



**RESOLUTION NO. 24-52**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
OXNARD UNION HIGH SCHOOL DISTRICT  
INCREASING STATUTORY FEES ON RESIDENTIAL, COMMERCIAL AND  
INDUSTRIAL DEVELOPMENT PROJECTS**

**WHEREAS**, the California Legislature has authorized individual school districts to impose School Facility Fees which may be used to construct or reconstruct school facilities to provide adequate schools to serve new development projects; and

**WHEREAS**, the Governing Board of Oxnard Union High School District (“Board”) has determined that school facilities will be needed to serve the growing community as new development occurs; and

**WHEREAS**, the State Allocation Board has recently adjusted the maximum allowable fees per square foot on new construction pursuant to Government Code Section 65995(b)(3), applicable to grades K-12 as follows: Residential \$5.17; Commercial/Industrial \$0.84; and

**WHEREAS**, the Oxnard Union High School District (“District”) serves students in grades 9-12 and receives the 9-12 portion of statutory fee of \$1.50 to \$2.07 (29-40% of \$5.17 based on feeder school district agreement) per square foot for new residential construction and \$0.24 to 0.34 (29-40% of \$0.84 based on feeder school district agreement) per square foot for new commercial and industrial construction; and

**WHEREAS**, the Board has collected, examined and analyzed written evidence, and has heard and considered evidence and testimony at a duly noticed public hearing regarding the levy and collection of School Facility Fees; and

**WHEREAS**, the Board reviewed a Developer Fee Justification Study that determines that the District can justify and levy fees of \$1.50 to \$2.07 per square foot for residential construction and \$0.24 to \$0.34 per square foot for commercial and industrial; and

**WHEREAS**, the District seeks to impose the maximum rate allowable under Level I fees in those situations where the District will collect Level I fees; and

**WHEREAS**, pursuant to Government Code §66020(d)(1), NOTICE IS GIVEN that the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this Resolution and any such protest must be in a manner that complies with Section 66020;

**NOW, THEREFORE,** the Board has determined the following findings and directs as follows:

1. **Developer Fee Justification Study:** The Board has conducted a duly noticed public hearing at which it has received and examined the written evidence listed and referred to as the Developer Fee Justification Study, attached as Exhibit A and thereby incorporated herein by reference. The Board also considered any additional oral and written evidence and testimony presented at the hearing. The evidence and testimony supports the findings herein.
2. **School Facilities Fees are Necessary and Reasonable:** Based on any findings and evidence presented to this Board at the hearing and in Exhibit A, this Board adopts the findings and conclusions set forth in Exhibit A as its own and finds each of the following:
  - a. The purpose of levying such fees, charges, dedications or other requirements is to finance the construction and/or reconstruction of school facilities. The proceeds shall also be used for reimbursement of the administrative costs incurred in collecting and repaying fees, charges, dedications and other requirements; and for the costs of performing any study and otherwise making the findings and determinations required by law; as well as any other use permitted by law. Pursuant to Government Code Section 66006, the public facilities to be financed hereby are identified in Exhibit A.
  - b. These fees will be used to fund the construction or reconstruction (renovation/modernization) of school facilities that exist or will exist within the District.
  - c. That based on findings determined in the Developer Fee Justification Study, it is necessary for the District to levy a fee on residential, commercial and industrial development projects in order to obtain sufficient funds for the District's local matching share as required by the School Facilities Program SB 50 1998, as amended (Education Code Section 17620 et seq.).
  - d. The amount of fees to be paid pursuant to this Resolution bears a reasonable relationship and is limited to the needs of the community for school facilities and is reasonably related and limited to the need for existing or future school facilities caused by residential, commercial or industrial development.
  - e. The amount of fees to be paid pursuant to the Resolution does not exceed the estimated reasonable costs of providing for the construction or reconstruction of school facilities necessitated by the development projects from which fees are collected.
  - f. As determined in the written and oral evidence and testimony, there is a reasonable relationship between the use of the fees, charges, dedications and other requirements and the impacts from the development project on which the fees are imposed; there is a reasonable relationship between the need for the above described school facilities and the impact arising from the type of development project on which the fees, charges, dedications and other requirements are imposed; and there is a reasonable relationship between the amount of the fees, charges, dedications and other requirements and the cost of the public facilities or the portion of the public facilities attributable to the development.

- g. The uses of the fees proposed in Exhibit A and implemented pursuant to this Resolution are reasonably related to the types of development projects on which the fees are imposed.
  - h. The reference to fees herein refers to both the fees collected under Government Code Section 65995 and fees collected as a mitigation measure or condition of a development project involving approvals by governmental agencies.
3. **Exemption from Fees:** The Board recognizes that various categories of residential, commercial, or industrial development, as well as individual development projects, are or will be exempted from fees imposed under Education Code Section 17620 by such statutory provisions as Education Code Sections 17620, 17622, 17625, 17626, Government Code Sections 65996, 65995.1, 65995.2, 66000, 66110, and judicial decisions.
4. **Compliance with Law:** All terms in this Resolution shall be given the definition provided by applicable law. It is the Board's intent that this Resolution complies with Education Code Sections 17620-17626 inclusive; Government Code Sections 65995-66009, inclusive and other applicable law.
5. **Adoption of Fees:**
- a. Based upon all of the findings contained in this Resolution and the evidence presented to the Board at the hearing and in Exhibit A, this Board hereby levies fees upon any development project within the boundaries of the District at the following amounts:
    - i. **\$1.50 to \$2.07 (based on feeder school district agreement)** per square foot of "assessable space" of all new residential construction, except adults-only housing as required by law; and
    - ii. **\$0.24 to \$0.34 (based on feeder school district agreement)** per square foot of all chargeable and enclosed space, in the case of any new commercial or industrial construction.
  - b. This Board determines that the fees to be levied will be collected for: public improvements or facilities for which an account has been established and funds appropriated, and for which the Board has adopted a proposed construction schedule or plan. Based on this determination, and pursuant to Section 66007(b) of the Government Code, this Board orders that payment of the fees specified above will be required prior to issuance of a building permit.
6. **Superintendent Authorized to Take Necessary & Appropriate Action:** The Board further directs and authorizes the Superintendent to take on its behalf such further action as may be necessary and appropriate to effectuate this Resolution.
- a. The Superintendent shall cause the fee to be collected prior to the issuance of a building permit by the City of Oxnard, City of Camarillo, City of Port Hueneme, or Ventura County, or other applicable local planning authorities, and that the Superintendent is further authorized and directed to adopt appropriate administrative

procedures for the collection of the fee, and the certification to the City of Oxnard, Ventura County, or other local planning authorities that the fee has been paid.

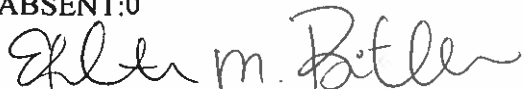
- b. The Superintendent is hereby authorized and directed to transmit certified copies of this Resolution to the City of Oxnard, City of Camarillo, City of Port Hueneme, Ventura County, and other applicable local planning authorities.
7. **Resolution Does Not Limit Board Authority:** Nothing herein shall preclude satisfaction of the requirement of payment set forth above by dedication of land on terms acceptable to the Board; or preclude acceptance by the Board of fees, charges, or land whose value exceeds that required by this Resolution. In the absence of any such agreement to accept a dedication of land, the above amounts shall be collected in the form of fees, charges, or other requirements. Nothing herein shall be interpreted to preclude the District from taking any other action, including but not limited to levying any other fee, charge or requirement of dedication of land, or from requesting the City or County from levying a fee, charge mitigation measure or other requirement which the District determines is necessary to provide school facilities which meet the needs of the District, its students and the community. In no event shall the District's share of such fees exceed the maximum amount that can be justified under Exhibit A. The District expressly makes the findings set forth herein for all additional fees, charges, mitigation measures or other requirements referenced herein.
8. **Effective Date:** Pursuant to Education Code Section 17621(a), the adoption of the fee, charge, dedication or other requirement shall be effective a minimum of sixty (60) days following the adoption of this resolution on September 25, 2024. The new fees shall take effect November 24, 2024.

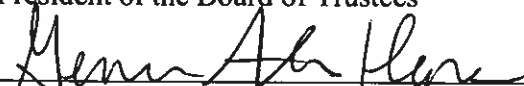
We hereby certify that the foregoing RESOLUTION #24-52 was duly passed and adopted by the above Governing Board at a regularly scheduled Board meeting held on September 25, 2024, by the following vote on roll call:

AYES: 5

NOES: 0

ABSENT: 0

  
\_\_\_\_\_  
Elizabeth M. Botello, M.J. & M.Ed.  
President of the Board of Trustees

  
\_\_\_\_\_  
Genevieve Flores-Haro  
Clerk of the Board of Trustees