

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

IN THE MATTER OF:

RESOLUTION AUTHORIZING ADOPTION OF
THE UPDATED NEXUS STUDY FOR THE
JAIL

RESOLUTION NO. 018-020

WHEREAS, The Mitigation Fee Act (Section 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 cities 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 Capital Facilities Fee in 2005 and last updated the Jail portion of that Fee in 2011; and

WHEREAS, on January 10, 2017, the Board of Supervisors directed staff to take steps to again update the Jail portion of the Nexus Study in order to ensure that methodologies, assumptions, and calculations remained appropriate and that any changed circumstances were appropriately addressed; and

WHEREAS, Goodwin Consulting Group Inc. has prepared for the County a Capital Facilities Fee Program Sheriff Jail Facility Fee Update Nexus Study Draft Report dated January 4, 2018 ("Updated Draft Nexus Study"); and

WHEREAS, the Updated Draft Nexus Study proposes a small adjustment to the Jail portion of the fee; 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, at least one public hearing was conducted regarding the proposed inflationary increase 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 Study, 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 Nexus Study for the Jail prepared by Goodwin Consulting Group dated January 4, 2018. The Updated 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 Capital Facilities Fee.

3. Board of Supervisors adopts the revised fees shown in the Draft Nexus Study for the Jail Table ES-1 entitled "Proposed Jail Fee."

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 February 2018, by the following vote:

AYES: Lynn A. Morgan, Brian Oneto, Patrick Crew, Richard M. Forster,
Frank U. Axe

NOTES: None

ABSENT: None


Lynn A. Morgan, Chair, Board of Supervisors

ATTEST:

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


Deputy