



Legislation Details (With Text)

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Title: Chief Administrative Office and County Counsel recommending the Board order payment in the amount of \$760,806 to the El Dorado Hills Community Services District for Promontory Park lease payments inclusive of government fees, and the construction of Windsor Point Park from development impact mitigation fee account.

FUNDING: El Dorado Hills CSD development impact fee account.

Sponsors:

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Date	Ver.	Action By	Action	Result
6/25/2013	1	Board of Supervisors	Approved	Pass

Chief Administrative Office and County Counsel recommending the Board order payment in the amount of \$760,806 to the El Dorado Hills Community Services District for Promontory Park lease payments inclusive of government fees, and the construction of Windsor Point Park from development impact mitigation fee account.

FUNDING: El Dorado Hills CSD development impact fee account.

Fiscal Impact/Change to Net County Cost

Payment of this claim reduces the El Dorado Hills CSD impact fee account by \$760,806 from \$2,598,036.95 to \$1,837,230.95.

Background

The Auditor-Controller has expressed concern over the administration and expenditure of development mitigation impact fees the County collects at the request of certain special districts. Upon review of the Mitigation Fee Act (Government Code § 66000 et seq.), Title XIII of the County Ordinance Code, various park and fire district capital improvement plans, and adopted nexus studies, it is clear that variations exist in the way impact fees have been developed and administered. **In general, annual required reviews of park impact fees are over due.**

Both the County and the affected districts would benefit from a more consistent approach to impact fee development, required reviews, and accounting. The Chief Administrative Office and County Counsel hope to bring options to the Board toward this goal. In the near term however, the Auditor-Controller has requested clarification with regard to pending claims.

El Dorado Hills CSD has submitted a claim for \$760,806 which includes the following items from the 2013 Capital Project Budget:

\$379,420 for the construction of Windsor Point Park.

\$367,886 for payments on Promontory Park.

\$13,500 for government fees.

Staff has verified that these items are all fee eligible under the Mitigation Fee Act. These projects were also included in Capital Improvement Plans by the Board of Supervisors, and that development fees have covered the appropriate percentage of costs as indicated in adopted nexus studies.

Action(s) to be taken following Board approval

El Dorado Hills CSD to resubmit claim to Auditor-Controller's Office.

Contact

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Concurrences

County Counsel