

RESOLUTION NO. 2008- 11A

POLICY FOR RECOVERY OF COSTS OF
NATOMAS BASIN MODELING PROGRAM

WHEREAS, Reclamation District No. 1000 ("District") has developed the Natomas Basin Modeling Program (the "Program") under agreement with the District's consulting engineers, through which District owns the Program and all improvements or additions thereto which are developed over time;

WHEREAS, the Program enables District to define the flood plain within District boundaries; predict the effect on District's drainage system of various assumed inputs of water thereto and various encroachments in the interior flood plain within District boundaries; and analyze the affect of proposed modifications to the interior drainage system to mitigate associated impacts on the system;

WHEREAS, the cost to District of the developing the Program has been substantial, and the District anticipates future costs to update the model based on technological advances, revised standards and incorporation of new data and changes as well as costs in the nature of interest for loss of use of funds (to be based on the percentage increase, if any, on an annual basis in the U.S. Department of Labor Consumer Price Index for the San Francisco-Oakland Area, All Urban Consumers, All Items) (together "Costs");

WHEREAS, by Resolution No. 1996-4B the District established a policy for recoupment of a portion of the Costs of the Program, recognizing that a portion of the Costs thereof (10%) are properly allocable to all District landowners by virtue of general application of the Program for District-wide purposes (such as flood plain mapping, canal and crossing sizing, pumping plant analysis and general drainage system information) and experience has validated that 90% of the use of the Program is required by development proposals by owners/developers of land within District boundaries

122

WHEREAS, when the District adopted Resolution No. 1996-4B, it was projected that approximately 15,000 acres of land within District boundaries were susceptible to development in the foreseeable future which has since been amended based on more recent land use decisions, but a portion of the fees have already been collected based on the original projection;

WHEREAS, it is recognized that the Costs to develop, update and maintain the Model as well as the anticipated areas to be developed necessitating use of the Model are subject to change over time,

WHEREAS, the Board wishes to continue the existing policy to recoup a portion of the Costs of the Program as outlined above but wishes to adjust the parameters used to calculate the appropriate fee necessary to fairly and reasonably recoup said Costs;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The above recitals are found to be true and correct.
2. The owners/developers of land within District boundaries should be required, in any form of drainage improvement agreement entered into with District, to pay that portion of 90% of the current Costs of the Program (less any Costs recovered to date) that the acreage of land they propose to develop bears to most current estimate of acres likely to be developed in the Natomas Basin (currently estimated at 10,000 acres) as determined by the District.

CERTIFICATION

I, Terrie Figueroa, Secretary of Reclamation District No. 1000, hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees of Reclamation District No. 1000 at the regular meeting held November 14, 2008, and made a part of the minutes thereof.



Terrie Figueroa