

RESOLUTION NO. 20190529
OF THE BOARD OF DIRECTORS
OF THE CALAVERAS CONSOLIDATED FIRE PROTECTION DISTRICT
MAY 29, 2019

**RESOLUTION APPROVING THE CALAVERAS CONSOLIDATED FIRE
PROTECTION DISTRICT FIRE DEPARTMENT FIRE IMPACT FEE
NEXUS STUDY AND REQUESTING THE COUNTY OF CALAVERAS
BOARD OF SUPERVISORS ADOPT AND IMPLEMENT THE
PROPOSED FIRE IMPACT FEE PROGRAM ON BEHALF OF THE
DISTRICT**

WHEREAS, the Calaveras Consolidated Fire Protection District (“District”) Board of Directors (“Board”) provides fire protection, fire suppression and emergency response services to the residents and businesses within their service area; and

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 Calaveras (“County”), by Ordinance Number 3068, establishing Chapter 15, Section 08 of the County Code authorizes the imposition of fire mitigation fees (“Fire Impact Fees”) on behalf of fire agencies on new development with the unincorporated area of the County; and

WHEREAS, the District Board on August 28, 2017, by Resolution No. 20170828 accepted the terms of County Code Chapter 15.08 for the establishment of a new fire impact fee program for the District; and

WHEREAS, on December 5, 2017, by Resolution No. 20171205r237 ID# 3356, the County waived the requirement described in County Code Section 15.08.130 that a request for proposal be issued by the County to secure engineering consultants or vendors to prepare a Nexus Study and to designate SCI Consulting Group as the Districts impact fee consultant to prepare the Nexus Study and new fire impact fee program; and

WHEREAS, the Board of Directors has received and considered the Fire Impact Fee Nexus Study prepared by SCI Consulting Group dated February 2019 Final Report v1.1 (“Nexus Study”) that describes the nexus and degree of impact of new development on the District’s fire protection facilities, apparatus and equipment.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Directors of the Calaveras Consolidated Fire Protection District that:

- 1) The Board of Directors hereby receives and approves the Nexus Study dated February 2019 Final Report v1.1 by SCI Consulting Group.
- 2) Prior to the adoption of this Resolution, the Board conducted a public hearing at which oral and written presentations were made, as part of the Board's regularly scheduled May 29, 2019 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 a newspaper in accordance with Government Code sections 66004, 66018, and 6062, subdivision (a). 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 Board 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 Board hereby makes the following findings;
 - a) The fire impact fees proposed in the Nexus Study and implemented pursuant to this Resolution are for the purpose of funding the cost of fire facilities, equipment and apparatus attributable to new residential and nonresidential development in the District; and
 - b) The fire impact fees proposed in the Nexus Study and implemented pursuant to this Resolution will be used to fund the cost of fire facilities, apparatus and equipment for the District, the cost of the preparation of the Nexus Study and any administrative costs associated with the fire impact fee program; and
 - c) The uses of the fire impact fees proposed in the Nexus Study and implemented pursuant to this Resolution are reasonably related to the types of development projects on which the fees are imposed in that the District's fire protection and emergency response services generate the corresponding need for fire facilities, apparatus and equipment. Existing and new development in the District cause emergency calls to the District. This creates the need for fire facilities and apparatus to provide emergency services to the residences and businesses within the District's service area; and
 - d) The fire impact fees proposed in the Nexus Study and implemented pursuant to this Resolution bear a reasonable relationship to the need for fire facilities, apparatus and equipment and the demand for fire protection and emergency response services, as well as a need for additional fire protection facilities, equipment and apparatus, and new residential and non-residential development upon which the fee is imposed. New development in the District will increase the number of emergency calls to the fire department. This additional development creates the need for additional fire facilities, equipment and fire apparatus to provide emergency services to the developing land uses within the District; and

- e) The Nexus Study determined 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 fee represents an equivalent cost of providing the existing level of fire protection and emergency response services within the District. Additionally, these costs are allocated to residential and nonresidential land uses (on a per square footage basis) in proportion to the demand that they create.
- 4) The Board does hereby approve the following fire impact fees:

Land Use	Proposed Fire Impact Fee
	Per Living Area Sq. Ft.
Residential Development	
Single Family Housing	\$0.90
Multi-Family Housing	\$1.06
Mobile Home	\$0.68
	Per Building Sq. Ft.
Nonresidential Development	
Retail / Commerical	\$1.22
Office	\$1.70
Industrial	\$1.12
Agriculture	\$0.16
Warehouse / Distribution	\$0.60

- 5) Pursuant to County Code § 15.08.070, the fire impact fee will be adjusted automatically without any further action by the District Board or the County Board of Supervisors on the first day of each fiscal year, beginning on July 1, 2017, by the net percentage change during the preceding calendar year in the Engineering News Record Construction Cost Index for San Francisco (based on 1913 U.S. average equals one hundred) as published in the Engineering News-Record.
- 6) The Board finds pursuant to the California Environmental Quality Act (“CEQA”), this action is not a “project” because the Resolution provides a mechanism for funding new fire 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.)
- 7) 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.

8) This Resolution rescinds Resolution 06222015.2 approved, passed and adopted by the District Board on June 22, 2015.

BE IT FURTHER RESOLVED that by the Board of Directors of the Calaveras Consolidated Fire Protection District formally requests that the Calaveras County Board of Supervisors adopt and implement this approved Fire Impact Fee Program on behalf of the District.

APPROVED, PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Calaveras Consolidated Fire Protection District this 29th day of May 2019 by the following vote:

AYES: KIM OLSON, KEITH HAFLEY, SAM HARRIS, KEN GLISSMAN
PAT BROWN, MARCUS OMLIN, CHRIS DAMIN, GEORGE JUELCH

NOES: Ø

ABSENT: CHRIS ALLEN

ABSTAIN: Ø


Chair, Board of Directors

ATTEST:


Secretary, Board of Directors