

LAKEHAVEN UTILITY DISTRICT
King County, Washington

Resolution No. 98-848

A **RESOLUTION** of the Board of Commissioners of the Lakehaven Utility District, King County, Washington eliminating the construction cost cap associated with the Charge In-Lieu of Assessment and amending Resolution No. 97-830.

WHEREAS, the Board of Commissioners has adopted a system of fees and charges for services which are not covered by the monthly sewer and water rates, and

WHEREAS, in order that such fees and charges remain lawful and consistent with the level of service provided, the Board periodically reviews the fees and charges, and

WHEREAS, the Board has imposed, within its Fees and Charges Resolution, a cap on the amount of any Charge In-Lieu of Assessment such that no party connecting to a water or sewer main would pay a Charge In-Lieu of Assessment at a rate higher than current construction costs established for the year of connection, and

WHEREAS, the District staff has determined that, due to the reduction in development and corresponding cost information, it is no longer able to develop reliable estimates of the cost of construction of such water and sewer facilities, and

WHEREAS, such cap on construction costs not being imposed by law and the Board determining that it would be beneficial to eliminate the same;

NOW THEREFORE **BE IT RESOLVED** as follows:

1. Section "S" of Resolution No. 97-830, is amended to hereinafter read as follows:

"S. CJ-2 - Charge In-Lieu of Assessment

- i) The District shall charge property owners seeking to connect to a sewer and/or water main previously installed and for which a latecomer charge exists or for improvements which were fully or partially funded by the District, a proportionate share of the cost of the installation of such main and related appurtenances.
- ii) In establishing the Charge In-Lieu of Assessment, the District shall determine the date and actual cost of installation, which shall include labor, materials, permits and any other cost related to installation, as approved by the District. The District shall maintain, for public inspection, a table of the per foot installation

cost for all mains subject to the connection of additional properties. Except for facilities installed without contribution by the District, the charge shall include simple interest calculated at the rate or rates established by the District for the construction period, from date of installation of the main to date of connection; provided, however, that the period for accumulation of interest shall not exceed ten (10) years from the date of installation.

iii) The District shall credit those properties having purchased a Water Co-op Certificate with One Hundred (100) feet of property frontage and shall levy the charge in lieu of assessment on any actual frontage additional thereto."

3. All other terms and provisions of said Resolution NO. 97-830 not herein amended shall remain in full force and effect.

4. This Resolution shall be effective on the date of adoption as set forth below.

ADOPTED by the Board of Commissioners of Lakehaven Utility District, King County, Washington, at an open public meeting this 16th day of April, 1998.

ATTEST:

Don Mayer
President and Commissioner Yea Nay Abstain

Beverly J. Tweddle
Vice President and Commissioner Yea Nay Abstain

Ronald L. Miller
Secretary and Commissioner Yea Nay Abstain

Thomas M. Jovanovich
Commissioner Yea Nay Abstain

NOT PRESENT

Commissioner Yea Nay Abstain

Approved as to form:
John H. Curshaw
General Counsel