



## Legislation Details (With Text)

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

**File created:** 10/16/2019      **In control:** Board of Supervisors

**On agenda:** 11/5/2019      **Final action:** 11/5/2019

**Title:** Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$375,955.30 to the El Dorado Hills County Water District (El Dorado Hills Fire Department) from its Development Impact Mitigation Fee Account.

**FUNDING:** Development Impact Mitigation Fees.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - EDH Fire Development Fee Request

Date	Ver.	Action By	Action	Result
11/5/2019	1	Board of Supervisors	Approved	Pass

Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$375,955.30 to the El Dorado Hills County Water District (El Dorado Hills Fire Department) 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 development impact fees were last revised by the County on the District's behalf on March 20, 2018 (Legistar file 18-0232) via Resolution 041-2018. The disbursement request from the District is attached, and totals \$375,955.30 for the purchase of equipment and facilities to provide fire protection and emergency medical response services. In accordance with the District's impact fee nexus study, new equipment and facilities to expand services based on the demand created by new development may be funded 100% by impact fees and replacement equipment and facilities may be funded 26.5% by impact fees.

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**

March 20, 2018 (Legistar file 18-0232)

**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**

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