



Legislation Text

File #: 21-0940, **Version:** 1

Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$51,020.56 to the Georgetown Divide Recreation District from its park and recreation development impact mitigation fee account for projects 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.

The development impact fees were last revised by the County on the District's behalf on October 27, 2009 (Legistar file 09-1274) via Resolution 236-2009.

The District's current request includes permitting and project costs in the amount of \$45,575.56 for the Greenwood Park Expansion, a capital project that is being undertaken in order to expand services based on the demand created by new development. It also includes reimbursement for \$5,445 for administration costs for the project and for impact fee administration from the period from July - November 2019. The District's request is attached.

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

N/A

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 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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