



## Legislation Details (With Text)

**File #:** 21-1837      **Version:** 1

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

**File created:** 11/9/2021      **In control:** Board of Supervisors

**On agenda:** 12/7/2021      **Final action:** 12/7/2021

**Title:** Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$422,000, upon receipt of verification of purchase, to the Lake Valley Fire Protection District from its Development Impact Mitigation Fee Account.

**FUNDING:** Development Impact Mitigation Fees.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Lake Valley Request, 2. B - Fee Nexus Study and Report

Date	Ver.	Action By	Action	Result
12/7/2021	1	Board of Supervisors	Approved	Pass

Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$422,000, upon receipt of verification of purchase, to the Lake Valley Fire Protection District from its Development Impact Mitigation Fee Account.

**FUNDING:** Development Impact Mitigation Fees.

### DISCUSSION / BACKGROUND

The California Mitigation Fee Act (Cal. Gov. §66000 et seq.) provides for the establishment of fees to mitigate the impacts of new development on public facilities in order to maintain the established level of service. Individual Special Districts do not have the authority to establish these fees; as a result, the County establishes fees on behalf of the districts. In accordance with the Mitigation Fee Act, these revenues are segregated and deposited into a separate account for each district.

The Board of Supervisors adopted Resolution 064-2018 which approved the collection and establishment of Development Fees consistent with the Mitigation Fee Act (Legistar Item 18-0583, April 24, 2018).

The disbursement request from the District totals \$422,000 for the purchase of a Quint fire apparatus, equipped with a 78-foot aerial ladder, vehicle extrication equipment, water hose and foam for fire suppression, and rescue gear. This amount represents approximately 38% of the \$1,125,200 total amount needed to purchase the equipment. The equipment adds new service capabilities to the District, which are needed in order to expand services based on the demand created by new development. The apparatus adds new service capabilities to address new homes built three or four stories tall, due to the need to preserve pervious areas in the Tahoe basin, and in order to build large homes capable of use as Vacation Home Rentals. New development is also constructed to current code with steep roof designs that prevent snow accumulation. The increase in the number of structures, as well as these design elements, creates the need for an apparatus that increases

access in fire emergencies. The District's request with further information is attached (Attachment A). Upon approval of the request, the District will make the purchase and provide receipt to the Auditor-Controller for verification prior to disbursement of funds from the Mitigation Fee account.

The County has entered into an agreement with the District, whereby the District agrees to "hold County harmless and defend County and its employees, officers, and agents from any claim, liability, or action" resulting from the County's calculation, imposition, and collection of impact fees on the District's behalf.

The Chief Administrative Office recommends the disbursement of funds for the above-described uses because they are consistent with the purpose for which the fee was collected, the District and County are currently in compliance with the Mitigation Fee Act, and the indemnity agreement between the District and the County sufficiently protect the County from potential liability related to the disbursement.

#### **ALTERNATIVES**

N/A

#### **PRIOR BOARD ACTION**

April 24, 2018 (Legistar file # 18-0583)

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

N/A

#### **FINANCIAL IMPACT**

There is no fiscal impact to the County. Impact mitigation fees are collected by the County on behalf of the districts and held in separate accounts.

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

N/A

#### **STRATEGIC PLAN COMPONENT**

N/A

#### **CONTACT**

Jennifer Franich, Principal Management Analyst