



## Legislation Details (With Text)

**File #:** 21-1563      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 9/24/2021      **In control:** Board of Supervisors

**On agenda:** 11/9/2021      **Final action:** 11/9/2021

**Title:** HEARING - The Board is asked to consider a request from the El Dorado Hills County Water District ("District") to adopt and authorize the Chair to sign Resolution 134-2021 revising development impact mitigation fees for the El Dorado Hills Fire Department.

FUNDING: N/A

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - EDH Fire Fee Resolution 2021 CPI, 2. B - Counsel Approval, 3. C - District Request, 4. D - Cost Index, 5. Executed Resolution 134-2021

Date	Ver.	Action By	Action	Result
11/9/2021	1	Board of Supervisors	Approved	Pass

**HEARING** - The Board is asked to consider a request from the El Dorado Hills County Water District ("District") to adopt and authorize the Chair to sign Resolution **134-2021** revising development impact mitigation fees for the El Dorado Hills Fire Department.

**FUNDING:** N/A

**DISCUSSION / BACKGROUND**

The California Mitigation Fee Act (Cal. Gov. Code §§ 66000-66025) provides for the establishment of fees on new development for the purpose of mitigating the effects of development on existing public facilities. Special districts do not have statutory authority to impose these fees. As a result, the Board of Supervisors has passed an ordinance providing for the establishment of such fees on behalf of special districts. The ordinance was codified as Chapter 13.20.

Development impact mitigation fees were first collected on the District's behalf in 1985. The current fees are based on a Fee Nexus Study and Report (Resolution 041-2018, Legistar File 18-0232) ("Report") detailing the legal and policy basis justifying the development impact mitigation fee within the District.

The Report includes a recommendation for an annual inflationary adjustment based on the percentage change in the appropriate engineering cost index as published by the Engineering News-Record for the preceding twelve months. Resolution 041-2018 did not include a provision for automatic annual inflationary adjustments to the fee because any increase to the fee must be made by resolution of the Board of Supervisors at a notice public hearing, pursuant to the Mitigation Fee Act. The District's last inflationary adjustment was in 2020, by adoption of Resolution 174-2020, increasing fees by 5.409%, based on the change in the Construction Cost Index for San Francisco from July 2019 through June 2020, as published in the Engineering News-Record.

In September 2021, the District adopted Resolution No. 2021-13, adopting an increase to the fees of 4.270%, based on the change in the Construction Cost Index from July 2020 through June 2021, and requesting the Board of Supervisors adopt the 4.270% increase to the established impact fees.

The proposed fees are as follows:

	Current Impact Fee (per sf)	CCI Adjustment (4.270%)
Single Family Housing	\$0.99	\$1.03
Multi-family Housing	\$1.62	\$1.69
Mobile Home	\$1.16	\$1.21
Assisted Living Facility	\$1.63	\$1.70
Retail/Commercial	\$1.68	\$1.75
Office	\$2.10	\$2.19
Industrial	\$1.54	\$1.60
Agriculture	\$0.65	\$0.68
Warehouse/Distribution	\$1.04	\$1.09

Notice of today's public hearing was published in the Mountain Democrat on October 26, 2021 and November 5, 2021.

If approved by the Board, the revised fees will become effective 60 days following the Board's adoption of the resolution. The County Planning and Building Department currently calculates and collects the fee, and will continue to do so as provided in the collection and indemnity agreement approved by the Board of Supervisors on December 19, 2017 (Legistar File 17-1355).

### **ALTERNATIVES**

If the Board does not adopt this resolution, the existing fees would continue in effect.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel

### **CAO RECOMMENDATION**

Approve as recommended.

### **FINANCIAL IMPACT**

There is no direct fiscal impact to the County related to adoption of the fee other than the cost to publish the notice of the required public hearing. The calculation, collection, and disbursement of fee revenue require some County staff time, the cost of which may be recovered through an administrative fee.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

**STRATEGIC PLAN COMPONENT**

N/A

**CONTACT**

Jennifer Franich, Principal Management Analyst