

OLIVEHURST PUBLIC UTILITY DISTRICT

RESOLUTION NO. 2400

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
OLIVEHURST PUBLIC UTILITY DISTRICT, FOLLOWING PUBLIC HEARING,
PROVIDING FOR AN INCREASE IN WATER AND SEWER SERVICE CHARGES**

WHEREAS, the Olivehurst Public Utility District (“District”) owns and operates a Domestic Water System which operates under permits issued by the Department of Health Services of the State of California; and

WHEREAS, the District owns and operates a sewer collector and wastewater treatment system operating under a permit issued by the Regional Water Quality Control Board, Central Valley Region; and

WHEREAS, in connection with its annual review and approval of the operating budgets of the water and sewer systems, the Board has commissioned a study by Bartle Wells and Associates related to the costs of services provided by said system, and the charges sufficient to provide for the proper operation and maintenance thereof (hereafter “the Rate Study”); and,

WHEREAS, at a regular public meeting duly called and agendized on May 19, 2022, the Board did review and take public comment on the Rate Study; and

WHEREAS, at a regular public meeting duly called and agendized on May 19, 2022, the Board did adopt the Rate Study as representing the independent opinion of the Board of Directors and authorized the increased rates recommended therein subject to the notice and hearing requirements of the California Constitution, Article XIII D; and

WHEREAS, the Board of Directors, in accordance with Article XIII D, Section 6, of the California Constitution, on June 3, 2022, caused notice to the landowners affected by said increases to be given by regular mail to the record owner of each identified parcel upon which the increased charges are proposed for imposition, notifying them of the proposed charges, the basis for calculation thereof, the reason for the increase, and the date, time, and place of a public hearing, at least 45 days thereafter, where such increase would be considered; and

WHEREAS, at a public hearing duly called and agendized, on July 21, 2022, the Board did conduct a public hearing, and considered written and oral protests submitted in connection with said increases in rates; and

WHEREAS, the Board finds that written protests submitted and not withdrawn by the close of the public hearing do not represent a majority of the owners of the identified parcels; and

WHEREAS, the Board finds that the increased charges described in Exhibit A, attached

hereto, are required to meet the ongoing and reasonably anticipated operational expenses of the District, including meeting its reasonable financial reserve requirements of the District and are further needed to secure funds as reasonably necessary to operate, maintain, repair and replace the facilities installed to provide water, sewer collection, and wastewater services within the District and are therefore exempt from the requirements of the California Environmental Quality Act in accordance with Public Resources Code Section 21080(b)(8)(C) and (D); and,

WHEREAS, the Board finds that the increased rates do not exceed the reasonable cost of providing the services; and,

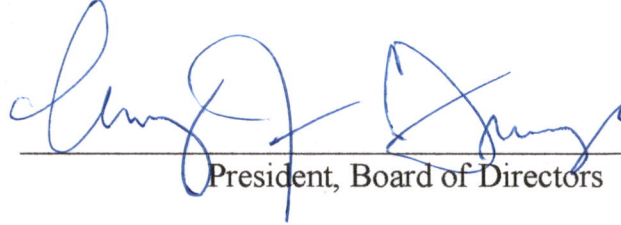
WHEREAS, the Board finds that revenues from the proposed increases shall not exceed the funds required to provide water and sewer services, including wastewater treatment to the customers receiving said services; that revenues from the proposed increases shall be used in accordance with the Rate Study and shall not be used for any other purpose other than those purposes for which they were imposed; and the amount of the proposed charges for water and sewer services shall not exceed the proportional cost of the services attributable to the parcels on which the increases will be imposed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Olivehurst Public Utility District that the Water and Sewer Service Fees, described in Exhibit A, attached hereto and incorporated herein, are hereby approved and authorized as the fees and charges of the District, effective with the first billing cycle commencing on or after January 1, 2023.

BE IT FURTHER RESOLVED that the Board does find that establishment of the water and sewer service charges described in Exhibit A is exempt from the provisions of the California Environmental Quality Act under Section 21080(b) of the California Public Resource Code.

PASSED AND ADOPTED this 21st Day of July 2022.

OLIVEHURST PUBLIC UTILITY DISTRICT



President, Board of Directors

ATTEST:



District Clerk & ex-officio Secretary

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY



Deirdre Joan Cox, Legal Counsel

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I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted and passed by the Board of Directors of the Olivehurst Public Utility District, Yuba County, California, at a meeting thereof held on the 21st day of July 2022, by the following vote:

AYES, AND IN FAVOR THEREOF : Directors Burbank, Floe, and Griego
NOES : None
ABSTAIN : None
ABSENT : Directors Nelson and Perrault


District Clerk & ex-officio Secretary

EXHIBIT A

Water Rates					
	Water Rates Effective				
	Jan-1 2023	Jan-1 2024	Jan-1 2025	Jan-1 2026	Jan-1 2027
METERED RATE ACCOUNTS					
<u>3/4" Meters</u>					
Fixed Monthly Charge	\$20.48	\$21.50	\$22.58	\$23.71	\$24.90
<i>Water included with Fixed Charge</i>	6 ccf	6 ccf	6 ccf	6 ccf	6 ccf
Water Consumption Charge per ccf	\$2.05	\$2.15	\$2.26	\$2.37	\$2.49
<i>For water use in excess of 6 ccf</i>					
<u>1" - 4" Meters</u>					
Fixed Monthly Charge	\$34.13	\$35.84	\$37.63	\$39.51	\$41.49
<i>Water included with Fixed Charge</i>	10 ccf	10 ccf	10 ccf	10 ccf	10 ccf
Water Consumption Charge per ccf	\$2.05	\$2.15	\$2.26	\$2.37	\$2.49
<i>For water use in excess of 10 ccf</i>					
FLAT RATE ACCOUNTS					
Fixed Monthly Charge					
3/4" Service	\$49.14	\$51.60	\$54.18	\$56.89	\$59.73
1" Service	79.17	83.13	87.29	91.65	96.23

Note: 1 ccf = one hundred cubic feet or approximately 748 gallons.
 Rates for meters over 4" shall be determined on a case-by-case basis.

Sewer Rates					
	Sewer Rates Effective				
	Jan-1 2023	Jan-1 2024	Jan-1 2025	Jan-1 2026	Jan-1 2027
Monthly Sewer Service Charges					
Residential (per dwelling unit)	\$42.00	\$44.00	\$46.00	\$48.00	\$50.00
Commercial (per EDU) ¹	42.00	44.00	46.00	48.00	50.00
Schools (per EDU) ²	42.00	44.00	46.00	48.00	50.00

1 Nonresidential accounts are assigned a number of Equivalent Dwelling Units (EDUs) by the District based on estimated sewer flow and wastewater strength with a minimum assignment of 1 EDU.

2 Schools are billed based on number of faculty/staff, and average daily attendance (ADA) of students according to the following formula.

Current EDU Formula: $EDUs = (A + B + C) / 280 \text{ gpd} \times D / 30$

A = number of faculty and staff x 20 gpd

B = ADA for number of elementary/middle school students x 18 gpd

C = ADA for number of high school students x 20 gpd

D = number of school days in month

gpd = gallons per day