

BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA

IN THE MATTER OF:

RESOLUTION (1) ADOPTING THE AMADOR)
COUNTY RECREATION AGENCY PARK) RESOLUTION NO. 20-144
AND RECREATION MASTER PLAN, THE)
PARK IMPACT FEE NEXUS STUDY, THE)
UPDATED REGIONAL AND LOCAL PARK)
IMPACT FEES; AND (2) APPROVING THE)
MEMORANDUM OF UNDERSTANDING)
REGARDING REGIONAL PARK IMPACT)
MITIGATION FEES.)

WHEREAS, Under the Mitigation Fee Act (Sections 66000 *et seq.* of the California Government Code), counties are authorized to levy fees on development projects to help defray the costs of public facilities that will be needed to serve the proposed development. State law further requires that counties establish a "nexus" or linkage between the fees being assessed and the actual impacts of development on the local public facilities infrastructure; and

WHEREAS, California law requires that the nexus studies upon which development fee ordinances are based be periodically updated; and

WHEREAS, Amador County originally approved a nexus report and implemented the Park and Recreation Impact Fee in 2007; and

WHEREAS, the justifiable fee determined by the original 2007 nexus report was \$8,670 per dwelling unit; however, the fee ultimately adopted by the County was \$4,300; and

WHEREAS, the Amador County Recreation Agency ("ACRA"), the public agency that prepared the initial nexus report, initiated a review of the original nexus report to ensure that methodologies, assumptions, and calculations remained appropriate and that any changed circumstances were appropriately addressed; and

WHEREAS, SCI Consulting Group Inc. has prepared for ACRA an updated "Park Impact Fee Nexus Study" dated February 2018 ("Updated Nexus") to be used by each member agency to update their respective impact fees; and

WHEREAS, the Updated Nexus proposes to separate the impact fee into two separate components, a regional fee and a local fee, applicable to each jurisdiction; and

WHEREAS, the Updated Nexus determined that the justified regional impact fee is \$3,293 per single family housing and \$3,085 per multi-family housing. The Updated Nexus determined that the justified unincorporated county fee is \$406 per single family housing and \$364 per multi-family housing; and

WHEREAS, the County has made available to the public for review at least ten (10) days prior to the meeting the Updated Nexus Study, including data indicating the amount of the estimated cost required to provide the public facilities necessary and the revenue sources anticipated to fund those public facilities; and

WHEREAS, no interested party had timely filed a written request for notice of the adoption of new or increased fees; and

WHEREAS, at least one public hearing was conducted regarding the proposed new or increased fees as part of a regularly scheduled meeting at which oral or written presentations could be made. The date, time, and place of the public hearing was duly noticed in accordance with the Government Code; and

WHEREAS, in considering approval of the Updated Nexus, the County is merely creating a funding mechanism to ensure that new development in the County mitigates its impacts on public infrastructure. The County is not committing to implement any specific capital facilities project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Amador as follows:

1. The adoption of this Resolution is not subject to the California Environmental Quality Act ("CEQA") because the adoption of this resolution is not a project, in that it is a government funding mechanism which does not involve any commitment to any specific project (CEQA Guidelines Section 15378(b)(4)), and because it can be seen with certainty that there is no possibility that the fees may have a significant effect on the environment, in that this resolution contains no provisions modifying the physical design, development, or construction of residences or nonresidential structures (CEQA Guidelines Section 15061(b)(3)). Further, adoption of this Resolution is statutorily exempt pursuant to CEQA Guidelines section 15273(4) [Rates, Tolls, Fares, and Charges for obtaining funds for capital projects necessary to maintain service within existing service area].

2. The County approves and adopts the updated Park Impact Fee Nexus Study prepared by SCI Consulting Group dated February 2018. The Park Impact Fee Nexus Study updates and re-establishes the reasonable relationship between the need for capital facilities improvements that arise as a result of new development in the County, and presents a reasonable basis on which to update the Park and Recreation Impact Fee.

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3. Effective on and after _____, the regional and local components of the Park and Recreation Impact Fees set forth below shall be imposed unless otherwise amended by resolution of the Board of Supervisors:

	Single Family	Multi-Family
Regional (ACRA)	\$3,293	\$3,085
Local (unincorporated)	\$406	\$364

4. As provided by Amador County Code section 7.90.130, the adopted fees set forth above shall be adjusted automatically on July 1st of each fiscal year by a percentage equal to the appropriate engineer cost index as published by Engineering News-Record, or its successor publication, for the proceeding twelve months.

5. The County approves and adopts the Park and Recreation Master Plan dated November 2016 and prepared by Foothill Associates.

6. The County authorizes the Chairman of the Board of Supervisors to enter into the Memorandum of Understanding among the Cities of Amador City, Ione, Jackson, Plymouth and Sutter Creek, the County of Amador, the Amador County Unified School District, and the Amador County Recreation Agency regarding the Regional Park Impact Mitigation Fees.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 27th day of October 2020, by the following vote:

AYES: Patrick Crew, Brian Oneto, Frank U. Axe, Jeff Brown and Richard M. Forster

NOES: None

ABSENT: None



Chairman, Board of Supervisors

ATTEST:

JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California

By: 

Deputy