



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION OF APPLICATION TO THE NEVADA COUNTY LOCAL AREA FORMATION COMMISSION FOR FORMATION OF A COUNTY SERVICE AREA IN NORTH SAN JUAN FOR THE NORTH SAN JUAN FIRE SUPPRESSION SYSTEM

WHEREAS, since at least 2016, Nevada County has been exploring the possibility of constructing a fire flow system (Project) in the community of North San Juan in order to facilitate commercial development, which is currently not possible due to fire water storage requirements on new construction; and

WHEREAS, some landowners in the Project area (see Exhibit A and Exhibit B1, attached hereto and made a part hereof) have indicated an interest in supporting such a Project and recognize the economic development potential; and

WHEREAS, in the FY 2022 Federal funding cycle, the County of Nevada was earmarked a Congressionally Directed Spending grant of \$1,050,000 for this project; and

WHEREAS, a County Service Area must be formed in order to create a funding and operational mechanism for a fire flow service in downtown North San Juan; and

WHEREAS, a plan for providing and financing these services has been prepared and is incorporated herein and is attached as Exhibit B; and

WHEREAS, the cost of these services will be funded by a parcel charge with a cost-of-living escalator, the approval of which will be a necessary condition for formation of the proposed County Service Area; and

WHEREAS, the proposed CSA formation is subject to the following terms and conditions:

1. All costs incurred to complete the formation, including, but not limited to, Nevada County Local Area Formation Committee (LAFCo) and the State Board of Equalization, will be borne by Nevada County; and
2. The property owners shall, within six months of the LAFCo approval of formation of the CSA, approve parcel charges in a Proposition 218 election for all parcels in the zone of benefit. Those charges will be sufficient to fund all required services proposed to be provided by the CSA, and will not be collected until necessary to provide the required services; and

WHEREAS, the County of Nevada prepared an engineering report identifying the location, costs, and preliminary design of a fire flow system in downtown North San Juan that will provide public safety, economic development, and climate resilience benefits to area residents; and

WHEREAS, establishing the new County Service Area will create a funding and operation mechanism to support the provision of the fire flow services required by the conditions of approval adopted for this project; and

WHEREAS, this Board has adopted a Mitigated Negative Declaration; Mitigated Monitoring and Reporting Program; and Management Plan for the wetlands portion of the Project.

NOW THEREFORE, IT IS HEREBY RESOLVED that the Nevada County Board of Supervisors hereby proposes that a County Service Area be established within the unincorporated area as outlined in Exhibit B for the provision of fire flow and infrastructure maintenance services for the benefit of said area. Such services shall be funded by the proceeds of a parcel charge approved and levied on an annual basis upon all non-governmental properties within the Zone of Benefit.

BE IT FURTHER RESOLVED that the Nevada County Board of Supervisors hereby directs that this Resolution be treated as an application to the Nevada County Local Agency Formation Commission pursuant to Government Code §56654 for their approval of the establishment of the proposed County Service Area. The Clerk of the Board of Supervisors is instructed to submit this Resolution to the Local Agency Formation Commission for this purpose.

The Board of Supervisors of the County of Nevada requests that the Nevada County Local Agency Formation Commission consider the formation of this new County Service Area to provide the above-described services described in Exhibit "A" to the areas shown on Exhibit "B1".