

Attachment A

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**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. 26- _____

Resolution Concurring in and ratifying the)
findings of the North County Fire Protection)
District; Adopting the updated North County)
Fire Protection District Impact Fees in)
accordance with Monterey County Code)
section 10.80.100F)
)

This Resolution is made with reference to the following facts:

WHEREAS, the Mitigation Fee Act (California Government Code section 66000, et seq.) allows for the establishment, increase, or imposition of development impact fees as a condition of approval, provided that the purpose and use of the fee are identified and a reasonable relationship between the fee and the development project is demonstrated;

WHEREAS, County of Monterey ("County") Code Chapter 10.80 establishes fire mitigation fees and a fee ceiling, with adjustments subject to approval by the County Board of Supervisors ("County Board") upon demonstration of cost justification. It further requires that any increase in such fees be supported by a Nexus Study, subjected to a public hearing, and adopted through a formal resolution process in compliance with the Mitigation Fee Act;

WHEREAS, the North County Fire Protection District of Monterey County ("District") Board of Directors ("Board") seeks to maintain its existing level of fire protection and emergency response service by ensuring that the necessary fire system resources are available to meet the demands of both current and future residents and businesses;

WHEREAS, the District Board desires to adopt an updated Fire Impact Fee program to ensure that new development funds its proportionate share of necessary expansions to fire protection facilities, apparatus, and equipment, thereby preventing deterioration of the District's existing level of service;

WHEREAS, the District Board has reviewed and considered the Fire Impact Fee Nexus Study Update prepared by SCI Consulting Group, dated March 2025 Final Report ("Nexus Study"), which provides the necessary analysis to support an update to the District's Fire Impact Fee program, complying with the requirements of the Mitigation Fee Act, Monterey County Code Chapter 10.80, and the Monterey County General Plan, a copy of which is attached to this Resolution as Exhibit "B" and incorporated by this reference;

WHEREAS, on June 17, 2025, the District Board adopted Resolution No. 25-6-3, a copy of which is attached to this Resolution as Exhibit "C," and hereby incorporated by reference. Resolution No. 25-6-3 both accepted the Nexus Study and included a formal request that the County Board adopt and implement the District Board's Fire Impact Fee Program, while concurrently the District Board

agreed to responsibility for the proper accounting and spending of Program funds and to hold the County harmless from and defend it from claims related to the charged fees;

WHEREAS, the Engineering News-Record (ENR) Construction Cost Index (20-Cities) has increased from 4,888 in January 1992 to 13,731.60 in January 2025, reflecting a percentage increase of approximately 180.92%, which justifies an adjustment to the fire impact fee ceiling under County Code section 10.80.100.F;

WHEREAS, the District does not have sufficient funds available to construct additional facilities from fund balances, capital facility funds, property tax sources, or any other appropriate sources;

WHEREAS, the District's lack of fire protection facilities and equipment to serve new development would create a situation perilous to public health and safety; and

WHEREAS, other fees charged by the District do not include payment toward the costs of the fire facility, apparatus, vehicles, and equipment expansion necessary as a result of new development as a component of the fee; therefore, the Fire Impact Fee is necessary.

NOW, THEREFORE, BE IT RESOLVED THAT the County of Monterey Board of Supervisors does hereby:

1. Concur in and ratify the findings of the North County Fire Protection District;
2. Adopt the updated North County Fire Protection District Impact Fees in accordance with Monterey County Code section 10.80.100.F;

PASSED AND ADOPTED on this _____ day of _____ 2026, by the following vote, to wit:

AYES:

NOES:

ABSENT:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original resolution of said Board of Supervisors duly made and entered in the minutes thereof Minute Book _____ for the meeting on _____.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy