

Olivehurst Public Utility District



Agenda Item Staff Report

Meeting Date: 02/15/2024

Item description/summary:

Consider approving Exhibit A for resolution 2272, allow for increase of fees based on 3.08% COLAS from 2023.

Exhibit A incorporates COLAS information which will be updated along with new capacity fees which will take effect 03/01/2024. Attachment 2 reflects COLAS to be applied to 2024.

Fiscal Analysis:

n/a

Employee Feedback

n/a

Sample Motion:

Acceptance of revised Exhibit A of existing Resolution 2272.

Prepared by: Swarnjit Boyal, Public Work Engineer

**ATTACHMENT 1 – RESOLUTION 2272 WITH
UPDATED EXHIBIT A**

OLIVEHURST PUBLIC UTILITY DISTRICT

RESOLUTION NO. 2272

**RESOLUTION OF THE BOARD OF DIRECTORS OF
OLIVEHURST PUBLIC UTILITY DISTRICT
ESTABLISHING REIMBURSEMENT FEES FOR OPUD PERMIT APPLICATION
REVIEW AND CONSULTATION
BY OPUD STAFF, LEGAL COUNSEL AND CONSULTING ENGINEERS**

WHEREAS, Olivehurst Public Utility District is a public utility district formed and existing in accordance with the provision of Division 7 of the Public Utilities Code of the State of California; and,

WHEREAS, the District desires to streamline the OPUD permit application and related fee collection, tracking and disposition process, which is separate and distinct from the deposit collection tracking and disposition related to major development as resolved in Resolution 2126; and,

WHEREAS, the District has previously established policy regarding charges associated with inspections, re-inspections and associated administration of dwelling construction activities. The District adopted Resolution 2080 in January 2005. The current environment of construction and the evolution of District policies since January 2005 make Resolution 2080 and outdated approach.

WHEREAS, the District's staff including the District Engineer, Operations Manager, Chief Plant Operator and Engineering Technician as well as legal counsel and engineering consultants, devote time and expertise to assist OPUD permit applicants in the review of proposed projects, preparation and/or review of engineering studies and plans, drafting, review, and revision of legal documentation, which services should not be funded from general funds of the District and which services do not benefit utility customers of the District; and,

WHEREAS, it is the policy of the Board of Directors of the District to charge those who benefit from the direct and indirect costs of the District attributable to OPUD staff consultation, legal counsel and consultation with OPUD consulting engineers, and costs of administration of accounts and related expenses associated with these actions; and,

WHEREAS, the Board of Directors of Olivehurst Public Utility District desires to establish a schedule of fees and charges by which special services required for OPUD staff review, consultation with OPUD legal counsel or consulting engineers and/or administration of accounts and related expenses associated with these actions.

NOW, THEREFORE, BE IT RESOLVED that the District shall levy charges against the entity requiring staff special services, legal counsel review and consulting engineer review in accordance with the schedule of charges described exhibit A.

BE IT FURTHER RESOLVED that the schedule of rates and charges applicable to the foregoing described services represents the District's best estimate of the out-of-pocket costs incurred by the District on an average basis to provide said services, which costs shall be collected prior to services being rendered.

BE IT FURTHER RESOLVED that Exhibit "A" is subject to amendment from time to time by the Board of Directors of the District determines it is required.

BE IT FURTHER RESOLVED that Resolution 2080 is hereby repealed, and this Resolution shall supersede the requirements and policies formerly implemented with Resolution 2080.

PASSED AND ADOPTED THIS 17th DAY OF October 2013.

OLIVEHURST PUBLIC UTILITY DISTRICT

President, Board of Directors

ATTEST:

District Clerk & ex-officio Secretary

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

Sean D. De Burgh, COTA COLE, LLP
Attorneys for Olivehurst Public Utility District

* * * * *

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 17th day of October 2013, by the following vote:

AYES, AND IN FAVOR THEREOF	:	Director Burbank, Dougherty, and Bradford.
NOES	:	None.
ABSTAIN	:	None.
ABSENT	:	Director Carpenter and Phinney.

District Clerk and ex-officio Secretary

Exhibit A

Hourly Fees	*Hourly	Admin, 3%	Total/Hour, Rounded
District Engineer	\$64.96	\$1.95	\$67
Field Inspector II	\$57.08	\$1.71	\$59
Filed Inspector I	\$34.19	\$1.03	\$35

Flat Fees	
New Residence	\$250
Permit Application Fee	\$40
Permit Waiver	No Charge

* Hourly = direct employment costs including all benefits.

OPUD Resolution 2272
Exhibit A

This exhibit is divided into three (3) sections. These sections are:

1. Fees for Backbone and In-Tract Infrastructure Plan Check and Inspection.
2. Fees for Residential Plan Review of Fire Suppression, Water and Wastewater Connections.
3. Deposits, General Development Related.

The Fees for Backbone and In-Tract Infrastructure Plan Check and Inspection relate to larger infrastructure projects where the builder/developer is installing anything from backbone infrastructure that may serve hundreds or thousands of homes to smaller mains and appurtenances located in residential streets. These fees will be calculated by the Director of Public Works upon initial review of the application. The calculated fees will then be collected before any plan check or inspection takes place. **These fees are non-refundable.**

The Fees for Residential Plan Review of Fire Suppression, Water and Wastewater Connections relate the inspection of the fire suppression connection to OPUD's potable water system, the water system connection (including water metering device) to OPUD's potable water system and the wastewater system connection to OPUD's wastewater system for single residential units. These are flat fees for all single-family residential units. These flat fees will then be collected before any plan review or inspection takes place. **These fees are non-refundable.**

The Deposits, General Development Related are general development costs including the District's costs directly associated with developers' projects. Examples of costs include but are not limited to the cost of processing park development agreements, annexations, fee credit and reimbursement agreements, legal reviews and consultations, advanced funding agreements, reviews and revisions to master planning documents and capacity fee programs, and other miscellaneous expenses not covered by sections 1 and 2 above. Payment for these types of expenses will be collected prior to the District incurring any liability for debt for said services and will be in the form of a deposit. OPUD will account for expenditures taken from the deposit and any portion of the deposit remaining after the completion of the project will be refunded. Conversely, any shortfall in the deposit will cause the District to suspend all activity on the developer's project until the deposit account is restored to a positive balance. The General Manager and/or Director of Public Works will determine the appropriate deposit amount. Any refund to the developer of unspent deposit funds will be subject to a review of expenses period to account for processing of charges and confirmation of accuracy. The refund of unspent deposit will NOT include accrued interest. Deposits, General Development Related are not transferable to successors and assigns. The District may charge an accounting/admin fee to the deposit to compensate for staff time and/or reconciling costs.

Exhibit A

Hourly Fees	*Hourly	Admin, 3%	**Total/Hour, Rounded
District Engineer	\$78	\$2.34	\$80
Field Inspector II	\$68	\$2.04	\$70
Filed Inspector I	\$48.50	\$1.46	\$50
Fire Chief	\$78	\$2.34	\$80

Flat Fees – Engineers & Inspectors

New Residence	\$250 Plan Review
Permit Application Fee	\$200 Inspection Fee \$100
Permit Waiver	No Charge

Flat Fees – Fire Chief

Commercial Development	\$100 Plan View \$100 Inspection Fee
Permit Waiver	No Charge

* Hourly = direct employment costs including all benefits.

** Will be adjusted for Annual COLAS until new resolution is adopted.

Effective November 19, 2021

District Clerk and ex-officio Secretary

Exhibit A

Hourly Fees	*Hourly	Admin, 3%	**Total/Hour, Rounded
District Engineer	\$80.25	\$2.40	\$83
Engineering Tech. II	\$70	\$2.10	\$72
Engineering Tech. I	\$65	\$1.95	\$67
Fire Chief	\$78	\$2.34	\$80

Flat Fees – Engineers & Inspectors

**New Residence	\$262.25 Plan Review \$209 Inspection Fee
***Permit Application Fee	\$650
**** Commercial Fee	\$204.50
Permit Waiver	No Charge

Flat Fees – Fire Chief

Commercial Development	\$104.50 Plan View \$104.50 Inspection Fee
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Permit Waiver	No Charge
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* Hourly = direct employment costs (including all benefits).

** Will be adjusted for Annual COLAS until new resolution is adopted.

*** Includes \$104.50 for permit fee, and \$545.50 for purchase, storage, installation, and record keeping system of meters and MXU's. This permit fee only applies to non-commercial development.

Effective February 17, 2022

District Clerk and ex-officio Secretary

Exhibit A

Hourly Fees	*Hourly	Admin, 3%	**Total/Hour, Rounded
District Engineer	\$83.88	\$2.51	\$87
Engineering Tech. II	\$71.21	\$2.13	\$74
Engineering Tech. I	\$65	\$1.95	\$67
Fire Chief	\$80	\$2.40	\$83

Flat Fees – Engineers & Inspectors

**New Residence	\$277 Plan Review \$221 Inspection Fee \$41 GIS Tech. Fee \$11 Inspector Tech. Fee
***Permit Application Fee	\$686
**** Commercial Fee	\$111
Permit Waiver	No Charge

Flat Fees – Fire Chief

Commercial Development	\$111 Plan Review \$111 Inspection Fee \$41 Technology Fee
Permit Waiver	No Charge

- * Hourly = direct employment costs (including all benefits). The numbers reflect 03/01/2023 and are updated every 07/01/2023 when salaries are adjusted.
- ** Will be adjusted for Annual COLAS until new resolution is adopted.
- *** Includes \$111 permit fee, \$575 purchase, storage, installation, and record keeping system of meters and MXU's. This permit fee only applies to non-commercial development.

Effective January 19, 2023

District Clerk and ex-officio Secretary

Exhibit A

Hourly Fees	*Hourly	Admin, 3%	**Total/Hour, Rounded
District Engineer	\$90.12	\$2.70	\$93
Engineering Tech. II	\$75.54	\$2.27	\$78
Engineering Tech. I	\$67.98	\$2.04	\$70
Fire Chief	\$85.54	\$2.57	\$88

Flat Fees – Engineers & Inspectors

**New Residence	\$286 Plan Review \$230 Inspection Fee \$43 GIS Tech. Fee \$12 Inspector Tech. Fee
***Permit Application Fee	\$713
**** Commercial Fee	\$116
Permit Waiver	No Charge

Flat Fees – Fire Chief

Commercial Development	\$116 Plan Review \$116 Inspection Fee \$43 Technology Fee
Permit Waiver	No Charge

* Hourly = direct employment costs (including all benefits). The numbers reflect 03/01/2024 and are updated every 07/01/2024 when salaries are adjusted, rounded to next dollar.

** Will be adjusted for Annual COLAS until new resolution is adopted.

*** Includes \$116 permit fee, \$597 purchase, storage, installation, and record keeping system of meters and MXU's. This permit fee only applies to non-commercial development.

Effective March 1, 2024

District Clerk and ex-officio Secretary

ATTACHMENT 2 – 2023 INFLATION ADJUSTMENT

MEMORANDUM

To: John Tillotson, OPUD
Swarnjit Boyal, OPUD

From: Russ Powell

Subject: 2024 Annual Inflation Adjustment for Water and
Sewer Capacity Charges; EPS #18550

Date: January 11, 2024

The Economics of Land Use



The attached table shows the 2024 annual inflation adjustment for the Olivehurst Public Utility District (OPUD) Water and Sewer Capacity Charge Programs.

Table 1 calculates the inflation rate to be applied. It is based on the average of the percentage change in the Engineering News-Record 20-City Construction Cost Index and the percentage change in the San Francisco Construction Cost Index from December 2022 to December 2023. Applying this methodology, the inflation rate adjustment is 3.08 percent.

Please call (916) 649-8010 if you have questions regarding this development impact fee escalation information.

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455 Capitol Mall, Suite 701
Sacramento, CA 95814
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Table 1
Olivehurst Public Utility District Fee Inflation
Summary of ENR Cost Indexes for December 2023 - Update to 2024 \$

2024 \$

City	Construction Cost Index		
	Dec. '22 Index	Dec. '23 Index	% Change
20-City Average	13,175	13,515	2.58%
San Francisco Index	14,978	15,515	3.59%
Average of 20-City Average and San Francisco Index			3.08%

enr_2024

2023 INFLATION ADJUSTMENT	3.08%
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