



Legislation Details (With Text)

File #: 18-0431 **Version:** 1
Type: Agenda Item **Status:** Approved
File created: 3/9/2018 **In control:** Board of Supervisors
On agenda: 3/20/2018 **Final action:** 3/20/2018
Title: Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$798,693.13 from the El Dorado Hills County Water District ("District") Fire Impact Mitigation Fee account to the District, or to a District account as designated by the District, to reimburse the District for expansion of Fire Station 84 in order to serve new development within the District.

FUNDING: El Dorado Hills County Water District Development Impact Mitigation Fees.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Station 84 Reimbursement Request

Date	Ver.	Action By	Action	Result
3/20/2018	1	Board of Supervisors	Approved	Pass

Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$798,693.13 from the El Dorado Hills County Water District ("District") Fire Impact Mitigation Fee account to the District, or to a District account as designated by the District, to reimburse the District for expansion of Fire Station 84 in order to serve new development within the District.

FUNDING: El Dorado Hills County Water District Development Impact Mitigation Fees.

DEPARTMENT RECOMMENDATION

Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$798,693.13 from the El Dorado Hills County Water District ("District") Fire Impact Mitigation Fee account to the District, or to a District account as designated by the District, to reimburse the District for expansion of Fire Station 84 in order to serve new development within the District.

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. Development impact mitigation fees were first collected on the District's behalf in 1985. The District's fee was last updated in 2015.

In accordance with the Mitigation Fee Act, these revenues have been placed in a separate account. The District's 2013-2018 facilities master plan includes the Station 84 expansion project and provides for 50% of the cost to be paid from development impact fees. As noted in the District's attached request, the expansion more than doubled the capacity of the station, which supports the allocation of at least 50% of the cost to new development. The District's plan was audited by Economic and Planning Systems, Inc. (EPS) in 2015 and found to be in compliance with the Mitigation Fee Act.

The County and District have entered into an agreement 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 use because it is 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 protects the County from potential liability related to the disbursement.

The District's request is attached to this report.

ALTERNATIVES

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

El Dorado Hills County Water District, County Counsel

FINANCIAL IMPACT

There is no impact to the County's budget. Impact mitigation fees are collected by the County on behalf of the District and held in a separate account. The revenues may only be used by District for purposes that comply with the Mitigation Fee Act.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

Don Ashton, Chief Administrative Officer

Sue Hennike, Principal Analyst