

ORDINANCE 1997-5

**AN ORDINANCE OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT
AMENDING MCSD'S RULES AND REGULATIONS REGARDING DEVELOPER
AGREEMENTS**

WHEREAS, Sections 66499.1 et seq of the California Government Code enable Community Services Districts to execute Developer Agreements with applicants who wish to fund future construction of District Facilities with various authorized financial instruments;

WHEREAS, Such development agreements protect the District while affording flexibility to applicants; and

WHEREAS, Most governmental bodies provide for developer agreements.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT DOES HEREBY AMEND THE MCSD RULES AND REGULATIONS AS FOLLOWS:

SECTION 1: The following sentences are added at the end of Rule 6.18 - "Applicants may execute a development agreement compatible with current state law and Board adopted policy in lieu of securing Board Acceptance of works prior to finalization of the subdivision map for the project. Where a development agreement is so executed, MCSD shall not activate water service to any portion of the subject property until all required improvements are installed to MCSD's satisfaction."

SECTION 2: The following sentences are added at the end of Rule 23.12 - "Applicants may execute a development agreement compatible with current state law and Board adopted policy in lieu of securing Board Acceptance of works prior to finalization of the subdivision map for the project. Where a development agreement is so executed, MCSD shall not activate sewer service to any portion of the subject property until all required improvements are installed to MCSD's satisfaction."

SECTION 3: The following sentences are added at the end of Rule 53.05 - "Applicants may execute a development agreement compatible with current state law and Board adopted policy in lieu of securing Board Acceptance of works prior to finalization of the subdivision map for the project. Where a

development agreement is so executed, MCS D shall not activate street light service to any portion of the subject property until all required improvements are installed to MCS D's satisfaction."

On the Motion of Director Shepherd and seconded by Director Harling, the foregoing ordinance is duly accepted on second reading this 13th day of November, 1997 by the following vote:

AYES: ESTES, HARLING, SHEPHERD, SULLIVAN, WALUND

NOES: NONE

ABSENT: NONE

Edward E. Estes

Edward E. Estes, President,
Board of Directors McKinleyville
Community Services District

ATTEST:

Sharon L. Denison

Sharon Denison, Secretary, Board of Directors
McKinleyville Community Services District

I, SHARON L. DENISON, Secretary to the Board of Directors of the MCKINLEYVILLE COMMUNITY SERVICES DISTRICT, hereby certify that the foregoing is a full, true, and correct copy of an ordinance duly adopted this 14 day of November, 1997.

Sharon L. Denison

Secretary to the Board of
Directors of McKinleyville
Community Services District