



RESOLUTION NO. 2014-05

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AMENDING RULE 60, FEES AND CHARGES TABLE**

WHEREAS: Fees and charges of the Monterey Peninsula Water Management District (MPWMD) are set forth in the MPWMD Rules and Regulations;

WHEREAS: The MPWMD Board of Directors adopted Resolution 2010-09 that revised the Fees and Charges Table in MPWMD Rule 60 pursuant to Ordinance No. 120, which became effective on July 20, 2010;

WHEREAS: The Fees and Charges bear a positive correlation to the actual time, effort and cost of providing the services and taking the actions set forth in the Fees and Charges Table;

WHEREAS: The MPWMD Board of Directors adopted Ordinance 160 to amend regulations for the issuance of Water Distribution System permits;

WHEREAS: Ordinance 160 will become effective May 21, 2014;

NOW, THEREFORE, BE IT RESOLVED: That the Board of Directors of the Monterey Peninsula Water Management District hereby shall amend the Fees and Charges Table as set forth in Attachment 1 to this Resolution; and that these changes shall become effective May 21, 2014.

On motion by Director Pendergrass, and second by Director Lewis, the foregoing Resolution is adopted upon this 21st day of April 2014, by the following vote:

AYES: Directors Pendergrass, Lewis, Brower, Byrne, Lewis and Potter

NAYS: None

ABSENT: Director Thayer

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing resolution was duly adopted on the 21st day of April 2014.

Witness my hand and seal of the Board of Directors this 24th day of April 2014.



David J. Stoldt, Secretary to the Board



Attachment 1 to Resolution 2014-05

Summary of Fee Deposit Schedule for WDS Permit Levels Effective May 21, 2014

PERMIT LEVEL	INITIAL FEE	NOTES
Exemption	\$1,000	Estimate based on 7 staff hours, 1 hour of Counsel review, plus other direct costs.
Level 1 WDS Permit	\$1,200	Estimate based on 10 staff hours, 1 hour of Counsel review, plus other direct costs .
Level 2 WDS Permit	\$1,200	Estimate based on 10 staff hours, 1 hour of Counsel review, plus other direct costs.
Level 3 WDS Permit	\$3,000	Estimate based on 20 staff hours, 3 hours of Counsel review, plus other direct costs. If a public hearing before the MPWMD Board is involved, or consultant review is needed, total costs will likely exceed \$3,000.

IMPORTANT NOTES

The Monterey Peninsula Water Management District (MPWMD or District) has enacted Rules & Regulations that govern Water Distribution Systems (WDS), and has prepared Implementation Guidelines that explain four possible permit pathways. For more information, consult the District website at: <http://www.mpwmd.net>.

Estimates of fees are based on rates as of April 2014 (currently \$95/hour for staff and \$215/hour for Counsel). Rates and fees are subject to change pursuant to Board Resolution (Rule 60) or contracts with Counsel or consultants. The County Clerk/Recorder also amends their fees annually.

Each application entails an initial application fee. If actual costs exceed the initial application fee, the applicant must pay the overage before the Confirmation of Exemption or WDS Permit is finalized. The District provides an accounting of costs to each applicant. If total costs are less than the application fee, a refund is provided.

In unusual cases, the actual time to process an application may greatly exceed the initial fee due to legal complexities, the need for additional hydrogeologic testing, or more detailed environmental review. In these situations, staff will review the cumulative total of hours and expenses accrued each quarter (January, April, July and October). The applicant will be billed if the quarterly unpaid total is more than \$500 over the initial fee. The applicant must pay the overage within 30 days of the invoice for staff to continue processing the application. This quarterly billing policy also avoids a significant fee at the end of the permit process. The Confirmation of Exemption or WDS Permit is not signed and recorded until all fees are paid.

COPY CERTIFICATION

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a full, true and correct copy of Resolution No. 2014-05 duly adopted on the 21st day of April, 2014.



David J. Stoldt,
Secretary to the Board of Directors

4-24-14
Date