

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

IN THE MATTER OF:

RESOLUTION DECLARING THE RESULTS OF THE)	RESOLUTION NO. 23-177
SPECIAL ELECTION TO ANNEX CERTAIN)	
TERRITORY TO COMMUNITY FACILITIES)	
DISTRICT NO. 2006-1 (FIRE PROTECTION SERVICES),)	
COUNTY OF AMADOR, STATE OF CALIFORNIA)	
(ANNEXATION 15))	

WHEREAS, the Board of Supervisors (the “Board”) of the County of Amador (the “County”) has conducted proceedings under the Mello-Roos Community Facilities Act of 1982 (the “Act”) to establish Community Facilities District No. 2006-1 (Fire Protection Services), County of Amador, State of California (the “Community Facilities District”), to authorize the levy of special taxes (the “Special Taxes”) upon the land within the Community Facilities District, the proceeds of which are to be used to finance certain public fire protection services; and

WHEREAS, the Board, by Resolution No. 23-157 (the “Resolution of Intention to Annex Territory”) adopted on November 7th, 2023, determined that the public convenience and necessity required the annexation of the territory (the “Annexation Area”) described on the map entitled “Annexation Map No. 15 of Community Facilities District No. 2006-1 (Fire Protection Services), County of Amador, State of California” (the “Annexation Map”) attached to the Resolution of Intention to Annex Territory, which Annexation Map was recorded on November 7th, 2023 of Maps of Assessment and Community Facilities Districts of the County of Amador at Page 391 and further referenced as instrument number 2023-0006753 and the Board further determined that such annexation would be advantageous to the Community Facilities District and the owners of the property in the Community Facilities District; and

WHEREAS, the Resolution of Intention to Annex Territory fixed Tuesday, the 19th day of December 2023 at the hour of 10:30 o’clock A.M., or as soon thereafter as the Board could consider the matter, in the Board of Supervisors’ Chambers in the Amador County Administration Center at 810 Court Street, Jackson, California as the time and place for a public hearing to be held by the Board to consider the proposed annexation of the Annexation Area to the Community Facilities District and all other matters set forth in the Resolution of Intention to Annex Territory, and notice of the public hearing was duly given as provided in the Resolution of Intention to Annex Territory; and

WHEREAS, on December 19th, 2023, the Board opened the public hearing at the time and place scheduled and at the public hearing all persons interested, including all taxpayers, property owners and registered voters within the Community Facilities District and within the Annexation Area were given an opportunity to appear and to be heard, and the testimony of all interested persons or taxpayers for or against the proposed annexation or any other matters set forth in the Resolution of Intention to Annex Territory was heard and considered, and the Board then closed the public hearing; and

WHEREAS, on December 19, 2023, the Board adopted its “Resolution Determining to Submit the Question of Annexing Territory to Community Facilities District No. 2006-1 (Fire Protection Service), County of Amador, State of California to the Landowners in the Territory Proposed for Annexation (Annexation No. 15)” (the “Resolution Calling Election”), calling for a special election of the qualified electors within the Additional Territory; and

WHEREAS, pursuant to the terms of the Resolution Calling Election and the provisions of the Act, the special election was held on December 19th, 2023; and

WHEREAS, the Clerk of the Board has duly canvassed the votes cast at the special election upon the question of annexation, and has certified the canvass of the returns of the election and has filed a Certificate of Election Results (the “Canvass”); and

WHEREAS, the Board is fully advised in this matter;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Declaration of the Board. The Board hereby specifically finds and declares that the actions authorized hereby constitute and are with respect to public affairs of the County and that the statements, findings and determinations of the County set forth above and in the preambles of the documents approved herein are true and correct.

SECTION 2. Acceptance of Canvass. The Board has received, reviewed and hereby accepts the Canvass.

SECTION 3. Declaration of Election Results. The Board hereby finds and declares, based upon the Canvass, that the ballot proposition submitted to the qualified electors of the Annexation Area pursuant to the Resolution Calling Election has been passed and approved by two-thirds or more of the votes cast by such electors in accordance with Section 53339.8 of the Act.

SECTION 4. Annexation and Authorization to Levy Special Taxes. The Board hereby determines that the Annexation Area is added to and made a part of the Community Facilities District with full legal effect and that the Board is now authorized to levy the Special Taxes within the Annexation Area. The revised rate and method of apportionment set forth in Exhibit “A” attached hereto and incorporated by reference (the Revised RMA”), is hereby certified, including the addition of a Seasonal Residential and Seasonal Non-Residential category that will apply prospectively to properties that are not accessible in winter, as well as the addition of the allowance by property owners to exempt one parcel from annexation from an annexing parcel map, provided, however, if there is a residential unit on the property it will be deemed to be the parcel designated as the Remainder Parcel. The Revised RMA supersedes the previously approved rate and method of apportionment and shall constitute the rate and method of apportionment of special taxes within the Community Facilities District until such special tax may be modified or amended from time to time by a resolution of change or a resolution of annexation adopted pursuant to the provisions of the Act.

SECTION 5. Direction to Clerk to Record Notice of Lien. The Clerk is hereby directed to execute and cause to be recorded in the office of the Amador County Recorder a Notice of Special Tax Lien (Annexation) as to the Additional Territory pursuant to Section 53339.8 of the Act, the recording to occur no later than fifteen days following the adoption of this Resolution.


SECTION 6. This Resolution shall take effect immediately upon its adoption.

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 19th day of December 2023, by the following vote:

AYES: Jeffrey Brown, Brian Oneto, Patrick Crew, Frank U. Axe, Richard Forster

NOES: None

ABSENT: None



Jeffrey Brown, Chairman, Board of Supervisors

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



Deputy

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

IN THE MATTER OF:

RESOLUTION ACCEPTING THE CAPITAL) RESOLUTION NO. 23-178
FACILITIES FEE ANNUAL REPORT AND)
ADOPTING THE ANNUAL INFLATIONARY)
FEE INCREASE OF 2.5%)

WHEREAS, in 2004 the Board of Supervisors adopted County Code Chapter 7.86, which implemented the County's Facilities Impact Fee program; and

WHEREAS, California Government Code section 66006 requires the County annually to prepare and consider at a public meeting a report containing certain information, including the following:

- A. A brief description of the type of fee in the account or fund;
- B. The amount of the fee;
- C. The beginning and ending balance of the account or fund;
- D. Amount of fees collected and the interest earned;
- E. Identification of public improvements on which the fees were expended and percentage of the cost of the public improvement that was funded with fees;
- F. Identification of an approximate date by which the construction of the improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement;
- G. A description of each inter-fund transfer or loan made;
- H. Amount of refunds made pursuant Section 66001 subdivisions (e) and (f); and


WHEREAS, the County has made available to the public for more than fifteen (15) days the Capital Facilities Fees Annual Report for FY 2022/2023; and

WHEREAS, the current Nexus Study, which establishes the basis for the Impact Fee, was approved by the Board of Supervisors on February 27, 2018 and calls for an automatic adjustment for inflation in January of each year. Effective January 1, 2024, the CFF will be adjusted by an increase of 2.5%, which corresponds to the change in the 20-City Construction Cost Index (CCI), as reported in the Engineering News Record for the twelve-month period ending October of the prior year; 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.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors for the County of Amador that the FY 2022-2023 Capital Facilities Impact Fee Annual Report is accepted as being prepared and presented in accordance with applicable State law; and

AYES: Jeffrey Brown, Brian Oneto, Patrick Crew, Frank U. Axe, Richard Forster
NOES: None
ABSENT: None



Jeffrey Brown, Chairman, Board of Supervisors

ATTEST:
JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California
 Deputy