



Legislation Text

File #: 18-0052, **Version:** 1

Chief Administrative Office recommending the Board authorize the Chair to execute a collection and indemnity agreement with the Cameron Park Community Services District related to the development impact mitigation fees for fire facilities that the County has established on the district's behalf.

DEPARTMENT RECOMMENDATION

Chief Administrative Office recommending the Board authorize the Chair to execute a collection and indemnity agreement with the Cameron Park Community Services District related to the development impact mitigation fees for fire facilities that the County has established on the district's behalf.

DISCUSSION / BACKGROUND

The establishment and administration of development impact mitigation fees are governed by the Mitigation Fee Act (Cal. Gov., 66000 et seq.) ("the Act"); however, the Chapters 13.20 and 13.30 of the county ordinance code govern development impact fees on behalf of special districts for fire protection services and parks and recreation, respectively.

On August 29, 2017, the Board approved revisions of Chapters 13.20 and 13.30, which became effective on December 26, 2017. Under the amended ordinance, collection of any fee on behalf of a special district must be pursuant to a written agreement that clearly defines the rights and duties of each party and provides for the district to defend, indemnify, and hold the County, its officers, agents, and employees harmless from and against any and all liability, loss, damage, claims, judgments, costs, staff time, losses, expenses, and any other costs of defense arising out of, resulting from, or related to the creation, establishment, modification, collection, or disbursement of fees on behalf of the district. At the time of approval of the revised ordinance, it was agreed that the revisions would take effect 120 days following final adoption in order to provide time for districts to enter into agreements.

County Counsel worked with the districts to create a template agreement that was distributed to all districts for approval by their respective Boards, and agreements were approved by the Board with all other districts at the Board of Supervisors meetings on December 12th and 19th, 2017; however, the CSD was not able to obtain the approval of its board until December 20, 2017. Pursuant to the amended ordinance, fee collection for fire impact fees on behalf of the CSD was suspended effective December 26, 2017, and will resume upon full execution of the proposed agreement.

ALTERNATIVES

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel, Cameron Park Community Services District

FINANCIAL IMPACT

N/A

CLERK OF THE BOARD FOLLOW UP ACTIONS

None.

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

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