

OLIVEHURST PUBLIC UTILITY DISTRICT

RESOLUTION NO. 2157

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OLIVEHURST PUBLIC UTILITIES DISTRICT FIRE DEPARTMENT RECOMMENDING TO THE YUBA COUNTY BOARD OF SUPERVISORS THE ADOPTION OF THE DEVELOPMENT IMPACT FEE STUDY AND INCREASING THE DEVELOPMENT IMPACT FEES FOR ALL DEVELOPMENT WITHIN THE BOUNDARIES OF THE OLIVEHURST PUBLIC UTILITIES DISTRICT FIRE DEPARTMENT

RESOLVED, by the Board of Directors of the Olivehurst Public Utilities District Fire Department (the "Department") as follows:

WHEREAS, pursuant to Government Code section 66001 the Department, through the County of Yuba, may levy a fee on all new residential, commercial, and industrial development within the Department boundaries, to fund the capital equipment and facilities construction needs of the Department;

WHEREAS, the County of Yuba holds the police power to enact an increase in the development impact fees on behalf of the Department;

WHEREAS, the Department has a plan which states an overall vision for fire station reconfiguration and the equipping of the station in order to meet the demands of the citizens within the District;

WHEREAS, the Department has performed a study to assess the impact on the Department's facilities from residential, commercial, and industrial development and established a nexus between such development and the need for funding to construct facilities;

WHEREAS, the impact fees collected shall be used to finance the public facilities described or identified in the *Olivehurst Public Utilities District Fire Department Development Impact Fee Study* or other public facility master plans as may from time to time be adopted by the Governing Board of the District;

WHEREAS, after considering the specific project descriptions and cost estimates identified in the *Olivehurst Public Utilities District Fire Department Development Impact Fee Study*, the Governing Board approves such project descriptions and cost estimates, and finds them reasonable as the basis for calculating and imposing certain impact fees.

NOW, THEREFORE, it is hereby ORDERED and DETERMINED, as follows:

Section 1. The *Olivehurst Public Utilities District Fire Department Development Impact Fee Study* is hereby adopted by the Department.

Section 2. The Board of the Department recommends to the Board of Supervisors of the County of Yuba the adoption and implementation of an increase in the Fire Mitigation Fee on behalf of the Department as set forth in the *Olivehurst Public Utilities District Fire Department Development Impact Fee Study* under the police powers granted to the County in order to support public services.


Section 3. The fee shall be solely used (1) for the purposes described in the *Olivehurst Public Utilities District Fire Department Development Impact Fee Study*, or (2) for reimbursing the Department for the development's fair share of those capital improvements already constructed by the Department.

Section 4. Annually, as part of the budget process, the Fire Chief shall review the estimated cost of the described capital improvements, the continued need for those improvements and the reasonable relationship between such need and the impacts of the various types of development pending or anticipated and for which the fee is charged.

Section 5. The development impact fees, including any increases for inflation as authorized by the State, shall be collected prior to the issuance of a building permit on each eligible unit, based on the habitable and enclosed square footage of the building.


PASSED AND ADOPTED THIS 17th DAY OF MAY 2007.

OLIVEHURST PUBLIC UTILITY DISTRICT



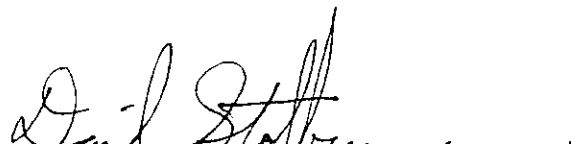
President, Board of Directors
Olivehurst Public Utility District

ATTEST:



District Clerk & ex-officio Secretary

APPROVE AS TO FORM AND LEGAL
SUFFICIENCY




Legal Counsel

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I hereby certify that the foregoing is a full, true, and correct copy of an Ordinance 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 17th day of May, 2007, by the following vote:

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| AYES, AND IN FAVOR THEREOF: | Director Morrison, Miller, Hollis, Patty, and Carpenter. |
| NOES | : None. |
| ABSTAIN | : None. |
| ABSENT | : None. |


District Clerk and ex-officio Secretary