

RESOLUTION NO. 21-127

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE CAPITAL FIRE FACILITIES AND EQUIPMENT PLAN AND ADOPTING AND IMPLEMENTING FIRE PROTECTION MITIGATION FEES FOR THE ANDERSON VALLEY COMMUNITY SERVICES DISTRICT PURSUANT TO MENDOCINO COUNTY CODE CHAPTER 5.36

WHEREAS, on October 17, 2006, the Board of Supervisors adopted Ordinance No. 4175, relating to fire protection mitigation fees, which was later codified as Mendocino County Code Chapter 5.36; and

WHEREAS, pursuant to Mendocino County Code Chapter 5.36, local fire protection districts may seek approval by the Board of Supervisors for the assessment and implementation of fire protection mitigation fees associated with new development within the boundaries of said districts; and

WHEREAS, the Anderson Valley Community Services District has adopted a resolution and a capital fire facilities and equipment plan pursuant to section 5.36.040 of the Mendocino County Code, and presented the same to the Clerk of the Board of Supervisors; and

WHEREAS, upon the implementation of said fire mitigation fee, the Anderson Valley Community Services District will comply with the provisions of Mendocino County Code Chapter 5.36.

NOW, THEREFORE, BE IT RESOLVED, that the Mendocino County Board of Supervisors hereby approves the resolution and capital fire facilities and equipment plan for the area within the district boundaries of the Anderson Valley Community Services District, in the form attached to this Resolution as Exhibit A, finding that the documents meet the requirements of Chapter 5.36 of the Mendocino County Code and Government Code section 66000 *et seq.*

BE IT FURTHER RESOLVED that the Mendocino County Board of Supervisors hereby approves a fire mitigation fee for, and to be collected by, the Anderson Valley Community Services District, with fees as specified in Anderson Valley Community Services District Resolution No. 2021-2 on applicants for development projects within the district boundaries of the Anderson Valley Community Services District, to be effective in 60 days (pursuant to Government Code section 66017) from the date of adoption of this resolution.

BE IT FURTHER RESOLVED that the Anderson Valley Community Services District is hereby directed to notify the County building official of the effective date of its mitigation fee.

BE IT FURTHER RESOLVED that by March 31 of each year following the year of the original adoption of a resolution and approval by the Board of Supervisors of fire mitigation fees under Mendocino County Code Chapter 5.36, the Anderson Valley Community Services District shall submit a copy of a new resolution adopted by the District's governing body making the findings required by section 5.36.040(A) of said Chapter and identifying the fire mitigation fees requested by the fire district. If the resolution proposes to increase the fire mitigation fees, the resolution shall only become effective if approved by the Board of Supervisors in the manner set forth in section 5.36.40(D) of said Chapter 5.36. A revision of fire mitigation fees shall become effective the following July 1.

The foregoing Resolution introduced by Supervisor Williams, seconded by Supervisor Mulheren, and carried this 14th day of September, 2021, by the following vote:

AYES: Supervisors McGourty, Mulheren, Haschak, Gjerde, and Williams
NOES: None
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO
Clerk of the Board

DAN GJERDE, Chair
Mendocino County Board of Supervisors

Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
CHRISTIAN M. CURTIS
County Counsel

BY: CARMEL J. ANGELO
Clerk of the Board

Deputy