



County of El Dorado

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Legislation Text

File #: 23-1363, **Version:** 1

Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$695,174.52 to the El Dorado County Fire Protection District from its 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 development impact fees were last revised by the County on the District's behalf on June 29, 2021 (Legistar Item 21-0958) via Resolution 062-2021.

The disbursement request from the District (attached) totals \$695,174.52 for the expansion of Fire Station number 17 in Pollock Pines. The request is needed to expand services based on the demand created by new development. The District will close out the Fire Station number 17 project in Fiscal Year 2023-24 and bring final invoices for disbursement. In accordance with the District's impact fee nexus study, expansion of fire facilities, apparatus and equipment to serve new development may be funded 100% by impact fees.

On July 19, 2022, with Legistar Item 22-1249, the Board conceptually approved the use of development impact fees for the expansion of Fire Station number 17 in Pollock Pines.

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

06/29/2021 Legistar Item 21-0958

07/19/2022 Legistar Item 22-1249

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. As of July 6, 2023, the account balance was \$1,328,252.10.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

N/A

CONTACT

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