



## Legislation Details (With Text)

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

**Title:** Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$27,653.06 from the Georgetown Fire Protection District ("District") Fire Impact Mitigation Fee account to the District, or to a District account as designated by the District, to fund a portion of the District's purchase of land for the construction of a new headquarters facility.

**FUNDING:** Georgetown Fire Protection District Development Impact Mitigation Fees.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - District 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 \$27,653.06 from the Georgetown Fire Protection District ("District") Fire Impact Mitigation Fee account to the District, or to a District account as designated by the District, to fund a portion of the District's purchase of land for the construction of a new headquarters facility.

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### 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 2017.

In accordance with the Mitigation Fee Act, these revenues have been placed in a separate account. The District's 2014-2018 capital improvement plan includes the construction of a new headquarters facility and provides for 50% of the cost to be paid from development impact fees. This disbursement will be applied toward the District's mortgage payments on the parcel the District has purchased for construction of the headquarters facility. The current headquarters facility was built in 1966 and is not able to support the growth in staff, apparatus, and equipment that has been necessary as development has occurred in the District. The current facility is 1,865 square feet and is located on 0.7 acres of land. The proposed facility would be approximately 20,000 square feet and occupy a four-acre parcel. The increase in capacity well exceeds the 50% that is proposed to be funded by development. The District's plan was reviewed by SCI Consulting in 2016 and found to be in compliance with the Mitigation Fee Act. This would be the second disbursement of funds for this purpose. On May 8, 2018 (file #18-0708), the Board of Supervisors authorized the first disbursement of \$27,653.06. If authorized, the proposed disbursement would bring the total impact fee funding to

\$55,306.12 of the \$414,796 total needed to pay off the loan.

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**

Georgetown Fire Protection 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 the 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**

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