

Please return to:

*Executive Assistant
Kennewick Irrigation District
2015 South Ely Street
Kennewick, WA 99337*

KENNEWICK IRRIGATION DISTRICT RESOLUTION 2023-32

Authorization for Collection of Surcharges for PLA Properties in the Division IV 31.8-8 Benefit Area.

A RESOLUTION of the Board of Directors of Kennewick Irrigation District (KID), Benton County, Washington, relating to certain rates, charges, and assessments; establishing certain rates, charges and surcharges and directing assessment process related to the KID Division IV 31.8-8 Benefit Area; authorizing and directing actions.

Section 1. RECITALS AND FINDINGS.

1.1 Some areas within the KID have been served by privately constructed and operated irrigation systems. Many of those systems were not constructed to KID standards, and not subject to regular operation and maintenance or needed repair and replacement. KID attempts to serve the community by acquisition or assumption of such systems and to provide a program for system improvements.

1.2 Division IV 31.8-8 Private Line Area (PLA) is such an area. Currently, KID provides pressurized water that is discharged into a weir box at the point of connection for this PLA. As this is a non-conforming connection, and there has been previous interest in conversion within this area, KID is proposing to convert this PLA into a Pressurized Service Area (PSA). KID has proposed to install pressurized lines and service connections along the frontage of W 45th Ave and S Garfield St. These pipelines would be connected to the pressurized KID pipeline within W 45th Ave. The KID Board of Directors has previously approved surcharges for PLAs that allow for the collection of funds from development and private property owners with the intent that once sufficient funds are collected, installation of the project would proceed.

1.3 This Resolution sets forth KID's program for the system improvement and necessary financial support from assessments against benefited properties, and from rates and charges (including charges in lieu of assessments) for the Division IV 31.8-8 Benefit Area within the previously established private line area.

Section 2. DIVISION IV 31.8-8 BENEFIT AREA. The Division IV 31.8-8 Benefit Area is hereby established to include all of the following property:

- *LOTS 3-4, SHORT PLAT #1538, RESTRICTIVE COVENTANTS A#91-8201, 5/20/91.*
 - 113894011538003

- 113894011538004
- *LOTS 1 AND 2 OF SHORT PLAT #1538 AS RECORDED IN VOLUME 1 OF SHORT PLATS, AT PAGE 1538 RECORDS OF BENTON COUNTY WASHINGTON. EXCEPT THE SOUTH 350.18 FEET OF SAID LOT 1.*
 - 113894011538006
- *THE SOUTH 350.18 FEET OF LOT 1 SHORT PLAT #1538 AS RECORDED IN VOLUME 1 OF SHORT PLATS, AT PAGE 1538, RECORDS OF BENTON COUNTY, WASHINGTON.*
 - 113894011538005
- *LOTS 1-3, SHORT PLAT #2814, 6/18/04, AF#04-021632. RECORDED IN VOLUME 1 OF SHORT PLATS, PAGE 2814, RECORDS OF BENTON COUNTY, WASHINGTON.*
 - 113893012814001
 - 113893012814002
 - 113893012814003
- *THE HIGHLAND, PLAT D. A PORTION OF TRACT B DEFINED AS FOLLOWS: BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 13. THENCE NORTH 0 DEGREES 19'22" EAST ALONG THE MID-SECTION LINE 30 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF EAST 45TH AVENUE.*
 - 113893020102002
- *THE WEST 310 FEET OF THE NORTH 700 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24 TOWNSHIP 8 NORTH RANGE 29. EXCEPT ROAD RIGHT OF WAY EASEMENT. LESS THE WEST 30 FEET FOR ROAD, (2) 6-11-76. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.*
 - 124891000008000
- *THE EAST 167.5 FEET OF THE WEST 477.5 FEET OF THE NORTH 700 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24 TOWNSHIP 8 NORTH RANGE 29. EXCEPT ROADS. LESS PORTION TO COUNTY FOR ROAD, 7-28-76.*
 - 124891000007000

Section 3. SURCHARGE.

3.1 Except as provided in this Resolution, the Division IV 31.8-8 Benefit Area shall be subject to KID Policy 2.41. The following charges apply as “KID Surcharges for System Improvements.” The surcharge applicable to these properties upon connection shall be calculated as follows.

3.2 The level of service provided to properties within the Division IV 31.8-8 Benefit Area shall be based on equivalent irrigation units (EIU). Each EIU shall be the equivalent of a one and one-quarter (1 ¼) inch service connection providing an instantaneous flow of fifteen (15) gallons per minute. Any larger service connections shall be calculated from as a multiple of this base EIU, irrespective of development standards applicable to a property.

3.3 The surcharge shall be determined based on construction estimates, since the work has not yet occurred, and this amount will be adjusted based on the actual costs of construction. The estimated cost for the project is \$9,710.84 per EIU.

3.4 The surcharge will be collected as follows for properties that connect to the system during construction or prior to the date established in 3.4.1:

3.4.1 In order to incentivize capital recovery, if the entire project costs are paid by April 30

following the completion of construction, the cost of the surcharge will be reduced to \$7,768.67 per EIU (if construction is completed between March 1 and April 30 of a given year, the entire project costs are due October 31 following the completion of construction).

3.4.2 If the entire project costs are not paid in full, at the reduced rate, by the date established in 3.4.1, a property owner may elect to defer the surcharge by April 1 following completion of construction (if construction is completed between March 1 and April 30 of a given year, the election to defer must be completed by October 1 following the completion of construction) and be charged \$120 per year until the earlier of:

3.4.2.1 Change in Property Ownership, at such point, the entire surcharge for project costs becomes due; or

3.4.2.2 Ten (10) deferment surcharges, at such point, the surcharge for project cost will be recovered through an annual surcharge of \$971.08 per EIU which will be added to the KID billing with equal one-half (1/2) installments due April 30 and October 31 of each year, for ten (10) years. If there is a change in property ownership after ten (10) deferment surcharges, the entire surcharge amount for the project costs, less any annual surcharges paid, becomes due.

3.4.3 If the entire project costs are not paid in full or deferred by the date established in 3.4.1, an annual surcharge of \$971.08 per EIU will be added to the KID billing to the property as a separate Capital Surcharge, with equal one-half (1/2) installments due on April 30 and October 31 of each year, beginning April 30 following the completion of construction, for ten (10) years (if construction is completed between March 1 and April 30 of a given year, the first annual surcharge is due October 31 following the completion of construction). If there is a change in property ownership after connection to the system, the entire surcharge amount for the project costs, less any annual surcharges paid, becomes due.

3.5 For properties that connect to the system after the date established in 3.4.1, an annual surcharge of \$971.08 per EIU will be added to the KID billing to the property as a separate Capital Surcharge, with equal one-half (1/2) installments due on April 30 and October 31 of each year, beginning on April 30 of the following year, for ten (10) years. If there is a change in property ownership after connection to the system, the entire surcharge amount for the project costs, less any annual surcharges paid, becomes due.

3.6 For properties that are subdividing prior to construction the legal property owner will enter into a Water Service Agreement with KID and pay the entire estimated surcharge of \$9,710.84 per EIU for each service within the development.

Section 4. ASSESSMENT. All properties within the Division IV 31.8-8 Benefit Area may be subject to annual assessments (or a charge in lieu of assessment) for the cost of a pressurized system.

Section 5. SERVICE AGREEMENT. Prior to properties within the Division IV 31.8-8 Benefit Area connecting to the KID improvements, the properties will be required to enter into an Irrigation Water Service Agreement, to provide necessary security for payment for the KID system improvements.

Section 6. UNAUTHORIZED CONNECTIONS – ADDITIONAL CHARGES. A Division IV 31.8-8 Benefit Area property that does not enter into an Irrigation Water Service Agreement and is later found to be connected to the system, will be charged a tampering/unauthorized access fee in accordance with KID's most recent fee resolution. This additional charge is in part to recover the costs to KID to manage and remedy the improper connection, including but not limited to administrative costs, service call(s), and deferred financing. An annual surcharge of \$971.08 per EIU will be added to the KID billing for such property with equal one-half (1/2) installments due on April 30 and October 31 of each year,

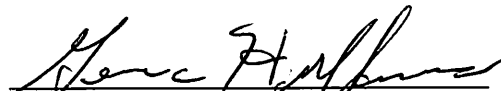
beginning on April 30 of the following year, for ten (10) years. If there is a change in property ownership after connection to the system, the entire surcharge amount for the project costs, less any annual surcharges paid, becomes due.


Section 7. ADDITIONAL PROPERTIES. Properties (lots or parcels) newly-created through a platting process, or otherwise, which connect to the pressurized system, shall pay the appropriate surcharge in full at the time of land division unless approved by the KID Board (i.e., Voluntary Mitigation Agreement).

Section 8. IMPLEMENTATION. The KID District Manager is hereby authorized and directed to take such action as appropriate and necessary to administer and enforce this Resolution.

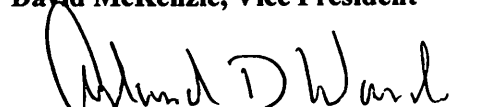
Section 9. REPEALER; FUTURE ACTIONS. Any KID act prior to and inconsistent with this Resolution is hereby superseded and repealed. Nothing in this Resolution shall limit the future authority of KID to modify, rates charges and assessments.

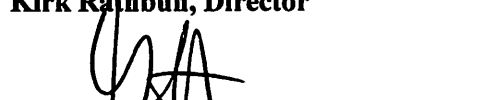
RESOLUTION 2023-32 IS HEREBY ADOPTED by the Board of Directors of Kennewick Irrigation District, Benton County, Washington, at a regular open public meeting with a quorum present thereof this 15th day of August, 2023.


Gene Huffman, President


David McKenzie, Vice President


Kirk Rathbun, Director


Arland Ward, Director


Griffin Hanberg, Director