



## Legislation Text

---

**File #:** 19-1296, **Version:** 1

---

Chief Administrative Office recommending the Board:

- 1) Order the Auditor-Controller to disburse \$147,310.23 to the El Dorado Hills Community Services District from its park and recreation development impact mitigation fee account for fee program administration and expenditures related to the Bass Lake Community Park, Kalithea Park, and Valley View Park; and
- 2) Order the Auditor-Controller to disburse \$8,250 to the Mosquito Fire Protection District from its fire development impact mitigation fee account as reimbursement for the District's Impact Fee Nexus Study.

**FUNDING:** Development Impact 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.

In addition to the purchase of facilities and equipment necessary to mitigate the effects of new development on the districts' ability to provide services, the Mitigation Fee Act provides for use of the fee revenue to fund administration of the fee program. The EDHCSD charges 2% of revenue collected to fund its fee program administration. The District's current request includes \$55,458 for administration costs, \$16,445.65 for design and planning services for Bass Lake Park, \$15,218.24 for design and planning services for Valley View Park, and \$60,188.34 for additional restrooms at Kalithea Park. The District's request is attached.

The Mosquito Fire Protection District has requested \$8,250 to reimburse the district for its fee nexus study. The request is attached.

The County has entered into agreements with both districts, whereby they agree 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 Districts and County are currently in compliance with the Mitigation Fee Act, and the indemnity agreements between the Districts and the County sufficiently protect the County from potential liability related to the disbursement.

### **ALTERNATIVES**

N/A

**PRIOR BOARD ACTION**

N/A

**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**

Sue Hennike