



Legislation Details (With Text)

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File created: 6/15/2020 **In control:** Board of Supervisors

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Title: Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$200,000 from the Pioneer Fire Protection District ("District") Fire Impact Mitigation Fee account to the District, or to a District account as designated by the District, for the purchase of an additional water tender to expand the District's capabilities to serve new development that has occurred within the District.

FUNDING: Pioneer Fire Protection District Development Impact Mitigation Fees.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Mitigation Fee request BOS 6-2-20, 2. Public Comment BOS Rcvd 6-29-20

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|----------|--------|
| 6/30/2020 | 1 | Board of Supervisors | Approved | Pass |

Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$200,000 from the Pioneer Fire Protection District ("District") Fire Impact Mitigation Fee account to the District, or to a District account as designated by the District, for the purchase of an additional water tender to expand the District's capabilities to serve new development that has occurred within the District.

FUNDING: Pioneer Fire Protection District 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. Development impact mitigation fees were first collected on the District's behalf in 1986. The District's fee was last updated in 2018 (File No. 18-1600).

In accordance with the Mitigation Fee Act, these revenues have been placed in a separate account. The District has identified the need to increase its capacity to deliver water to fight fires as a result of growth in the District. Since adoption of the District's development impact fee in 1986, the number of improved parcels in the district has more than doubled; however, no additional water capacity has been developed. The addition of a water tender will provide this needed capacity.

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

Pioneer Fire Protection District

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

N/A

CONTACT

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