

FAIR OAKS CEMETERY DISTRICT

RESOLUTION NO. _____

A RESOLUTION ADOPTING CAPITAL IMPROVEMENT PLAN AND IMPOSING DEVELOPMENT IMPACT FEE

Adopted by the Board of Trustees of the

FAIR OAKS CEMETERY DISTRICT

on Date of

July ___, 2006

WHEREAS, the Board of Trustees (“Board”) of the Fair Oaks Cemetery District (“District”) has reviewed the capital facilities plan entitled “Documentation for a Cemetery Facility Impact Fee” (the “Study”), dated June 27, 2006, prepared by Hausrath Economics Group at the direction of the Board, and this Study has been available for public inspection and was presented during a public hearing; and

WHEREAS, the Study documents a demand factor of .64 plots purchased per 1,000 population per year, a yield factor of approximately 525 plots per acre and an estimated need 5.9 acres of land over the 70 year lifetime planning horizon, as well as land acquisition costs of \$1,000,000 per acre and development costs of \$356,000 per acre for grading, roadways, irrigation, landscaping and infrastructure; and

WHEREAS, the Study provides the basis for implementation of an impact fee on new residential development and documents the nexus between the fee that would be imposed and the impacts of new development in the unincorporated area, as required by Government Code Sections 66000, *et seq*; that there is a reasonable relationship between the amount of the fee and

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the cost of the public facilities or portions of the public facilities attributable to the type of development on which the fee is imposed; and that the purpose of the fee is to provide funding for the construction of future cemeteries attributable to growth that are required to maintain existing service levels of the District; and

WHEREAS, after a duly noticed public hearing and due consideration of the Study, the District has determined that this public facilities fee is necessary to mitigate the impacts caused by new development within the District, that the fees are needed to finance public facilities necessitated by that new development and to assure that new development pays its fair share for these improvements;

WHEREAS, California Government Code sections 66000, *et seq.*, authorize the imposition and collection of an impact fee for public facilities, such as cemeteries, upon adoption of such a fee by the governing board of the District and approval of that action by the County Board of Supervisors;

NOW THEREFORE, BE IT RESOLVED BY THE TRUSTEES OF THE FAIR OAKS CEMETERY DISTRICT that the Fair Oaks Cemetery District hereby adopts the “Documentation for a Cemetery Facility Impact Fee” Study and the imposition of the following development fees to fund land acquisition and development: \$297 per single family dwelling unit, and \$236 per multiple family dwelling unit, as described in the Study, that those fees are reasonably related and proportionate to the impacts of new residential development in the unincorporated areas lying within the District on which the fees will be imposed; and

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BE IT FURTHER RESOLVED that the District requests that the Sacramento County Board of Supervisors approve the imposition of this development fee, with the District being responsible proper accounting and expenditure of said monies and further agreeing to hold the County of Sacramento harmless and to defend it from any action, claim or damages related to said fees, including any challenge to the validity of or use thereof.

On a motion by Trustee _____, seconded by Trustee _____, the foregoing resolution was passed and adopted this ____th day of July, 2006, by the following vote, to wit:

Ayes: _____, _____, _____, _____, _____

Noes: -0-

Absent: -0-

Attested by:

FAIR OAKS CEMETERY DISTRICT

Clerk of the Board

By: _____
Chair, Board of Trustees