

**BEFORE THE BOARD OF DIRECTORS
OF THE
OLIVEHURST PUBLIC UTILITY DISTRICT**

RESOLUTION NO 2347

Resolution of Application of the Board of Directors of the Olivehurst Public Utility District (OPUD) requesting the Yuba Local Agency Formation Commission approve the annexation to OPUD's service area of the area identified as the Industrial, Sports and Entertainment Zones (See Exhibit "C", annexation maps) for the purpose of providing Parks and Recreation, Wastewater and Water services. Additionally, OPUD is requesting a Sphere of Influence (SOI) amendment for the provision of Parks and Recreation, Wastewater and Water services within certain parcels that we wish to annex that are not currently in our SOI.

RESOLVED by the Board of Directors of the Olivehurst Public Utility District that:

WHEREAS, the Olivehurst Public utility District desires to initiate proceedings pursuant to the Cortese-Knox Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the above-described annexation and Sphere of Influence Amendment; and

WHEREAS, at the time and in the manner provided by law, the General Manager gave notice of the date, time, and place of a public hearing by the District Board of Directors to initiate these proceedings; and

WHEREAS, a notice of intent to adopt this Resolution of Application has not been given to each interested agency; and

WHEREAS, the County of YUBA has adopted Resolution 2004-157, a master property tax sharing agreement, on October 26, 2004 and OPUD agrees and affirms no share of base tax revenue and annual tax increment shall be exchanged as a result of this annexation (See Exhibit A).

WHEREAS, there are no affected cities or districts within the meaning of Subdivision (2) of Section 56700 of the Government Code; and

WHEREAS, the OPUD Board of Directors finds the annexation territory is uninhabited meaning there are fewer than 12 registered voters residing within the annexation territory.

WHEREAS, because a portion of the proposed annexation service area is not consistent with the current sphere of influence of the Olivehurst Public Utility District, OPUD is concurrently applying for a Sphere of Influence amendment for the provision of Parks and Recreation, Wastewater and Water services; and

WHEREAS, it is requested that the proposed annexation be subject to the following terms and conditions:

1. All costs incurred to complete the annexation including but not limited to Yuba LAFCo, Yuba County, and the State Board of Equalization costs will be borne by the property owner(s) and (or) OPUD.
2. All impact mitigation fees will be applied to any development on this property after the completion of the annexation.
3. Properties in the proposed area to be annexed will be subject to capacity fees established by District; and

WHEREAS, the reasons for the proposed annexation are as follows;

1. The annexation of the Industrial, Sports and Entertainment service area will allow OPUD to provide enhanced water, wastewater and parks services to the area that has no other means of acquiring such services.
2. Commercial growth in these areas requires this infrastructure. The growth will provide jobs and services to the community; and

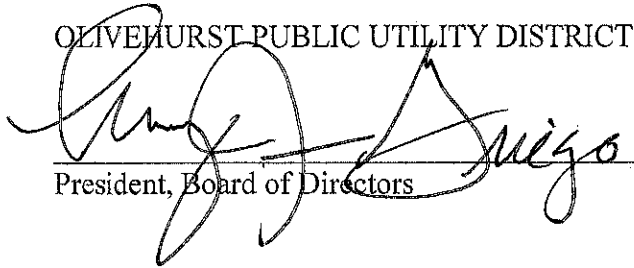
WHEREAS, the Board of Directors of the Olivehurst Public Utility District has reviewed the 2030 General Plan and relevant environmental documentation and finds that no further environmental review is needed since OPUD intends to use the 2030 Yuba County general plan environmental documentation to satisfy the CEQA requirements for the proposed minor sphere of influence amendment and annexation; and

WHEREAS, in accordance with Government Code Section 56653, the Board hereby adopts a Plan for Services for this proposed annexation and minor Sphere of Influence amendment to include certain properties presently in an OPUD Area of Referral into OPUD's Parks and Recreation, Water and Wastewater Sphere of influence attached hereto as Exhibit "B"; and

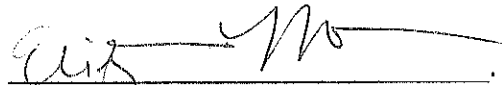
NOW, THEREFORE, this Resolution of Application hereby adopted and approved by the Board of Directors of the Olivehurst Public Utility District and the Yuba Local Agency Formation Commission is hereby requested to take proceedings for the property identified in Exhibit C (including Sheets 1 through 4) according to the terms and conditions stated above and in the manner provided by the Cortese-Knox Local Government Reorganization Act of 2000.

PASSED AND ADOPTED by the Board of Directors as a Resolution of the Olivehurst Public Utility District at a regular Board Meeting held on the 15th day of August, 2019.


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 18th day of July 2019, by the following vote:

AYES, AND IN FAVOR THEREOF: Directors White, Carpenter, Burbank, Floe, and Griego.

NOES : None

ABSTAIN : None

ABSENT : None


District Clerk & ex-officio Secretary