



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”) 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 Cameron Park Community Services 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 1985-86, and these findings pertain to Fiscal Year 2015-16.

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 2015-2016, the impact fee account (fund 44-601-321) held \$1,275,928, 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. 2016-19 OF THE BOARD OF DIRECTORS OF THE CAMERON PARK COMMUNITY SERVICES DISTRICT NOVEMBER 28, 2016

RESOLUTION MAKING AMENDED FINDINGS REGARDING UNEXPENDED FIRE IMPACT FEES

WHEREAS, AB 1600 known as the Mitigation Fee Act was adopted and codified in California Government Code Section 66000 et seq. (the "Act") allowing the establishing, increasing or imposing of a development fee as a condition of approval of a development project to offset the impacts of such project on a local government and its residents in those cases in which the purpose and use of the fee are identified and a reasonable relationship between the use of the fee and the type of development project on which the fee is imposed is demonstrated; and

WHEREAS, the Board of Supervisors of the County of El Dorado ("Board of Supervisors"), by Ordinance Number 3991, added Chapter 13, Section 20 of the El Dorado County Code (the "County Ordinance") authorized the imposition of fire and emergency medical impact mitigation fees ("Fire Impact Fees") on new development within the unincorporated area of the Cameron Park Community Services District (the "District") in order to fund fire suppression and emergency medical facilities, apparatus and equipment necessary to mitigate the impacts on the District and its residents caused by new development; and

WHEREAS, the County Ordinance permits the County to collect such impact fees on behalf of impacted districts such as the District authorized by law to provide fire and emergency medical services, and transmitting such impact fees to the District for expenditure for such purposes, provided that the County and the District enter into a written agreement regarding the collection process for such impact fees through the County's building permit process and the payment of certain administrative charges to the County by the District to reimburse the County's costs of imposing and collecting such impact fees; and

WHEREAS, The County and District have entered into such an agreement on December 17, 1985; and

WHEREAS, the District Board of Directors (the "Board") considered and approved on August 19, 2015, a Fire Department Master Plan and Capital Improvement Plan dated August, 2015 prepared by Mintier Harnish Planning Consultants of Sacramento (the "Fire Master Plan"). The Fire Master Plan specifies the improvements, facilities, apparatus and equipment that may be funded with fire impact fees and other revenues available to the District during the following five (5) years; and

WHEREAS, the District Board considered and approved on September 16, 2015 a Fire Impact Fee Nexus Study prepared by SCI Consulting Group dated September 2015 ("Nexus Study") that provides the required information to update the District's fire impact fees; and

WHEREAS, the Act at Government Code section 66006(b) requires the District to prepare an annual report regarding the collection and use of impact fees which specifies the following: (a) the type and amount of the impact fee; (b) the beginning and ending balance of the impact fee account; (c) the amount of impact fees collected and interest earned during the year; (d) identification of each public improvement on which impact fees were expended, the amount of expenditures on each improvement, and the total percentage of the cost of each such improvement funded with impact fees; (e) for incomplete public improvements for which sufficient funds have been collected, the approximate date of commencement of construction; (f) a description of any inter-fund transfers or loans made from the impact fee account; and (g) the amount of any refunds of impact fees (the "Annual Report"). The District has prepared the Annual Report for fire impact fees for Fiscal Year 2015-16 which also includes data for the preceding four (4) fiscal years, which was approved by the Board of Directors by Resolution No. 2016-16 on November 16, 2016, and transmitted to the County; and

WHEREAS, the Act requires at Government Codes section 66001(d) that a local public agency receiving and expending impact fees make specified findings every 5 years with respect to those impact fees which have been collected and remain unexpended. The purpose of this Resolution is to record the making of such findings by the Board on behalf of the District. The findings to be made are as follows: (a) the purposes to which the impact fees will be put; (b) demonstration of a reasonable relationship between the fee and the purpose for which it is charged; (c) for incomplete improvements, identification of all sources and amounts of funding required to complete such improvements; and (d) for incomplete improvements, an estimate of the approximate dates on which such funding will be deposited into the appropriate account or fund; and

WHEREAS, the Board of Directors previously adopted Resolution No. 2016-03 on February 17, 2016, detailing the unexpended balance of fire impact fees as of June 30, 2015, and specifying certain fire capital improvement projects to be funded from unexpended fire impact fees in the future. The Board of Directors now desires to amend that resolution by adoption of this resolution as follows: (1) to detail the unexpended balance of fire impact fees as of June 30, 2016; and (2) to list fire capital improvement projects and associated costs to be funded with fire impact fees in the future; and (3) to list the anticipated date of commencement of construction or acquisition of such projects; and (4) to specify the percentage of project costs to be paid for by unexpended fire impact fees; and (5) to approve the findings required by Government Code section 66001(d) with respect to such projects in this amended Resolution.

NOW, THEREFORE, IT IS HEREBY RESOLVED that:

After considering the requirements of the Act, the Fire Master Plan, the Nexus Study, the Annual Report, this Resolution, and the testimony received at this public meeting at which this Resolution was considered, the Board hereby makes the following findings:

1. The Fire Impact Fee Program and the Fire Impact Fees approved in the Nexus Study are for the purposes of funding the cost of those fire and emergency medical facilities, improvements, apparatus and equipment specified in the Fire Master Plan attributable to new residential development in the District.

2. The current unexpended balance of fire impact fees as of June 30, 2016 is specified in the Impact Fee Summary attached hereto as Exhibit A and incorporated herein by this reference. The specific improvement projects, apparatus and equipment to be funded with fire impact fees; the amount and percentage of the anticipated expenditure for each such improvement project, apparatus or equipment out of impact fees; and the anticipated dates of expenditure of such fire impact fees for each such improvement project, apparatus and/or equipment are detailed in that certain Report entitled "Proposed Uses of Fire Developer Impact Fees" attached hereto as Exhibit B and incorporated herein by this reference (the "Proposed Uses Report").

3. The funding of the proposed improvements, apparatus and equipment meets the purposes for which the fire impact fees are imposed to provide fire suppression and emergency medical facilities, apparatus and equipment necessary to meet the needs of new residential population within the District generated by new residential development and to maintain existing levels of service for new residents of the District.

4. The proposed improvements, apparatus and equipment specified in the Proposed Uses Report are reasonably related to the residential development projects upon which the impact fees have been imposed because such impact fee revenue will be used to expand and extend the useful life of the District's fire suppression and emergency medical buildings and facilities, and to acquire apparatus and equipment necessary to maintain the existing level fire suppression and emergency medical services for an increased service population and meet the additional demands for such fire suppression and emergency medical services generated by the new residents of such new residential development.

5. The Proposed Uses Report proposes to spend the entire unexpended balance of fire impact fees on those specific facilities, apparatus and equipment detailed in the report in the fiscal years specified. Therefore, there are no incomplete improvement projects for which to make findings pursuant to Government Code section 66001(d)(1)(C) and (D). To the extent that the balance of unexpended fire impact fees is insufficient to fund all of the facilities, apparatus and/or equipment specified in the Proposed Uses Report the District proposes to utilize available equipment replacement funds and General Fund reserves.

PASSED AND ADOPTED by the Board of Directors of the Cameron Park Community Services District at a regularly scheduled meeting on November 28, 2016, by the following vote of said Board:

November 28, 2016

AYES: GS, MM, AB, SM, HM
NOES: None
ABSTAIN: None
ABSENT: None

ATTEST:


Director Greg Stanton, President
Board of Directors


Mary Cahill, Secretary of the Board

Cameron Park Community Services District
Development Impact Mitigation Fee Annual Report (Fire)
for Fiscal Year 2015/16 as of June 30, 2016

A. A brief description of the types of fees in the account.

On December 13, 2005 the Board of Supervisors adopted Resolution 357-2005 approving the Cameron Park Community Services District Capital Improvement Plan and establishing development impact fees for the District. The fee was established to fund new facilities and equipment for the District to provide protection services to new development in compliance with the County's Public Safety and Housing Elements of the General Plan. Resolution 357-2005 superseded Resolution 262-2001 approved on October 2, 2001 which originally established the fee program for the Community Services District.

B. The amount of the fee

Resolution 357-2005 set the amount of the fee on new development as follows:

Residential - per dwelling unit		Comm/Ind/Inst - per square foot	
Sprinklered	Unsprinklered	Sprinklered	Unsprinklered
\$2,678.00	\$2,678.00	\$1.49	\$1.49

C. The beginning and ending balance of the account. Please see table below and the attached County format for monthly detail and balances.

D. The amount of fees collected. Please see table below and the attached County format for monthly detail and balances.

	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16
Beginning of Year Balance	1,580,770.97	1,265,488.47	1,290,027.29	1,249,644.52	1,259,787.23
Revenue					
Dev Fees Collected	0.00	21,985.34	36,239.46	6,697.00	10,712.00
Interest Earned	3,515.50	2,553.48	2,462.13	3,445.71	5,429.12
Accounting Adjustment			117.47		
Total Revenue	3,515.50	24,538.82	38,819.06	10,142.71	16,141.12
Expenditures					
Public Improvement Exp	318,798.00	0.00	79,201.83	0.00	0.00
Transfer to Operations					
Accounting Adjustment					
Accounting Charges	0.00	0.00			
Total Expenditures	318,798.00	0.00	79,201.83	0.00	0.00
Year End Balance	1,265,488.47	1,290,027.29	1,249,644.52	1,259,787.23	1,275,928.35

- E. Identification of each public improvement on which fees were expended and the amount of the expenditure on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

Date	Public Improvement	Amount	% Funded with Fees
Aug-2011	Type III Fire Engine	\$318,798.00	100%
Sep-2013	Additional Equipment for Type III Fire Engine	\$79,201.83	100%

- F. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, and the public improvement remains incomplete.

A list of proposed capital improvement projects to be funded with unexpended Fire Impact Fees are listed on the attached Exhibit B along with anticipated dates for acquisition or commencement of construction, and the percentage of anticipated cost to be funded with Fire Impact Fees.

- G. A description of each inter-fund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expensed, and, in the case of an inter-fund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan.

There have been no inter-fund transfers or loans.

- H. The amount of refunds made.

No refunds have been made from the account.

Cameron Park Community Services District
Proposed use of Fire Impact Fees
Fire Impact Fees
 Fiscal Years 2015/16 - 2019/20

Item	Estimated Amount	Anticipated Commencement Construction Date	Project Cost Payable
			by Impact Fees Percentage
Light Vehicles Purchase (2)	\$140,000	2016/17	100%
Station 88	\$315,000	2016/17	100%
Station 88	\$35,000	2017/18	100%
Type 3 Engine	\$490,000	2017/18	100%
Training Facility	\$300,000	2018/19	100%