



## Legislation Text

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**File #:** 17-1289, **Version:** 2

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Chief Administrative Office and County Counsel recommending the Board adopt and authorize the Chair to sign Resolution **197-2017** making certain findings as required under the Mitigation Fee Act (Cal. Gov. Code §66000 et seq.) related to the development impact mitigation fee collected by the County on behalf of the Pioneer Fire Protection District.

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

### **DEPARTMENT RECOMMENDATION**

Adopt and authorize the Chair to sign Resolution **197-2017** making certain findings as required under the Mitigation Fee Act (Cal. Gov. Code §66000 et seq.) related to the development impact mitigation fee collected by the County on behalf of the Pioneer Fire Protection District.

### **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.

On December 5, 2017, the Board reviewed the publicly available annual financial reports for the special districts on whose behalf the County collects fees under the Act, and made findings regarding the unexpended balance of fee revenue in the Mosquito Fire Protection District's account. Such findings are also due for the Pioneer Fire Protection District. The District board has adopted a resolution making the findings required by the Act; however, the Board of Supervisors, as the entity that established the fees on behalf of the district, must also make the findings. The attached resolution makes 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 the District and reviewed by County staff and County Counsel.

### **ALTERNATIVES**

These actions are required in order to remain compliant with state law. The five-year findings on behalf of Pioneer Fire Protection District must be made by December 27, 2017, or fees held in the account may be subject to refund.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Pioneer Fire Protection District; 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**

N/A

**STRATEGIC PLAN COMPONENT**

Good Governance

**CONTACT**

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