

RESOLUTION NO. 2009-12

RESOLUTION OF THE BOARD OF DIRECTORS OF THE PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACTING IN ITS CAPACITY AS THE GOVERNING BODY – CONFIRMING, OR MODIFYING AND THEN CONFIRMING, THE REPORT OF DELINQUENT WATER USER CHARGES FOR THE PURPOSE OF COLLECTING SAID CHARGES ON THE SAN BERNARDINO COUNTY TAX ROLL

WHEREAS, the Phelan Pinon Hills Community Services District (“District”) is a community services district organized and operating pursuant to California Government Code Section 61000 et seq.;

WHEREAS, Section 61115(b) of the Government Code authorizes the District’s Board of Directors (“Board”) to provide that any charges and penalties may be collected on the tax roll in the same manner as property taxes;

WHEREAS, Section 61115(b) of the Government Code provides that the District’s General Manager must prepare and file with the Board a report that describes each affected parcel of real property and the amount of charges and delinquencies for each affected parcel for the year.

WHEREAS, Section 61115(b) of the Government Code further provides that the District’s General Manager must publish notice of the time and place for a public hearing by the Board to hear and consider adoption and/or revision of the charges and penalties contained in the report of the District’s General Manager.

WHEREAS, on July 15, 2009, on motion of Vice President Anderson, duly seconded by Director Fahrlander and carried, the following resolution is adopted:

SECTION 1. The Board hereby finds and determines:

(a) That the report of the District's General Manager on delinquent and unpaid charges for water and other services within the District that remain unpaid and delinquent for thirty days or more on July 1, 2009, which is attached hereto and incorporated herein by this reference, is hereby adopted and approved by the Board and confirmed for each parcel of property within the District as set forth in said report.

(b) That a public hearing on said report was held on this date and that any protests or objections regarding the appropriateness of the charges or their collection on the tax roll were heard and considered by the Board.

SECTION 2. The Board, acting in its capacity as the governing body of the District, therefore hereby resolves and orders:

(a) That the Clerk of the Board is hereby directed to certify to the passage of this resolution and to forward a copy of same to each of the following public bodies and officers:

1. The Auditor/Controller of the County of San Bernardino;
2. The Treasurer-Tax Collector of the County of San Bernardino;

(b) That the Clerk of the Board is hereby further directed to forward a certified copy of said report to the Auditor/Controller of the County of San Bernardino.

(c) That the unpaid and delinquent charges for each corresponding parcel of property within the District identified in the attached report of the District's General Manager, as confirmed by the Board, are fixed in the amount set forth in said report and shall be collected on the tax roll in the same manner and at the same time as general County ad valorem property taxes are collected for fiscal year 2009-2010.

PASSED AND ADOPTED by the Board of Directors of the Phelan Pinon Hills Community Services District, State of California, by the following vote:

AYES: Directors: Morrissette, Anderson, Fahlender
NOES: Directors:
ABSENT: Directors: Johnson, Roberts
ABSTAIN: Directors:



Al Morrissette, President of Phelan
Piñon Hills Community Services District
and of the Board of Directors thereof.

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, Debbie Bishop, Clerk of the Board of Directors of the Phelan Pinon Hills Community Services District, California, hereby certify the foregoing to be a full, true and correct copy of the record of the action as the same appears in the Official Minutes of said Board at its meeting of July 15, 2009.

Debbie Bishop
Clerk of the Board of Directors
of the Phelan Pinon Hills Community Services District

By Debbie Bishop