

OLIVEHURST PUBLIC UTILITY DISTRICT

RESOLUTION NO. 2215

**RESOLUTION OF THE BOARD OF DIRECTORS OF
OLIVEHURST PUBLIC UTILITY DISTRICT AMENDING RESOLUTION NO. 2115,
INCORPORATING THEREIN A COMPONENT FOR ADMINISTRATIVE COSTS,
AND AUTHORIZING 2010 INFLATION ADJUSTMENT**

WHEREAS, the Board of Directors of Olivehurst Public Utility District ("District") did, on March 16, 2006, adopt Resolution No. 2115, establishing a capacity fee for connections to the sewer collection system in Historic Olivehurst; and

WHEREAS, said capacity fee is, in accordance with Resolution No. 2115, subject to annual adjustment to reflect the inflationary costs of construction of such facilities as described in Exhibit "A" thereto; and

WHEREAS, said capacity fee was based on a nexus study reflecting solely the cost of the collector system pipelines and pump stations installed to provide collector service in Historic Olivehurst; and

WHEREAS, the District incurs administrative costs in the management and administration of its capacity fee program including, without limitation, cost of accounting and record keeping, costs of computing and processing any required refunds of refundable capacity charges, and costs of audit and other charges reflecting administration of such fees as required by Government Code Section 660013; and

WHEREAS, the District has established and includes an administrative charge of 3 percent of the amount of the capacity fee for all other components of the District's sewer collection system as well as for its wastewater treatment plant; and

WHEREAS, the District has, and is incurring, administrative expenses without recovery therefrom as a component of its capacity fee for connections to the Historic Olivehurst system; and

WHEREAS, the Board of Directors of the District wishes to assure that the costs of management and administration of its Historic Olivehurst Capacity Fee Program is consistent with and fully recovers the cost of administration thereof; and

WHEREAS, in accordance with Resolution No. 2115, the District is authorized,

effective March 1, 2010, to make an inflationary adjustment to the Historic Olivehurst capacity fees; and

WHEREAS, the Board does further find that the inflationary adjustment described in Exhibit "A" hereto is consistent with the currently incurred and anticipated costs of the construction and required expansion of the District's sewer collector system for the 12 months commencing March 1, 2010; and

WHEREAS, the District does further find that the changes in the capacity fee from the Historic Olivehurst sewer collection system are required to maintain adequate financial reserves and fees to ensure costs representing the customer's prorational benefit from prior construction and future construction of the collector system, including cost and expenses incurred by the District in the administration of such funds and, therefore, said changes are exempt from the requirements of the California Environmental Quality Act in accordance with Public Resources Code Section 21080(b)(8)(C) and (D).

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Olivehurst Public Utility District that it does hereby authorize this amendment to Resolution No. 2115 to include within said schedule of cost and expenses recovered by the capacity charge, a 3 percent administrative component, consistent with all other administrative costs incurred throughout the District.

BE IT FURTHER RESOLVED that the capacity charge established in Resolution 2115 is hereby authorized to be further modified in accordance with the inflationary adjustment authorized in Resolution No. 2115 – that is the average of 20 – Cities and San Francisco Construction Cost Index as reported in the Engineering News Record for the 12-month period ending December 2009.


BE IT FURTHER RESOLVED that the schedule of rates and charges set forth in Exhibit "A," attached hereto shall be the established capacity charges for the Historic Olivehurst collector system for the 12 months commencing March 1, 2010, and continuing until modified by the Board of Directors.

BE IT FURTHER RESOLVED that the attached Exhibit "A" shall become part of and modify the schedule of rates described in Resolution No. 2115.

BE IT FURTHER RESOLVED that except as specifically modified herein, Resolution No. 2115 shall remain in full force and effect.

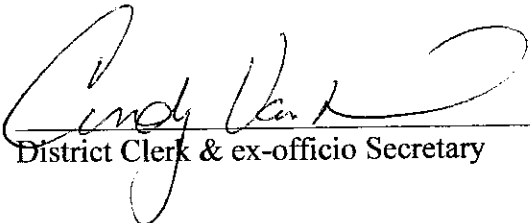
PASSED AND ADOPTED THIS 18th DAY OF FEBRUARY 2010.

OLIVEHURST PUBLIC UTILITY DISTRICT



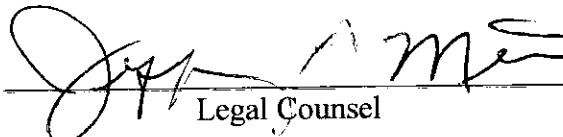
President, Board of Directors
Olivehurst Public Utility District

ATTEST:



District Clerk & ex-officio Secretary

**APPROVE AS TO FORM AND LEGAL
SUFFICIENCY**

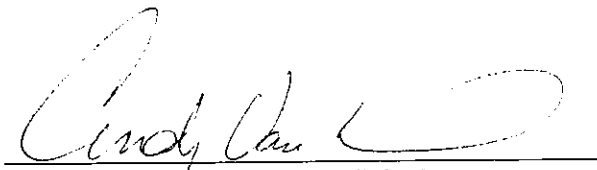


Legal Counsel

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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 18th day of February 2010, by the following vote:

AYES, AND IN FAVOR THEREOF:	DIRECTOR PATTY, HOLLIS, DOUGHERTY AND MORRISON.
NOES	: NONE.
ABSTAIN	: NONE.
ABSENT	: NONE.



District Clerk and ex-officio Secretary

EXHIBIT A

Historic Olivehurst Sewer Collection System Capacity Fee

	Sewer Collection System Costs	Capacity Charge Program Administrative Cost (3%)	Sewer Collection System Capital Improvement Charge
Per equivalent dwelling unit (EDU)	\$2026	\$61	\$2087

EXHIBIT A

Historic Olivehurst Sewer Collection System Capacity Fee

Effective March 18, 2011, Olivehurst Public Utility District Annual Fee Increases based on the Construction Cost Index (CCI):

CCI 3.85% for 2011

	Sewer Collection System Costs	Capacity Charge Program Administrative Cost (3%)	Sewer Collection System Capital Improvement Charge
Per equivalent dwelling unit (EDU)	\$2,104	\$63	\$2,167

Fees will be subject to an annual inflation adjustment. Annual inflation adjustment means that in March of each calendar year, the fee will be adjusted by the average of the 20-Cities and San Francisco Construction Cost Index as reported in the Engineering News Record for the twelve month period ending December of the prior calendar year.

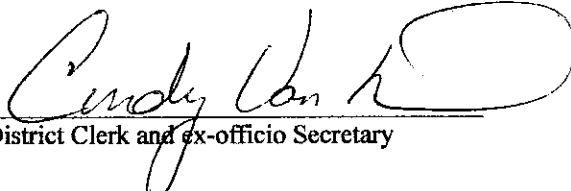

District Clerk and ex-officio Secretary

EXHIBIT A

Historic Olivehurst Sewer Collection System Capacity Fee

Effective March 1, 2012, Olivehurst Public Utility District Annual Fee Increases based on the Construction Cost Index (CCI):

CCI 1.64% for 2012

	Sewer Collection System Costs	Capacity Charge Program Administrative Cost (3%)	Sewer Collection System Capital Improvement Charge
Per equivalent dwelling unit (EDU)	\$2,139	\$64	\$2,203

Fees will be subject to an annual inflation adjustment. Annual inflation adjustment means that in March of each calendar year, the fee will be adjusted by the average of the 20-Cities and San Francisco Construction Cost Index as reported in the Engineering News Record for the twelve month period ending December of the prior calendar year.

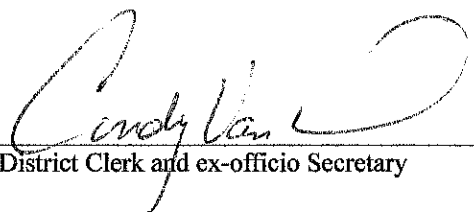

District Clerk and ex-officio Secretary

EXHIBIT A

Historic Olivehurst Sewer Collection System Capacity Fee

Effective March 1, 2013, Olivehurst Public Utility District Annual Fee Increases based on the Construction Cost Index (CCI):

CCI 2.05% for 2013

	Sewer Collection System Costs	Capacity Charge Program Administrative Cost (3%)	Sewer Collection System Capital Improvement Charge
Per equivalent dwelling unit (EDU)	\$2,182	\$66	\$2,248

Fees will be subject to an annual inflation adjustment. Annual inflation adjustment means that in March of each calendar year, the fee will be adjusted by the average of the 20-Cities and San Francisco Construction Cost Index as reported in the Engineering News Record for the twelve month period ending December of the prior calendar year.

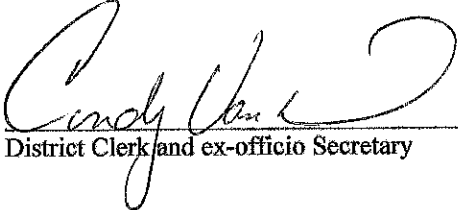

District Clerk and ex-officio Secretary

EXHIBIT A

Historic Olivehurst Sewer Collection System Capacity Fee

Effective March 1, 2014, Olivehurst Public Utility District Annual Fee Increases based on the Construction Cost Index (CCI):

CCI 3.98% for 2014

	Sewer Collection System Costs	Capacity Charge Program Administrative Cost (3%)	Sewer Collection System Capital Improvement Charge
Per equivalent dwelling unit (EDU)	\$2,269	\$68	\$2,337

Fees will be subject to an annual inflation adjustment. Annual inflation adjustment means that in March of each calendar year, the fee will be adjusted by the average of the 20-Cities and San Francisco Construction Cost Index as reported in the Engineering News Record for the twelve month period ending December of the prior calendar year.

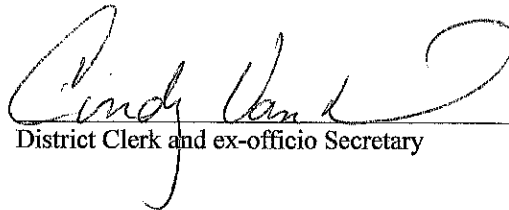

District Clerk and ex-officio Secretary

EXHIBIT A

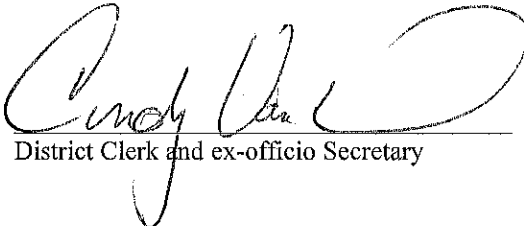
Historic Olivehurst Sewer Collection System Capacity Fee

Effective March 1, 2015, Olivehurst Public Utility District Annual Fee Increases based on the Construction Cost Index (CCI):

CCI 1.47% for 2015

	Sewer Collection System Costs	Capacity Charge Program Administrative Cost (3%)	Sewer Collection System Capital Improvement Charge
Per equivalent dwelling unit (EDU)	\$2,302	\$69	\$2,371

Fees will be subject to an annual inflation adjustment. Annual inflation adjustment means that in March of each calendar year, the fee will be adjusted by the average of the 20-Cities and San Francisco Construction Cost Index as reported in the Engineering News Record for the twelve month period ending December of the prior calendar year.



District Clerk and ex-officio Secretary

EXHIBIT A

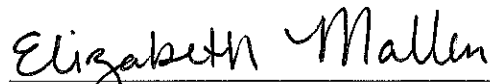
Historic Olivehurst Sewer Collection System Capacity Fee

Effective March 1, 2016, Olivehurst Public Utility District Annual Fee Increases based on the Construction Cost Index (CCI):

CCI 2.1% for 2016

	Sewer Collection System Costs	Capacity Charge Program Administrative Cost (3%)	Sewer Collection System Capital Improvement Charge
Per equivalent dwelling unit (EDU)	\$2,350	\$70	\$2,421

Fees will be subject to an annual inflation adjustment. Annual inflation adjustment means that in March of each calendar year, the fee will be adjusted by the average of the 20-Cities and San Francisco Construction Cost Index as reported in the Engineering News Record for the twelve month period ending December of the prior calendar year.


District Clerk and ex-officio Secretary