

OLIVEHURST PUBLIC UTILITY DISTRICT

RESOLUTION NO. 1102

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE OLIVEHURST PUBLIC UTILITY DISTRICT
ESTABLISHING CAPITAL IMPROVEMENT FEES FOR
ALL DEVELOPMENTS WITHIN THE DISTRICT

WHEREAS, AB 1600 was adopted and codified in Chapter 5 of Division 1 of Title 7 of the Government Code by the State Legislature in 1987, allowing the establishing, increasing or imposing of a development fee as a condition of approval where the purpose and use of the fee were identified and reasonable relationship to the development project was demonstrated; and

WHEREAS, the Yuba County Board of Supervisors has the authority for imposing, charging and setting individual fire protection development fees based upon adequate studies prepared, adopted and presented by the respective fire protection districts; and

WHEREAS, the Olivehurst Public Utility District has commissioned a study of the impacts of contemplated future development upon public facilities and capital improvements required to maintain the current level of service, which identifies the use to which the fee is to be put by reference to capital improvement needs caused by additional construction, which includes an analysis demonstrating a reasonable relationship between the fee's use and new development, and between the amount of the fee determined and the estimated costs of improvements attributable to new development. Said documents, entitled OLIVEHURST PUBLIC UTILITY DISTRICT, FIRE CAPITAL FACILITIES MITIGATION ANALYSIS, WAS PREPARED BY THE Abbey Group, public safety consultants, and is dated December, 1991, and was adopted by the Olivehurst Public Utility District, at a duly noticed public hearing on March 19, 1992; and

WHEREAS, this study was available for public inspection and review, and presented during a public hearing, and after the requisite notice and a public hearing and upon due consideration of the report, it appears that new development in the Olivehurst Public Utility District will adversely impact and degrade the level of service of fire protection services in the District unless the recommended fees are adopted and that setting of fees at the

recommended sum is necessary for new development to pay its fair share of fire protection services; and

WHEREAS, the report reflects the requisite relationship and recommends fees reasonably calculated to not exceed the cost of capital improvements generated by such new development to pay its fair share of fire protection services; and

WHEREAS, the report reflects the requisite relationship and recommends fees reasonably calculated to not exceed the cost of capital improvements generated by such new development in compliance with AB 1600.

THEREFORE, the Olivehurst Public Utility District adopts the recommended fees of:

RESIDENTIAL FIRE MITIGATION FEES - STANDARD LEVEL OF SERVICE

AREAS SERVED BY ADEQUATE FIRE FLOW:

<u>Construction Type:</u>	<u>With Sprinklers</u>	<u>Without Sprinklers</u>
Residential, single and multi-family Light Load	\$.20 per foot	\$.39 per foot

AIRPORT/COMMERCIAL FIRE MITIGATION FEES - STANDARD LEVEL OF SERVICE

AREAS SERVED BY ADEQUATE FIRE FLOW:

<u>Construction Type:</u>	<u>With Sprinklers</u>	<u>Without Sprinklers</u>
Commercial and Industrial within Airport Zone Boundaries	\$.20 per foot	\$.39 per foot

COMMERCIAL/INDUSTRIAL FIRE MITIGATION FEES - STANDARD LEVEL OF SERVICE


AREAS SERVED BY ADEQUATE FIRE FLOW:

<u>Construction Type:</u>	<u>With Sprinklers</u>	<u>Without Sprinklers</u>
Commercial Light Load	\$.30 per foot	\$.59 per foot
Commercial and Indust. Moderate Load	\$.59 per foot	\$1.18 per foot
Commercial and Indust. Heavy Load	\$.89 per foot	\$1.77 per foot

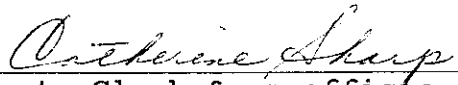
AND FURTHER REQUESTS that the Yuba County Board of Supervisors adopt and establish the requested Fire Mitigation fees for development within the Olivehurst Public Utility District, with the District agreeing to be responsible for proper accounting for and expenditure of said monies and further agreeing to hold the County of Yuba harmless from and to defend it from any action, claim or damages related to said fees of the Olivehurst Public Utility District, including any challenge to the validity of or use thereof by the Olivehurst Public Utility District.

PASSED AND ADOPTED this 19th day of March, 1992.

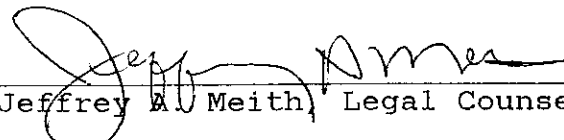
OLIVEHURST PUBLIC UTILITY DISTRICT


President, Board of Directors

ATTEST:


Deputy Clerk & ex-officio Secretary

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY


Jeffrey A. Meith, Legal Counsel

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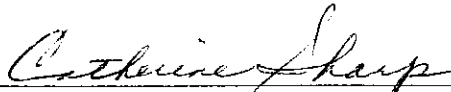
I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted and passed by the Board of Directors of the Olivehurst Public Utility District, Yuba County, California, at a meeting thereof held on the 19th day of March, 1992, by the following vote:

AYES, AND IN FAVOR THEREOF: DIRECTORS BROWN, MAZON, PATTY, SOUZA, AND
DOWNS

NOES, : NONE

ABSTAIN, : NONE

ABSENT, : NONE


Deputy Clerk & ex-officio Secretary