



RESOLUTION NO. 166-2021

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

WHEREAS, the Mitigation Fee Act, California Government Code sections 66000-66025, allows 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 between the fee and the type of development on which the fee is imposed is demonstrated (Gov. Code subdivision 66001(a)); and

WHEREAS, the County of El Dorado has adopted Ordinance No. 5057, codified in Title 13, Chapter 20 (sections 13.20.010 to 13.20.050) of the El Dorado County Code, which authorizes the Board of Supervisors to establish development impact mitigation fees for fire protection districts applicable to new development within the unincorporated area of the County in order to construct or purchase fire protection facilities and equipment necessary to mitigate the impacts of such development in a fire protection district; and

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

WHEREAS, the Mitigation Fee Act requires a local agency that has adopted impact fees in accordance with the Mitigation Fee 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 (Gov. Code subdivision 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 (Gov. Code subdivision 66001(d)); and

WHEREAS, these findings are being made in connection with the public information required by subdivision (b) of section 66006 and that public information is incorporated by reference herein; and

WHEREAS, the first deposit of fee revenue into the District account was made in Fiscal Year 1985-86, and these five-year findings pertain to the balance in the account at the end of Fiscal Year 2020-21 (July 1, 2020 through June 30, 2021).

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 the District's 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 purposes of the California Environmental Quality Act ("CEQA") because the resolution relates to a financial reporting requirement and does not authorize or commit the County to a particular project, thus is exempt as an ongoing administrative activity or funding activity pursuant to CEQA Guidelines subsections 15378(b)(2) and (b)(4) and is otherwise exempt under the common sense exemption in CEQA Guidelines subsection 15061(b)(3).
- 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 2020-21, the impact fee account (Fund 8556, Org 85560010) held \$464,846.69, and as reflected in the Report, all sources and amounts of funding anticipated to complete financing in incomplete improvements have been identified; and
- 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 7th day of December, 2021, by the following vote of said Board:

Attest:
Kim Dawson
Clerk of the Board of Supervisors

Ayes: Hidahl, Thomas, Novasel, Turnboo, Parlin
Noes: None
Absent: None

By: 
Deputy Clerk


Chair, Board of Supervisors
John Hidahl

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: September 3, 2021

Agency: Diamond Springs/El Dorado Fire Protection District

Preparer(s): Matt Gallagher/Lori Tuthill

Current Balance in Account or Fund: \$464,812.93 as of June 30, 2021

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:

To fund the cost of fire protection facilities, apparatus, and equipment attributable to new residential and nonresidential development in the District. The 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:

New development projects will create additional need for the District's services and a corresponding need for expanded facilities, apparatus, and equipment.

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

1. Type 3 Engine - Total cost \$400,000 – Development fees – \$200,000
2. Type 1 Engine - Total cost \$600,000 – Development fees - \$300,000
3. Station 48 replacement – Total cost unknown – Future Development fees

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. Type 3 Engine - \$200,000 in FY 22/23
2. Type 1 Engine - \$300,000 in FY 23/24
3. Station 48 – Unknown cost in FY 25/26

| Impact Fee Summary | FY 2016-2017 | FY 2017-2018 | FY 2018-2019 | FY 2019-2020 | FY 2020-2021 |
|--|---------------------|---------------------|---------------------|---------------------|---------------------|
| Org: 8556010 | | | | | |
| Cash Balance Beginning of Fiscal Year | 281,555.28 | 121,595.87 | 133,622.56 | 228,217.58 | 289,514.01 |
| Revenue | | | | | |
| Development Fees Collected | 8,202.15 | 10,425.00 | 91383.02 | 56609.33 | 175501.97 |
| Interest Earned | 1,697.44 | 1,601.69 | 3212 | 4687.1 | 1551.96 |
| Accounting Adjustment | 0.00 | 0.00 | 0.00 | 0 | 0 |
| Total Revenue | 9,899.59 | 12,026.69 | 94,595.02 | 61,296.43 | 177,053.93 |
| Expenditure | | | | | |
| Public Improvement Expenditures | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Transfer to Operations | 169,859.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Accounting Adjustment | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Accounting Charges | 0.00 | 0.00 | 0.00 | 0.00 | 1,755.01 |
| Total Expenditures | 169,859.00 | 0.00 | 0.00 | 0.00 | 1,755.01 |
| Year End Balance | \$121,595.87 | \$133,622.56 | \$228,217.58 | \$289,514.01 | \$464,812.93 |

Agreement # n/a

Legistar # n/a

AGREEMENT CONTRACT ROUTING SHEET

Date Prepared: 11/02/2021

Need Date: 11/15/2021

PROCESSING DEPARTMENT:

Department: CAO
Dept. Contact: Jennifer Franich
Phone: x7539
Department Head Signature: Jennifer Franich
Digitally signed by Jennifer Franich
Date: 2021.11.02 13:59:55 -07'00'

CONTRACTOR:

Name: n/a
Address: _____
Phone: _____
Org Code: 0200000
Project # _____
(if applicable): _____
Funding Source: _____

CONTRACTING DEPARTMENT: CAO

Service Requested: Review Resolution for 5-year mitigation fee findings

Description: Impact Fees 5-year findings

Contract Term: n/a Contract Value: _____

COUNTY COUNSEL: (Must approve all contracts and MOU's)

Approved: Disapproved: Date: 11/04/2021 By: Breann Moebius
Approved: Disapproved: Date: _____ By: _____
Digitally signed by Breann Moebius
Date: 2021.11.04 16:26:12 -07'00'

Please see edits and comments on draft.

