

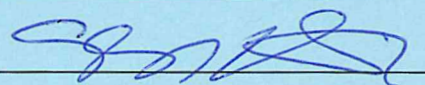


CONTRACT ROUTING SHEET

Date Prepared: 11/22/17

Need Date: For BOS Mtg. 12/5/17

PROCESSING DEPARTMENT:

Department: CAO
Dept. Contact: Sue Hennike
Phone #: 5577
Department
Authorization: 

CONTRACTOR:

Name: N/A
Address: _____
Phone: _____

CONTRACTING DEPARTMENT: N/A

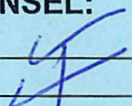

Service Requested: Review of resolution making 5-year findings for Pioneer Fire Protection District as required by Government Code Section 66001


Contract Term: N/A Contract Value: N/A

Compliance with Human Resources requirements? Yes: _____ No: _____

Compliance verified by: _____

COUNTY COUNSEL:

Approved:  Disapproved: _____ Date: 11/30/17 By: 

Approved: _____ Disapproved: _____ Date: 12/13/17 By: 

As to foam, see confidential e-mail.

** Resubmitting 12/13/17 SHT
5577*

EL DORADO COUNTY COUNSEL
2017 NOV 29 AM 10:17



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

WHEREAS, AB 1600 was passed and codified in California Government Code Section 66000 (“Mitigation Fee Act”) governing the procedures for the establishment of a development impact fee as a condition of approval where the purpose and use of the fee are identified and a reasonable relationship to the development project can be demonstrated; and

WHEREAS, the County of El Dorado has adopted Ordinance No. 3991, codified in Chapter 13, Section 20 of the El Dorado County Code authorizing the imposition of fire district improvement fees on new development within the unincorporated area of the County in order to fund capital facilities improvements and equipment acquisition for the provision of fire protection services necessitated by new development within a community services district, a fire district or other public entity authorized by law to provide fire protection services; and

WHEREAS, the County of El Dorado, at the request of the Pioneer Fire Protection District (“District”), has established fees within the District’s boundaries; and

WHEREAS, the Mitigation Fee Act requires a local agency that has adopted fees in accordance with the Act to make certain findings with respect to the unexpended portion of the account or fund, whether committed or uncommitted, for the fifth fiscal year following the first deposit into the account or fund and every five years thereafter (Cal. Gov. Code 66001(d)); and

WHEREAS, District has prepared and provided the attached report, labeled “Exhibit A”, hereinafter referred to as “Report”, which District has determined provides the required information to support the findings required by the Mitigation Fee Act (Cal. Gov. Code 66001(d)).

WHEREAS, the first deposit of fee revenue into the District account was made in Fiscal Year 1986-87, and these findings pertain to Fiscal Year 2016-17.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby accepts the Report provided by District and incorporates it by reference herein, and finds that the Report provides sufficient information with regard to the unexpended balance in its Development Impact Mitigation fund or account to support the following findings as required by the Mitigation Fee Act:

- A. The adoption of this resolution is not a “project” for the purposes of the California Environmental Quality Act, because the resolution relates to a financial reporting requirement, and does not authorize or commit the County to a particular project, and is exempt as an ongoing administrative activity or funding activity (Guidelines 15378(b)(2) and (b)(4) or is otherwise exempt under the golden rule.
- B. The purpose to which the fee is to be put has been adequately identified as set forth in the Report, and is functionally equivalent to the use(s) identified at the time the fee was established;
- C. As reflected in the Report, a reasonable relationship exists between the fee and the purpose for which it is charged;
- D. As of the end of FY 2016-17, the impact fee account (fund 44-650-300) held \$142,883.60, and as reflected in the Report, all sources and amounts of funding anticipated to complete financing in incomplete improvements have been identified;

E. As reflected in the Report, the approximate dates on which the funding necessary to fund incomplete projects will be deposited into the appropriate account or fund have been identified.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the _____ day of _____, 20__, by the following vote of said Board:

Attest:
James S. Mitrisin
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

_____ Chair, Board of Supervisors

EXHIBIT "A"

RESOLUTION NO. 05-2017

OF THE BOARD OF DIRECTORS OF THE PIONEER FIRE PROTECTION DISTRICT

WHEREAS, AB 1600 was passed and codified in California Government Code Section 66000 ("Mitigation Fee Act") allowing the establishment of a development impact fee as a condition of approval where the purpose and use of the fee are identified and a reasonable relationship to the development project can be demonstrated; and

WHEREAS, the County of El Dorado has adopted Ordinance No. 3991, codified in Chapter 13, Section 20 of the El Dorado County Code authorizing the imposition of fire district improvement fees on new development within the unincorporated area of the County in order to fund capital facilities improvements and equipment acquisition for the provision of fire protection services necessitated by new development within a community services district, a fire district or other public entity authorized by law to provide fire protection services; and

WHEREAS, the County of El Dorado, at the request of the Pioneer Fire Protection District ("District"), has established fees within the District's boundaries; and

WHEREAS, the Mitigation Fee Act requires a local agency that has adopted fees in accordance with the Act to make certain findings with respect to the unexpended portion of the account or fund, whether committed or uncommitted, for the fifth fiscal year following the first deposit into the account or fund and every five years thereafter (Cal. Gov. Code 66001 (d)); and

WHEREAS, District has prepared and provided the attached report, labeled "Exhibit A", hereinafter referred to as "Report", which District has determined provides the required information to support the findings required by the Mitigation Fee Act (Cal. Gov. Code 66001 (d)).

WHEREAS, the first deposit of fee revenue into the District account was made in Fiscal Year 1986-87, and these findings pertain to Fiscal Year 2016-17.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Pioneer Fire Protection District hereby accepts the Report provided by the Chief and incorporates it by reference herein, and finds that the Report provides sufficient information with regard to the unexpended balance in its Development Impact Mitigation fund or account to support the following findings as required by the Mitigation Fee Act:

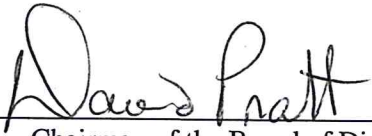
- A. The adoption of this resolution is not a "project" for the purposes of the California Environmental Quality Act, because the resolution relates to a financial reporting requirement and does not authorize or commit the County to a particular project, and is exempt as an ongoing administrative activity or funding activity (Guidelines 15378(b) (2) and (b) (4) or is otherwise exempt under the golden rule.
- B. The purpose to which the fee is to be put has been adequately identified as set forth in the Report, and is functionally equivalent to the use(s) identified at the time the fee was established;
- C. As reflected in the Report, a reasonable relationship exists between the fee and the purpose for which it is charged;
- D. As of the end of FY 2016-2017, the impact fee account (fund 44-650-300) held \$142,883.60, and as reflected in the Report, all sources and amounts of funding anticipated to complete financing in incomplete improvements have been identified;

EXHIBIT "A"


- E. As reflected in the Report, the approximate dates on which the funding necessary to fund incomplete projects will be deposited into the appropriate account or fund have been identified.

PASSED AND ADOPTED by the Board of the Pioneer Fire Protection District of the County of El Dorado at a regular meeting of said Board, held the 12th day of December, 2017 by the following vote:

AYES: 5
NOES: 0
ABSENT: 0



Chairman of the Board of Directors

Attest:


Title: Secretary of the Board

EXHIBIT "A"

Mitigation Fee Act 5 - Year Report

Purpose: Support the findings that must be made by the Board of Supervisors pursuant to California Government Code 66000(d)(1).

Date: December 12, 2017

Agency: Pioneer Fire Protection District

Preparer(s): Dan Dwyer - Fire Chief

Current Balance in Account or Fund: \$142,883.60 as of 6-30-17 (date)

The agency hereby submits the following information regarding the entire unexpended balance of fees collected pursuant to the Mitigation Fee Act as of the date set forth above:

A. The fee will be used for the following purposes:

The purpose of the fire impact fee is to fund the cost of fire protection and equipment attributable to new emergency response facilities, apparatus and equipment attributable to new residential and non-residential development in the district.

B. There is a reasonable relationship between the fee and the purpose for which it is charged, as described below.

A review of the El Dorado County parcel tax records shows that the Pioneer Fire Protection District (PFPD) has 4,915 total parcels. Of that total, 3,029 have been developed for residential and commercial use. These parcels have been developed as follows; 1314 parcels developed prior to 9/6/86 and 1715 parcels after 9/6/86 subject to mitigation fees. This demonstrates a 56.6% increase in development requiring the district to improve its capabilities.

The districts priority at this time is water supply and water delivery, due to the lack of a district wide water systems.

To accomplish this need, I propose four 30,000 gallon water tank systems. The cost of a single 15,000 gallon tank is \$10,000 - meaning a two tank system with installation, plumbing and hydrant would cost \$25,000. The goal is to install 4 two tank systems, locations to be determined, for a total cost of \$100,000.

The second requirement is a better delivery of water from supply to need. Our current 1989 3,000 gallon water tender is not only worn out, but inadequate. A new 5,000 gallon tender would cost approximately \$150,000.

This combination of water supply and water delivery would greatly improve our ability to serve and protect our growing community.

C. All sources and amounts of funding anticipated to complete financing in incomplete improvements are identified below:

Development Fees: \$141,500; 56.6% = percentage of growth since 9/6/86 start of mitigation fees

General Funds: \$108,500; 43.4%

EXHIBIT "A"

- D. The approximate dates on which the funding anticipated to complete financing in incomplete improvements is expected to be deposited into the appropriate account or fund are provided below:

Purchase of Water Supply Systems in fiscal year 17/18 and 18/19

\$56,600. Development Fees

\$43,400. Currently in carryover

Purchase of Water Tender in fiscal year 2020:

\$84,900. Held in development fee account.

\$65,100 currently held in carryover account

Dan Dwyer
Fire Chief Pioneer Fire Protection District
ddwyer@pioneerfire.org
530-620-4444