



## Legislation Details (With Text)

**File #:** 23-1408      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 7/17/2023      **In control:** Board of Supervisors

**On agenda:** 12/12/2023      **Final action:** 12/12/2023

**Title:** Planning and Building Department recommending the Board receive and file the Annual Mitigation Fee Act Reports for Fiscal Year 2022-23 for:  
 1) Ecological Preserve Fee and Oak Woodland Conservation Fee Programs in compliance with California Government Code Section 66006; and  
 2) Adopt and authorize the Chair to sign Resolutions 196-2023 and 197-2023 making certain findings as required by California Government Code Section 66001(d)(1).

**FUNDING:** Fee Programs.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Brief description of fee programs, 2. B - Fee Schedules, 3. C - Cash Statement, 4. D - Resolution Eco Preserve, 5. E - Resolution Oak Woodlands, 6. F - Blue Route Counsel Approval, 7. F - Blue Route Counsel Approval, 8. G - Blue Route Counsel Approval Oak, 9. Executed Resolution 196-2023, 10. Executed Resolution 197-2023

Date	Ver.	Action By	Action	Result
12/12/2023	1	Board of Supervisors	Approved	Pass

Planning and Building Department recommending the Board receive and file the Annual Mitigation Fee Act Reports for Fiscal Year 2022-23 for:  
 1) Ecological Preserve Fee and Oak Woodland Conservation Fee Programs in compliance with California Government Code Section 66006; and  
 2) Adopt and authorize the Chair to sign Resolutions **196-2023** and **197-2023** making certain findings as required by California Government Code Section 66001(d)(1).

**FUNDING:** Fee Programs.

### **DISCUSSION / BACKGROUND**

#### Ecological Preserve Fee and Oak Woodland Conservation Fee Programs

Pursuant to Section 66006 of the California Government Code, the County is required to make available to the public specific information related to the prior year's activity for the County's mitigation fee programs. Attachments A, B, and C provide the information required by Section 66006 for the County's Ecological Preserve Fee and Oak Woodland Mitigation Fee programs:

Attachment A - A brief description of the fee programs (Section 66006(b)(1)(A))

Attachment B - Fee schedules (Section 66006(b)(1)(B))

Attachment C - Cash statement

- The beginning and ending balance of the accounts, (Section 66006(b)(1)(C)),

- The total fees collected (Section 66006(b)(1)(D)),
- Total interest earned in the funds (Section 66006(b)(1)(D)),
- Identification of expenditures for the accounts (Section 66006(b)(1)(E)), and
- Total refunds and other adjustments (Section 66006(b)(1)(H)).

Attachments D and E - 66001(d)(1) findings.

The Mitigation Fee Act (Cal. Gov. Code §66000 et. seq.) (MFA) requires annual reports and certain findings for fees subject to the MFA. The attached Resolutions (Attachments D and E) make findings for the Ecological Preserve Fee and Oak Woodland Conservation Fee Programs funds which are required by the Act (66001(d)(1)). The findings are supported by 1) the annual reports on Fee activity that have been produced and presented to the Board each fiscal year for 2014-2015 through 2019-2020; 2) on Fee data available as of June 30, 2020; and, 3) the legal context existing as of June 30, 2020 including but not limited to the General Plan in effect as of June 30, 2020.

Planning and Building will post the annual report information contained in Attachments A through C for Fiscal Year 2022-23 to the Department's website to comply with the 15-day public notice requirement of Section 66006(b)(2). Links will also be provided from the AB 1483/AB 602 webpage (<https://www.edcgov.us/Government/planning/AB-1483-Reporting>).

## **ALTERNATIVES**

N/A

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Chief Administrative Office, Community Development Finance and Administration

## **CAO RECOMMENDATION**

Approve as recommended.

## **FINANCIAL IMPACT**

The annual reports are informational and there is no associated fiscal impact or change to Net County Cost.

## **CLERK OF THE BOARD FOLLOW UP ACTION**

Clerk of the Board to receive and file the Annual Report following Board approval.

Following approval of the Resolutions, obtain Chair's signature on the Resolutions and post executed Resolutions to the Legistar item 23-1408.

## **STRATEGIC PLAN COMPONENT**

Good Governance

## **CONTACT**

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