



County of El Dorado

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Legislation Details (With Text)

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Type: Agenda Item **Status:** Approved

File created: 10/20/2022 **In control:** Board of Supervisors

On agenda: 12/13/2022 **Final action:** 12/13/2022

Title: Chief Administrative Office recommending the Board:
1) Adopt and authorize the Chair to sign Resolution 175-2022 making certain findings as required under the Mitigation Fee Act (Cal. Gov. Code §66000 et seq.) related to the development impact mitigation fees collected by the County on behalf of the Mosquito Fire Protection District;
2) Adopt and authorize the Chair to sign Resolution 176-2022 making certain findings as required under the Mitigation Fee Act (Cal. Gov. Code §66000 et seq.) related to the development impact mitigation fees collected by the County on behalf of the Pioneer Fire Protection District; and
3) Review, receive, and file the annual financial report required under the Mitigation Fee Act for the period of July 1, 2021, through June 30, 2022.

FUNDING: There is no fiscal impact to the County related to this action.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Mosquito FPD Resolution and Report.pdf, 2. B - Pioneer FPD Resolution and Report.pdf, 3. C - Consolidated Annual Report 2022.pdf, 4. Executed Resolution 175-2022, 5. Executed Resolution 176-2022

Date	Ver.	Action By	Action	Result
12/13/2022	1	Board of Supervisors	Approved	Pass

Chief Administrative Office recommending the Board:

1) Adopt and authorize the Chair to sign Resolution **175-2022** making certain findings as required under the Mitigation Fee Act (Cal. Gov. Code §66000 et seq.) related to the development impact mitigation fees collected by the County on behalf of the Mosquito Fire Protection District;
2) Adopt and authorize the Chair to sign Resolution **176-2022** making certain findings as required under the Mitigation Fee Act (Cal. Gov. Code §66000 et seq.) related to the development impact mitigation fees collected by the County on behalf of the Pioneer Fire Protection District; and
3) Review, receive, and file the annual financial report required under the Mitigation Fee Act for the period of July 1, 2021, through June 30, 2022.

FUNDING: There is no fiscal impact to the County related to this action.

DISCUSSION / BACKGROUND

At the request of several Special Districts, the Board of Supervisors has established development impact mitigation fees. The fees are collected, held, and distributed by the County, for the benefit of the individual Districts. The Board voluntarily adopted the fees because the Districts do not have authority to impose such fees independently. As a result, as the agency establishing the fees, the Board of Supervisors is required to meet all of the subsequent reporting requirements in the Mitigation Fee Act ("Act"). The Act requires reports annually and specific findings every five years following the first deposit of the fee.

The annual report includes a brief description of the fee, the amount of the fee, and specific financial information, including revenue received and expenditures made. In accordance with the Act, the annual report was made available to the public on November 28, 2022, and is attached for the Board's review. The Board of Supervisors, as the entity that established the fees on behalf of the district, must make the findings. The attached resolutions make the findings that are required by the Act (66001(d)) to be made every five years. The findings are supported by a report that has been produced by each of the Districts and reviewed by County staff.

ALTERNATIVES

These actions are required in order to remain compliant with state law. The five-year findings on behalf of the districts must be made by December 27, 2022 or fees held in the account may be subject to refund.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Cameron Park Community Services District, Georgetown Divide Recreation District, El Dorado County Fire Protection District, Diamond Springs El Dorado Fire Protection District, El Dorado Hills County Water District, Garden Valley Fire Protection District, Georgetown Fire Protection District, Lake Valley Fire Protection District, and Rescue Fire Protection District, El Dorado Hills Community Services District, Mosquito Fire Protection District, Pioneer Fire Protection District, and County Counsel.

CAO RECOMMENDATION

Approve as recommended.

FINANCIAL IMPACT

There is no direct fiscal impact to the County related to this action.

CLERK OF THE BOARD FOLLOW-UP ACTIONS

Provide a copy of the executed resolution to the Chief Administrative Office.

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

Don Ashton, Chief Administrative Officer

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