



Legislation Text

File #: 21-0459, **Version:** 1

Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$79,222.58 to the El Dorado Hills County Water District (El Dorado Hills Fire Department) from its Latrobe Development Impact Mitigation Fee Account.

FUNDING: 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. In accordance with the Mitigation Fee Act, these revenues are segregated and deposited into a separate account for each district.

The Board of Supervisors adopted Resolution 041-2018 which approved the collection of Development Fees consistent with the Mitigation Fee Act (Legistar Item 18-0232, March 20, 2018). The development impact fees were last revised by the County on the District's behalf on November 17, 2020 (Legistar file 20-1411) via Resolution 174-2020.

The disbursement request from the District (attached) totals \$79,222.58 for reimbursement for the purchase of a Westates Type 1 Engine for use at Fire Station 91. This amount includes the Engine, taxes, and retrofitting costs. The equipment adds new service capabilities to the Latrobe area of the District, which are needed in order to expand services based on the demand created by new development. In accordance with the District's impact fee nexus study, new equipment and facilities may be funded 100% by impact fees and replacement equipment and facilities may be funded 26.5% by impact fees. This Engine was purchased as a new addition to the apparatus fleet and not as a replacement, and it adds new service capabilities. The request is to reimburse for 100% of the costs.

The County has entered into an agreement with the District, 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.

ALTERNATIVES

N/A

PRIOR BOARD ACTION

November 17, 2020 (Legistar file 20-1411)

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

FINANCIAL IMPACT

There is no fiscal impact to the County. Impact mitigation fees are collected by the County on behalf of the districts and held in separate accounts.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

N/A

CONTACT

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