



## Legislation Details (With Text)

**File #:** 20-1002 **Version:** 1

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

**File created:** 7/22/2020 **In control:** Board of Supervisors

**On agenda:** 8/4/2020 **Final action:** 8/4/2020

**Title:** Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$400,000 to the Rescue Fire Protection District ("District") Impact Mitigation Fee account to the District, or to a District account as designated by the District, for the Fire Station 83 improvements to provide sleeping quarters for 24-hour firefighter occupancy to expand the District's capabilities to serve new development that has occurred within the District.

FUNDING: Development Impact Fees.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Rescue Request Letter

Date	Ver.	Action By	Action	Result
8/4/2020	1	Board of Supervisors	Approved	Pass

Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$400,000 to the Rescue Fire Protection District ("District") Impact Mitigation Fee account to the District, or to a District account as designated by the District, for the Fire Station 83 improvements to provide sleeping quarters for 24-hour firefighter occupancy to 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. Development impact mitigation fees were first collected on the District's behalf in 1991. The District's fee was last updated in 2019 (Legistar File # 18-0582).

In accordance with the Mitigation Fee Act, these revenues have been placed in a separate account. The District has identified the need to expand Station 83, which was originally constructed as a volunteer station, to include OSHA-compliant sleeping quarters to accommodate firefighters on a 24-hour basis as a result of growth in the District. Overnight occupancy of the station will allow the district to respond to calls for service, which have increased with the growth within the district. The addition of sleeping quarters will provide this needed capacity.

The County and the 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 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.

The District's request is attached to this report.

## **ALTERNATIVES**

N/A

## **PRIOR BOARD ACTION**

N/A

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Rescue Fire Protection District

## **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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