



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 Diamond Springs-El Dorado 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 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 44-656-300) held \$279,836, and all sources (property taxes) 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"

Mitigation Fee Act 5-Year Report

Purpose: Support the findings that must be made by the Board of Supervisors pursuant to California Government Code §66001(d)(1).

Date: October 31, 2016

Agency: Diamond Springs-El Dorado Fire Protection District

Preparer(s): Bryan Ransdell/Lori Tuthill 

Current Balance in Account or Fund: \$279,835.90 as of 06/30/2016 (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 put to the following purposes:

The purpose of the fire impact fee is to fund the cost of fire protection and emergency response facilities, apparatus and equipment attributable to new residential and non residential development in the District. The fire impact fees will ensure that new development will not burden existing development with the cost of facilities required to accommodate growth as it occurs within the District.

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

The fee will be collected as development occurs. To maintain its existing level of fire protection and emergency response services, fee revenue will be used to expand the District's facilities, apparatus and equipment to meet the additional demand created by new development projects.

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

1. Type I Engine - Purchased in 2015 for \$515,000 - Requested \$169,869 September of 2015. Still waiting for payment.
2. Breathing Apparatus replacement - \$250,000. Development Fees - \$100,000.
3. Consultant Fees to prepare Capital Improvement Plan - \$10,000. Estimated completion is end of FY 2017-2018. Still waiting for the BOS's to approve Nexus Study submitted in 2015.
4. Type III Engine - Total cost \$350,000 - Development fees portion \$175,000.
5. Water Tender - Total Cost \$245,000 - Development fee portion \$122,000.

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:

1. We have requested and the county has approved funds for the Type I Engine that was purchased in FY 2015 in the amount of \$169,869. As of this date, the County has not transferred the funds.
2. Type III Engine - Estimated Cost: \$350,000. When enough money to cover 50% of the cost of this apparatus is collected in fees.
3. Water Tender - Estimated Cost: \$245,000. Possible purchase in the next two years.
4. Breathing Apparatus - Estimated Cost: \$250,000 this fiscal year.
5. Consulting Fee for Capital Improvement Plan: \$10,000. FY 2017-2018.

District: Diamond Springs Fire District
Fiscal Year: 2015-2016
Name of Preparer: L. Tuthill

Note: Attach additional pages if necessary.