to serve the Marina and other property located at Pt. Roberts ("Marina LOSS" or "LOSS"); pursuant to the Agreement, the District agreed to undertake and perform all duties necessary and proper for the maintenance and operation of the LOSS; and the Agreement authorized the District to levy assessments and service charges to pay the operation and maintenance costs related to the LOSS, and to levy installation/connection charges to pay for the major repair and replacement of the LOSS and its equipment; and

WHEREAS, District staff have advised the costs to operate and maintain the LOSS are exceeding the sewer service rates collected from the owners and users of the LOSS, and have recommended that the District increase its monthly sewer service rate to all users to fully recover such costs of service; and

WHEREAS, Financial Consulting Solutions Group, Inc., the District's financial consultant, by technical report entitled "LOSS Sewer Rate Study" dated May, 2013 analyzed District sewer service rates applicable to LOSS customers, and recommended that the District's sewer service rates applicable to the LOSS be revised and adjusted for all customers so that present and future customers will fully and equitably pay the cost of sewer service provided by the District; and

WHEREAS, the District Board of Commissioners having considered such consultant and staff recommendations related to the proposed revision of the District's sewer service rates applicable to the LOSS and having held a public hearing on June 25, 2013 for public comment on such proposed revisions pursuant to public notice regarding such hearing published in the All Points Bulletin and the Bellingham Herald; and

WHEREAS, the District Board of Commissioners having considered staff and consultant recommendations and public comments related to the proposed revision of the District's sewer service rates and charges applicable to all LOSS customers; now therefore,

BE IT RESOLVED by the Board of Commissioners of Point Roberts Water District No. 4 as follows:

1. Definitions. For the purposes of determining sewer service rate customer classifications, the following definitions shall apply, unless otherwise provide for:

A. Single Family Residential Customer: single family residential customer means a detached structure containing up to four (4) dwelling units.

B. Dwelling Unit: dwelling unit means any building or portion of a building which contains complete housekeeping facilities for one family, including facilities for sleeping, cooking and sanitation, physically separated from any other dwelling unit which may be in the same building.

C. Equivalent Residential Unit or ERU: equivalent residential unit ("ERU") is comprised of one (1) dwelling unit and is presumed to use on average 500 cubic feet (cf) of water per bimonthly billing period.

D. Commercial Customer: commercial customer means all users and uses other than single family residential customer as defined herein.

2. Sewer Service Rates. The District sewer service charges applicable to all residential and commercial customers served by the LOSS to be assessed on a monthly basis shall be Twenty Seven Dollars and No Cents ((\$27.00); provided, the District reserves the right to adjust the monthly charge for commercial customers on a case by case basis if the District determines wastewater flow from a commercial customer is likely to substantially exceed the average monthly wastewater flow from a single family residential customer.

3. Effective Date. This resolution and the policies and rates set forth herein shall be effective on July 1, 2013.

4. Repealer. All District Resolutions, policies and procedures establishing sewer service rates and charges for District LOSS customers are hereby amended, superseded and/or rescinded to be in accordance with the foregoing effective date set forth herein.

ADOPTED at a special open public meeting of the Board of Commissioners, Point Roberts Water District No. 4, Whatcom County, Washington, held on the 25th day of June, 2013.

N. Madeleine Anderson, Commissioner

Scott Hackleman, Commissioner

William H. Meursing, Commissioner

