

RESOLUTION NO. 21R-12

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE BIGHORN-DESERT VIEW WATER AGENCY
ESTABLISHING A SCHEDULE OF GUARANTEE DEPOSITS
FOR ALL CUSTOMER CLASSIFICATIONS SERVED**
*(Residential, 1-inch Bulk Hauling and 2-Inch Bulk Hauling, Agricultural,
Commercial/Institutional/Industrial/Non-Agricultural,
Fire Service and [Temporary] Construction)*

WHEREAS, on January 28, 2020, the Agency established Guarantee Deposits for the various account types then in existence; and

WHEREAS, on April 9, 2021 the Agency Ordinance No. 21O-02 Rules and Regulations for Water Service became effective. The Ordinance provided for various Customer Classes: Residential, 1-inch Bulk Hauling and 2-Inch Bulk Hauling, Agricultural, Commercial/Institutional/Industrial/Non-Agricultural, Fire Service and [Temporary] Construction; and

WHEREAS, the Agency Rules and Regulations for Water Service Article 3.9 provides for an additional Guarantee Deposit to reestablish service following a Lock-Off Event (e.g. Non-Payment or failure to comply with Cross Connection Control program, etc.); and

WHEREAS, Guarantee Deposits need to be redefined following the adoption of the new Customer Classes served; and

WHEREAS, the Agency has established a Guarantee Deposit of \$100 for ¾-inch and 1-inch residential meters with a maximum Guarantee Deposit of \$200; and

WHEREAS, the Agency desires to establish a Guarantee Deposit of \$100 for all Residential, Commercial/Institutional/Industrial/Non-Agricultural and Fire Service Customer Classes and meter sizes served with a maximum Guarantee Deposit of \$200; and

WHEREAS; all bulk haulers are assigned a meter at a hauling station that is not necessarily associated with an Assessor's Parcel Number (i.e. real property) and are therefore considered "high risk" due to the inability of the Agency to impose unsecured liens and secured property tax liens for unpaid water bills on the Bulk Hauling Customer Class; and

WHEREAS, the Agency has established that a Guarantee Deposit of at least \$200 or two (2) times the highest monthly water bill, whichever is greater, is required in order to re-establish service on 1-inch bulk hauling accounts following a Lock-Off Event; and

WHEREAS, the Agency has established that a Guarantee Deposit of \$500 or two (2) times the highest monthly water bill, whichever is greater, is required on all new 2-inch bulk hauling accounts; and

WHEREAS, all 1-inch and 2-inch bulk hauling meters are now defined as the Bulk Hauling Customer Class; and

WHEREAS, the Agency desires to establish that a Guarantee Deposit of at least \$200 or two (2) times the highest monthly water bill, whichever is greater, is required in order to re-establish service on 1-inch Bulk Hauling Customer Class following a Lock-Off Event; and

WHEREAS, the Agency desires to establish that a Guarantee Deposit of \$500 or two (2) times the highest monthly water bill on the 2-inch Bulk Hauling Customer Class and the Agriculture Customer Class, whichever is greater, is required in order to re-establish service on existing accounts following a Lock-Off Event; and

WHEREAS, the Agency has established a Guarantee Deposit for (Temporary) Construction Meter Customer Class (i.e. 3-inch fire hydrant meters) equal to the cost of a replacement meter plus a reasonable amount of water (e.g. five 2,500-gallon tank loads). Based on current costs the Agency established a deposit on construction meters of \$900.00.

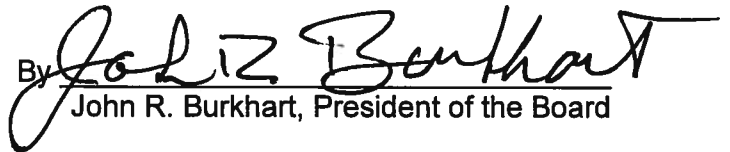
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Bighorn-Desert View Water Agency that the fees and charges identified by Customer Classes served below are set as follows:

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| 1.) Guarantee Deposit/Deposit Maximum (3/4-inch and 1-inch Residential, Commercial/Institutional/Industrial/Non-Agricultural And Fire Service Class) | \$100/\$200 (max) |
| 2.) Guarantee Deposit/Deposit Maximum (Only Existing and New 1-inch Bulk Hauling Class) | \$100/\$200 Two (2) times the highest water bill |
| 3.) Guarantee Deposit/Deposit Maximum (Existing and New 2-inch Bulk Hauling Meters and All Agricultural Classes) | \$500/Two (2) times the highest water bill |
| 4.) Construction Meter Class Deposit | \$900 per occurrence |

BE IT FURTHER RESOLVED that the foregoing fees and charges shall become effective no sooner than 60-days following the final action adopting such fees and that the foregoing fees and charges shall be applicable to all existing, new and/or transferred customer accounts, until further action by the Board of Directors of the Agency; and

BE IT FURTHER RESOLVED, that the General Manager and staff of the Agency are hereby authorized and directed to do such things and to take such actions as may be reasonably required to carry out the purpose and intent of this resolution and that Resolution No. 20R-02 hereby rescinded in its entirety.

PASSED, APPROVED, AND ADOPTED by the Board of Directors to Bighorn-Desert View Water Agency this 8th day of June, 2021.

By 
John R. Burkhart, President of the Board

ATTEST:


JoMarie McKenzie, Secretary

Official Seal

