



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: December 12, 2017
SUBJECT: Intergovernmental Agreement Between Adams County and Bennett Fire Protection District for the Collection of Fire District Impact Fees
FROM: Kristin Sullivan, Director, Community and Economic Development Department
AGENCY/DEPARTMENT: Community and Economic Development Department
HEARD AT STUDY SESSION ON : August 15, 2017
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners Approves an Intergovernmental Agreement between Adams County and the Bennett Fire Protection District for collection of Fire District Impact Fees

BACKGROUND:

Bennett Fire Protection District is requesting to enter into an Intergovernmental Agreement (IGA) with the County for collection of Fire District Impact fees from new development. On June 6, 2016, the Colorado Legislature passed a bill to authorize local governments to confer with Fire and Emergency Service Providers within local government jurisdictions to collect impact fees from new development. In accordance with the new law, the impact fee must be directly related to the impacts of new development, and must be used for defraying the impacts of such new development on the provision of fire and emergency services. In addition, the fee cannot be imposed to remedy any deficiency in capital facilities that exists without the proposed new development. The fee must be used for capital projects only.

Since the passage of the bill, the ten fire districts that provide services to unincorporated Adams County have worked together with County staff to identify potential processes for collecting the fees between the County and the fire districts. As part of the process, a majority of the districts completed studies to identify the costs and impacts of new development and recommended impact fees for each of their districts. Both the County and districts agreed that a study was necessary to determine the potential impacts. Overall, eight of the districts that provide fire protection in the County have completed studies to support their proposed fees for their district (See Exhibit B for study and summary of all studies). The districts also agreed to enter into identical IGA documents for adoption by the Board of County Commissioners (See Exhibit C).

As part of this process, Bennett Fire Protection District is proposing three categories of impact fees and an IGA. The specific fees are summarized below:

Bennett Fire Protection District Fees:

Type of Development	Proposed Fee
Single-Family	\$1500 per home
Multi-Family	\$1500 per unit
Non-Residential	\$0.72 per sq.ft

Regarding the collection of the fees, the District is proposing to collect the fees directly. The processes for collecting the fees are described in the attached IGA to this report (See Exhibit C). In the IGA, a developer and the District will sign an impact fee form and the developer will provide the form with their development application to the County. The County will then notify the District to collect the fee prior to final approval of a building permit, when all outstanding review requirements have been completed. The County will not issue a building permit until it obtains notification from the Fire District of the payment of the impact fees. However, the District shall be solely responsible for collecting the fees, and accounts for all such fees. Also, as part of the IGA, the District can terminate its IGA with the County by giving a 30-day notice. The County can also do the same. The IGA requires the District to update its fees every seven years. Once the fees are updated, the District is required to submit the proposed fees to the County for review and adoption.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Community and Economic Development
County Attorney's Office

ATTACHED DOCUMENTS:

Exhibit A- Resolution
Exhibit B-Impact Fee Study and Summary of All Studies
Exhibit C- Proposed Intergovernmental Agreement

FISCAL IMPACT:

Please check if there is no fiscal impact ☒. If there is fiscal impact, please fully complete the section below.

Fund:**Cost Center:**

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: ☐ YES ☒ NO

Future Amendment Needed: ☐ YES ☒ NO

Additional Note: