



## Legislation Text

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**File #:** 21-1480, **Version:** 1

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Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$82,901.79 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 Kalithea Park, Bass Lake Community Park, Valley View Village Park, Saratoga Village Park, and Heritage Village Park, which will expand the District's capabilities to serve new development that has occurred within the District.

**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.

Parks and recreation development impact mitigation fees were first collected on the District's behalf in 1998. The current fees are based on a 2018 Fee Nexus Study and Report ("Report") detailing the legal and policy basis justifying the development impact mitigation fee within the District (Resolution 135-2018, Legistar File 18-1034).

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 \$5,351.22 for administration costs from the period from June 2021. It also includes reimbursement for infrastructure, permitting and project costs incurred from June 2021 in the amount of \$24,737.61 for Bass Lake Park, \$30,695.84 for Valley View Village Park, \$14,716.97 for Heritage Park, and \$7,117.30 for the Kalithea Park restroom. Each of these expenses are for capital projects that are being undertaken in order to expand services based on the demand created by new development. The District's request is attached.

The County has entered into an agreement with EDHCSD, 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 EDHCSD 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 district and held in a separate account.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

**STRATEGIC PLAN COMPONENT**

N/A

**CONTACT**

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