

**WHISPERING PALMS
COMMUNITY SERVICES DISTRICT
BOARD MEETING AGENDA**

at the

*MORGAN RUN RESORT CLUBHOUSE
5690 Cancha De Golf
Rancho Santa Fe, CA 92091*

on

Tuesday, August 13, 2019
ADJOURNED FROM
Tuesday, August 6, 2019
4:00 p.m.

AGENDA
BOARD OF DIRECTORS REGULAR MEETING

Tuesday, August 13, 2019, 4:00 P.M

ADJOURNED FROM Tuesday, August 6, 2019

Morgan Run Resort Clubhouse
5690 Cancha De Golf, Rancho Santa Fe, CA

Call Meeting to Order and Roll Call.

Board Members: Board President: Bill Haynor
Board Vice President: Doug Manatt
Director: Ed Munsch
Director: Byron Hanchett
Director: Al Panton

Staff: General Manager: Chuck Duffy
District Administrator: Paula Melendrez

Pledge of Allegiance.

Public Comment.

Communication from the public concerning matters which are under the District's subject jurisdiction which are not on the agenda.

AGENDA ITEMS

Page No.

- 1. Consideration of Ordinance O-2019-02 for Sewer Service Charge Increase. 3-5**
Recommendation: 1. Read the title of Ordinance O-2019-02 and waive the second reading of the Ordinance.
2. Approve the ordinance.
3. Direct staff to publish the ordinance in accordance with the Government Code.
- 2. Consideration of Capacity Fee Report and Associated Enacting Ordinance O-2019-03 for Capacity Fee Increase. 6-8**
Recommendation: 1. Read the title of Ordinance O-2019-03 and waive the second reading of the Ordinance.
2. Approve the ordinance.
3. Direct staff to publish the ordinance in accordance with the Government Code.

Adjournment.

This meeting is accessible to people with disabilities. Individuals who require special assistance to participate may request an alternative format of the agenda and packet materials. Notification in advance of the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it. To request a disability-related modification or accommodation, please call (760) 479-4150.

GENERAL MANAGER
Chuck Duffy

BOARD OF DIRECTORS
Byron Hanchett
Bill Haynor
Doug Manatt
Ed Munsch
Al Panton

MEMORANDUM

To: Board of Directors
From: Paula Melendrez, Board Secretary
Subject: Ordinance No. 2019-02
Date: August 13, 2019

At the August 6, 2019 board meeting, your Board approved an increase in the annual sewer service charge from \$400 to \$450 and adopted Ordinance No. 2019-02 subject to a second reading.

I therefore recommend that your Board:

1. Read the title of Ordinance O-2019-02 and waive the second reading of the Ordinance.
2. Approve the ordinance.
3. Direct staff to publish the ordinance in accordance with the Government Code.

ORDINANCE NO. O-2019-02

**AN ORDINANCE AMENDING ORDINANCE NO. 1 (O-88-01),
ARTICLE III, SECTION 30,
OF THE WHISPERING PALMS COMMUNITY SERVICES DISTRICT**

The Board of Directors of the Whispering Palms Community Services District ordains as follows:

SECTION 1. Ordinance No. 1 (O-88-01), Article III, Section 30, of the Whispering Palms Community Services District is hereby amended in its entirety to read as follows.

SECTION 30. ESTABLISHMENT OF SEWER SERVICE CHARGE. There is hereby levied and assessed upon each premise within the Whispering Palms Community Services District that is connected or annexed to the sewer system of the District and upon each person owning such premises an annual sewer service charge or standby charge as herein set forth below:

For each equivalent dwelling unit assessed upon each premise connected to the sewer system of the District, the annual sewer service charge shall be \$450. The number of equivalent dwelling units prescribed in Article V, Section 50 of this Uniform Sewerage Ordinance shall be used to compute the amount of the annual sewer service charge for each premise.

For each undeveloped lot annexed into the District, the per lot standby charge shall be \$100.

SECTION 2. In accordance with the California Environmental Quality Act (“CEQA” — Public Resources Code § 21000 *et seq.*) and the regulations promulgated pursuant to CEQA, the District Board finds that this Ordinance establishes and modifies rates and charges for the purposes of maintenance, operation, construction, conveyance, treatment, and disposal of wastewater, and for other expenditures deemed necessary by the District in order to conduct the business of the District, and hence is exempt from CEQA. (“CEQA” — Guidelines § 15273).

SECTION 3. Within 15 days after final passage, this Ordinance shall be published once in a newspaper of general circulation in the County of San Diego as may be determined by the District General Manager, with the names of the board members voting for and against the ordinance.

The above and foregoing Ordinance was passed and adopted at the regular meeting of the Board of Directors of the Whispering Palms Community Services District held on the 6th day of August 2019, by the following vote:

AYES:

NOES:

ABSENT:

Signed:

President, Board of Directors
Whispering Palms Community Services District

Attest:

Secretary, Board of Directors
Whispering Palms Community Services District

GENERAL MANAGER
Chuck Duffy

BOARD OF DIRECTORS
Byron Hanchett
Bill Haynor
Doug Manatt
Ed Munsch
Al Panton

MEMORANDUM

To: Board of Directors
From: Paula Melendrez, Board Secretary
Subject: Ordinance No. 2019-03
Date: August 13, 2019

At the August 6, 2019 board meeting, your Board approved the Capacity Fee Report and new capacity fee of \$5362 and adopted Ordinance No. 2019-03 subject to a second reading.

I therefore recommend that your Board:

1. Read the title of Ordinance O-2019-03 and waive the second reading of the Ordinance.
2. Approve the ordinance.
3. Direct staff to publish the ordinance in accordance with the Government Code.

ORDINANCE NO. O-2019-03

**AN ORDINANCE AMENDING ARTICLE II
OF ORDINANCE NO. O-88-02
OF THE WHISPERING PALMS COMMUNITY SERVICES DISTRICT**

The Board of Directors of the Whispering Palms Community Services District ordains as follows:

SECTION 1. Ordinance No. O-88-02, Article II, Section 20 of the Whispering Palms Community Services District is hereby amended in its entirety to read as follows:

ARTICLE II

CAPACITY AND CONNECTION FEES

Section 20. **CAPACITY FEES.** In addition to any other fees for connection to the sewer system within the Whispering Palms Community Services District, the following capacity fees are established.

(a) A capacity fee of \$0 is established for each dwelling unit or equivalent dwelling unit connecting to the sewer system of the Whispering Palms Community Services District for those parcels having prepaid sewer connection fees in accordance with County of San Diego Contract No. 13730-8456R.

(b) A capacity fee of \$1500 is established for each dwelling unit or equivalent dwelling unit within the Original Whispering Palms Development connecting to the sewer system of the Whispering Palms Community Services District.

(c) For all parcels not included in section (a) or (b) above, a capacity fee of \$5362 is established for each dwelling unit or equivalent dwelling unit connecting to the sewer system of the Whispering Palms Community Services District after the effective date of this ordinance.

Parcels which have prepaid capacity fees as a part of an existing agreement between the District and a developer shall not be subject to the capacity fees listed above.

SECTION 2. Ordinance No. O-88-02, Article II, Section 21 of the Whispering Palms Community Services District is hereby amended in its entirety to read as follows:

SECTION 21. PAYMENT OF CAPACITY FEES. The entire capacity fee prescribed in Section 20 shall become owing, due and payable at the time application is made to connect a premise to the sewer system of the Whispering Palms Community Services District. This fee shall be paid to the Whispering Palms

Community Services District prior to the issuance of any permit authorizing the connection of such premise to the District's sewer system. If the proposed connection cannot be made, the fee may be refunded when approved by the District's General Manager.

SECTION 3. In accordance with the California Environmental Quality Act (“CEQA” — Public Resources Code § 21000 *et seq.*) and the regulations promulgated pursuant to CEQA, the District Board finds that this Ordinance establishes and modifies rates and charges for the purposes of maintenance, operation, construction, conveyance, treatment, and disposal of wastewater, and for other expenditures deemed necessary by the District in order to conduct the business of the District, and hence is exempt from CEQA. (“CEQA” — Guidelines § 15273).

SECTION 4. Within 15 days after final passage, this Ordinance shall be entered in the minutes of the District Board and shall be published once in a newspaper of general circulation in the County of San Diego as may be determined by the District General Manager, with the names of the board members voting for and against the ordinance.

The above and foregoing Ordinance was passed and adopted at the regular meeting of the Board of Directors of the Whispering Palms Community Services District held on the 6th day of August 2019, by the following vote:

AYES:

NOES:

ABSENT:

Signed:

President, Board of Directors
Whispering Palms Community Services District

Attest:

Secretary, Board of Directors
Whispering Palms Community Services District