

RESOLUTION NO. 26/27-01

LAKEPORT FIRE PROTECTION DISTRICT BOARD OF DIRECTORS

A RESOLUTION MAKING FINDINGS AND REQUISITION IMPOSITION OF FIRE MITIGATION FEES PURSUANT TO THE COUNTY OF LAKE FIRE MITIGATION FEE ORDINANCE

WHEREAS, The Lakeport Fire Protection District (District) is anticipating that new development will occur within the District which will cause the need for the expansion of existing fire protection facilities and additional equipment, and

WHEREAS, the District does not have sufficient funds available to construct additional facilities and purchase additional equipment from fund balances, capital facility funds, property tax sources, fire suppression assessments, or any other appropriate sources necessitated by new development, and

WHEREAS, in order to protect the health and safety of the residents of the District, it is necessary to request the County of Lake to implement the Fire Mitigation Fee Ordinance with the District, and

WHEREAS, the District adopted a nexus study in accordance with the California Mitigation Fee Act determining the need to increase the fire mitigation fee amount at a regularly scheduled Board meeting on January 9, 2024, and

WHEREAS, the County of Lake adopted Ordinance No. 3139 adopting Fire Mitigation Fees and authorizes the Fire Mitigation Impact Fees to be automatically adjusted for inflation each year on July 1 by an amount equal to the percentage change of the Engineering News Record Building Cost Index (20-Cities Average) for the 12-month period, and

WHEREAS, the Board approved Resolution 25/26-11, a Resolution Making Findings and Requisition Imposition of Fire Mitigations Fees Pursuant to the County of Lake Fire Mitigation Fee Ordinance at its meeting held on June 9, 2026, and

WHEREAS, Resolution 25/26-11 contained a calculation error and needs to be rescinded and replaced with this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Lakeport Fire Protection District hereby make the following findings:

- (1) The District does not have existing fire protection facilities and equipment which could be used to provide an adequate level of services to new development within the District's boundaries;

- (2) The District does not have sufficient funds available to construct additional facilities and purchase additional equipment from fund balances, capital facility funds, property tax sources, fire suppression assessments, or any other appropriate sources;
- (3) The lack of fire protection facilities and equipment to serve new development would create a situation perilous to public health and safety if fire mitigation fees are not levied within the District.

BE IT FURTHER RESOLVED that:

- (1) Resolution 25/26-11 is rescinded in its entirety and replaced with this Resolution.
- (2) The District requests that the County of Lake make the Fire Mitigation Fee automatic annual inflation adjustment as follows to be effective August 1, 2026, and to collect the fee for all buildings and covered areas required to have a permit upon application for building permits or other permits for development:

Description	Residential	Nonresidential	High Impact Surcharge
FY25/26 Base Fee per sq. ft.	\$1.99	\$2.44	\$0.50
Auto Annual Inflation 4.3376%	\$0.09	\$0.11	\$0.02
<i>FY26/27 Base Fee per sq. ft.</i>	<i>\$2.08</i>	<i>\$2.55</i>	<i>\$0.52</i>
Administrative Surcharge 2%	\$0.04	\$0.05	\$0.01
Total Fee Amount FY26/27	\$2.12	\$2.60	\$0.53

- (3) Mitigation fees paid pursuant to the Fire Mitigation Fee Ordinance shall only be used to expand the availability of capital facilities and equipment to serve new development.
- (4) The District shall place all funds received by the County under this Article, and all interest subsequently accrued by the District on these funds, in a separate budget accounting category to be known as the "Lake County Fire Mitigation Fee".
- (5) The District shall expend funds from said "Lake County Fire Mitigation Fee" budget accounting category only for those purposes of expanding its capital facilities and equipment.
- (6) The District shall submit a Fire Mitigation Fee Annual Report no later than October 31 of each year to the County Administrator. Said report shall include, but not be limited to, the balance in the account at the end of the previous fiscal year, the fee revenue received, the amount and type of expenditures made, and the ending balance in the fund. In addition, the report shall specify the actions the District plans to take to alleviate the facility and equipment needs caused by new development in a capital fire facilities and equipment plan, adopted at a noticed public hearing. The District shall make available, upon request by the County Administrator, a copy of its annual audit report.
- (7) The District shall make its records available to the public on request which justify the basis for the fee amount.

- (8) The District shall make findings, with respect to any portion of the fee remaining unexpended or uncommitted in its account, for five or more years after deposit of the fee, to identify the purpose to which the fee is to be put and to demonstrate a reasonable relationship between the fee and purpose to which it is charged. The District shall refund to the then current record owner or owners of the development project or projects, on a prorated basis, the unexpended or uncommitted portion of the fee and any interest accrued thereon, for which need cannot be demonstrated. A certified copy of this Resolution shall be delivered to the County Administrator of the County of Lake.

THIS RESOLUTION WAS PASSED AND ADOPTED by the Board of Directors of the Lakeport Fire Protection District at a regular meeting held on July 14, 2026, by the following vote:

AYES: Britton, Cherney, Gabe, Szupello and Brown

NOES:

ABSENT OR NOT VOTING:

ATTEST:



Ray Lavelle
Board Clerk



David Brown
Chair, Board of Directors