

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF KERN, STATE OF CALIFORNIA**

In the matter of:

Resolution No. 2010-190

**AMENDMENT OF CAPITAL IMPROVEMENT
PLAN AND PARK DEVELOPMENT FEE INCREASE
FOR THE NORTH OF THE RIVER RECREATION
AND PARK DISTRICT**

I, **KATHLEEN KRAUSE**, Clerk of the Board of Supervisors of the County of Kern, State of California, hereby certify that the following resolution, on motion of Supervisor Maben, seconded by Supervisor Rubio, was duly and regularly adopted by the Board of Supervisors of the County of Kern at an official meeting thereof on the 13th day of July, 2010, by the following vote and that a copy of the resolution has been delivered to the Chairman of the Board of Supervisors.

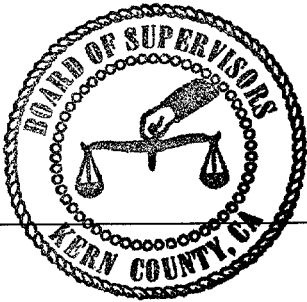
AYES: McQuiston, Maben, Maggard, Rubio

NOES: None

ABSENT: Watson

KATHLEEN KRAUSE
Clerk of the Board of Supervisors
County of Kern, State of California


Deputy Clerk



RESOLUTION

Section 1. WHEREAS:

(a) On November 9, 1998, the Board of Supervisors adopted a Capital Improvement Plan in connection with the North Bakersfield Recreation and Park District (the "District") park Development Fee Program, which is to mitigate park impact that occur due to land development within the District's area, and subsequently the District adopted Annual Capital Improvement Programs for each fiscal year beginning in 1999-2000 through 2007-2008.

(b) The District has further determined that it can be seen with certainty there is no possibility the proposed action may have a significant effect on the environment and therefore, under the provisions of Section 15061(b)(3) of the State CEQA Guidelines the evaluation of projects and the preparation of environmental documents do not apply thereto, and has so advised this Board; and

(c) The District has caused a notice to be duly given of a public hearing on this matter in accordance with the requirements of Government Code Section 66002(b), as evidenced by the affidavit of publication on file with the Clerk of the Board; and

(d) A copy of the report and recommendation of the District have been on file in the office of the Clerk of the Board available for examination during regular business hours by any interested person; and

(e) This Board duly conducted a public hearing on the proposed increase from \$1,615 to \$1,680 per residential unit for the Park Development fee program, the pro rata amendment of the Capital Improvement plan and heard and considered testimony and received evidence from all persons desiring to be heard.

Section 2. NOW THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Kern, State of California, as follows:

1. This Board finds that the facts recited herein are true and further finds that this Board has jurisdiction to consider, approve, and adopt the subject of this Resolution.

2. This Board finds and determines that the applicable provisions of the California Environmental Quality Act of 1970, the State CEQA Guidelines and the kern County Guidelines have been duly observed in conjunction with said hearing and the consideration of this project and all previous proceedings related hereto.

3. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the adoption of the subject amendment of Chapter 17.70 and fee increase for the District's Park Development Fee program are exempt from the requirements of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

4. This Board hereby adopts an amended Capital Improvement Plan, pro rata among all projects listed, based on increased construction costs since the plan was most recently updated.

5. The Board finds that the requested fee increase is justified by the amended Capital Improvement Plan, and hereby determines to adopt an ordinance amending the Kern County Ordinance Code Section 17.70.050 to require a fee of \$1,680 per dwelling unit.

6. The Clerk of this Board shall cause a Notice of Exemption to be filed with the County Clerk, if requested.

7. The Clerk of this Board shall cause a copy of this Resolution to be transmitted to the following:

- (a) Planning Department
- (b) Director of Engineering & Survey Services
- (c) County Administrative Officer
- (d) County Counsel
- (e) Auditor-Controller
- (e) North of the River Recreation and Parks District
405 Galaxy Avenue
Bakersfield, CA 93308

BD:bd
#139371v4
CC20104873
10.2750

COPIES FURNISHED:
<i>See Above</i>
<i>7-16-10 Jd</i>

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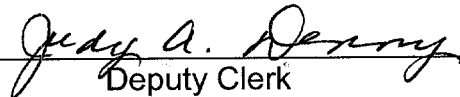
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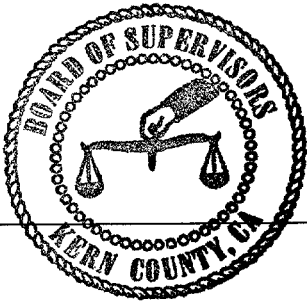
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