

RESOLUTION NO. 2369

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE OLIVEHURST PUBLIC UTILITY DISTRICT
REGARDING YUBA LAFCO ANNEXATION CONDITIONS
FOR THE INDUSTRIAL, SPORTS, AND ENTERTAINMENT ZONE**

WHEREAS, a Resolution of Application initiated by Olivehurst Public Utility District (“OPUD”) consisting of an annexation of 2,563.90 acres more or less (the “Annexed Area”) for the purpose of the provision by OPUD of water, wastewater, and parks services was filed with the Executive Officer of the Yuba Local Agency Formation Commission; and

WHEREAS, Yuba LAFCo approved the annexation by OPUD of the Annexed Area for the purpose of the provision by OPUD of water, wastewater, and parks services on January 8, 2020; and

WHEREAS, Yuba LAFCo desires to ensure groundwater recharge from the agricultural water districts (South Yuba Water and Brophy Water District) within the Annexed Area will continue to be provided to the Annexed Area prior to any new urban development entitlements being approved by Yuba County; and

WHEREAS, the LAFCo Commission adopted Condition #22 requiring OPUD to approve a Resolution confirming OPUD would make provision for groundwater recharge prior to urban developments being entitled in the Annexed Area.

NOW, THEREFOR, BE IT RESOLVED by the Board of Directors of the Olivehurst Public Utility District as follows:

1. Detachments from the agricultural water districts within the Annexed Area will be required prior to and as a condition of the granting of development entitlements.
2. Provisions for groundwater recharge to replace incidental agricultural water recharge from those districts within the Annexed Area will continue to be provided to the Annexed Area.
3. OPUD requests that Yuba County require provisions be made for groundwater recharge to replace agricultural water recharged from those districts prior to and as a condition of the granting of development entitlements.
4. OPUD requests that Yuba County require a detachment from the applicable agricultural irrigation district within the Annexed Area prior to the issuance of any Yuba County development entitlements including land divisions, use permits, rezonings, general plan amendments or any other discretionary entitlement.

PASSED AND ADOPTED by the Board of Directors of the Olivehurst Public Utility District on this 21st day of December, 2020.

**OLIVEHURST PUBLIC UTILITY
DISTRICT**

President, Board of Directors

ATTEST:

District Clerk and 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 21st day of December, 2020, by the following vote:

AYES, AND IN FAVOR THEREOF :

NOES :

ABSTAIN :

ABSENT :

District Clerk and ex-officio Secretary