

**RESOLUTION NO. 2017-32  
OF THE BOARD OF DIRECTORS  
OF THE EL DORADO HILLS COUNTY WATER DISTRICT  
DECEMBER 21, 2017**

**RESOLUTION APPROVING THE EL DORADO HILLS FIRE  
DEPARTMENT FIRE IMPACT FEE NEXUS STUDY AND REQUESTING  
THE COUNTY OF EL DORADO BOARD OF SUPERVISORS ADOPT  
AND IMPLEMENT THE PROPOSED FIRE IMPACT FEE PROGRAM  
ON BEHALF OF THE DEPARTMENT**

*WHEREAS*, AB 1600 was adopted and codified in California Government Code Section 66000 allowing the establishing, increasing or imposing of a development fee as a condition of approval where the purpose and use of the fee were identified, and reasonable relationship to the development project was demonstrated; and

*WHEREAS*, the Board of Supervisors (“County Board”) of the County of El Dorado (“County”), by Ordinance Number 5057, amending Chapter 13, Section 20 of the County Code authorizes the imposition of development impact fees (“Fire Impact Fees”) on behalf of fire agencies on new development with the unincorporated area of the County; and

*WHEREAS*, the El Dorado Hills County Water District (“District”) Board of Directors (“District Board”) desires to establish a new Fire Impact Fee program to fund fire protection facilities, apparatus and equipment necessary to mitigate the impacts caused by new development; and

*WHEREAS*, the El Dorado Hills County Water District (“District”) Board of Directors (“Board”) has received and considered the El Dorado Hills Fire Department (“Department”) Fire Impact Fee Nexus Study prepared by SCI Consulting Group dated October 2017 Final Report v1.1 (“Nexus Study”) that provides the required information to establish a new Fire Impact Fee program.

***NOW, THEREFORE, IT IS HEREBY RESOLVED*** that:

- 1) The District Board hereby receives and approves the Fire Impact Fee Nexus Study (“Nexus Study”) dated October 2017 Final Report v1.1 by SCI Consulting Group.
- 2) Prior to the adoption of this Resolution, the District conducted a public hearing at which oral and written presentations were made, as part of the District's regularly scheduled December 21, 2017, meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, has been published twice in the local newspaper. Additionally, at least 10 days prior to the meeting the District made available to the public, data indicating the amount of the cost, or estimated cost, required to provide the service for which the fee or service charge is to be adjusted pursuant to the Resolution by way of such public meeting, the District received the Nexus Study attached as Exhibit A, which formed the basis for the action taken pursuant to this Resolution.

- 3) After considering the Nexus Study, this Resolution, and after considering the testimony received at this public hearing, the District, hereby makes the following findings;
  - a) The Fire Impact Fee program and Fire Impact Fees proposed in the Nexus Study and approved pursuant to this Resolution are for the purposes of funding the cost of fire protection and emergency response facilities, apparatus, and equipment attributable to new residential and nonresidential development in the Department; and
  - b) The Fire Impact Fees proposed in the Nexus Study and approved pursuant to this Resolution will be used to expand the Department's facilities and equipment, and replace and expand the Department's apparatus and vehicles to serve new development; and
  - c) The uses of the Fire Impact Fees proposed in the Nexus Study and approved pursuant to this Resolution are reasonably related to the types of development projects on which the fees are imposed in that fee revenue from the development projects will be used to expand the Department's facilities and equipment, and replace and expand the Department's apparatus and vehicles to meet the additional demand generated by the new residents and employees and new structural area created by the development projects; and
  - d) The Fire Impact Fees proposed in the Nexus Study and approved pursuant to this Resolution bear a reasonable relationship to the need for fire protection and emergency response facilities, apparatus, and equipment in that each development project will create additional need for the Department's fire protection and emergency response services and a corresponding need for new or expanded facilities, apparatus, and equipment. The fee will be imposed on different types of development projects in proportion to the additional service population generated and structural area created by new development projects; and
  - e) The Nexus Study demonstrates that there is a reasonable relationship between the amount of the Fire Impact Fee and the cost of the fire protection facilities, apparatus and equipment attributable to the development on which the fee is imposed in that the costs are based upon the level of existing development served by the Department's existing fire protection facilities and applied proportionately to nine land use categories in proportion to the need they create for expanded fire facilities, apparatus, and equipment.
- 4) The District finds pursuant to the California Environmental Quality Act ("CEQA"), this action is not a "project" because the Resolution provides a mechanism for funding fire protection and emergency response facilities, apparatus, and equipment but does not involve a commitment to any specific project for such purposes that may result in a potentially significant impact on the environment. (CEQA Guidelines § 15378.)

- 5) The District does hereby approve the following Fire Impact Fees on new development which shall be collected upon issuance of a building permit:

<u>Land Use</u>	<u>Fire Impact Fees</u>
<u>Residential Development</u>	
Single Family Housing	\$0.92
Multi-Family Housing	\$1.50
Mobile Home	\$1.07
Assisted Living Facility	\$1.51
<u>Nonresidential Development</u>	
Retail / Commercial	\$1.55
Office	\$1.94
Industrial	\$1.42
Agriculture	\$0.60
Warehouse / Distribution	\$0.97


- 6) If any portion of this Resolution is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining portions of this Resolution.


**BE IT FURTHER RESOLVED** that by the Board of Directors of the El Dorado County Water District formally requests that the El Dorado County Board of Supervisors adopt and implement this approved Fire Impact Fees program on behalf of the District.

**PASSED AND ADOPTED** by the Board of Directors of the El Dorado Hills County Water District, at a regularly scheduled meeting held on the 21<sup>st</sup> of December, Two-thousand and Seventeen, by the following vote of said District Board:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

  
Charles J. Hartley, President/Chair  
Board of Directors

  
Jessica Braddock, Secretary  
Board of Directors