



Legislation Details (With Text)

**File #:** 20-1305      **Version:** 1

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

**File created:** 9/28/2020      **In control:** Board of Supervisors

**On agenda:** 12/8/2020      **Final action:** 12/8/2020

**Title:** Planning and Building Department recommending the Board:  
 1) Receive and file the Annual Report for Fiscal Year 2019-20 for the Ecological Preserve Fee and Oak Woodland Conservation Fee Programs in compliance with California Government Code Section 66006;  
 2) Receive and file the Fiscal Year 2019-20 for the Community Benefit Fee associated with the Alto, LLC Development Agreement in compliance with California Government Code Sections 65865(e) and 66006; and  
 3) Receive and file the Annual Report for Fiscal Year 2019-20 for the Bass Lake Hill Specific Plan Public Facilities Plan Fee Program in compliance with California Government Code Section 66006.

**FUNDING:** Ecological Preserve Fees, Oak Woodland Conservation Fees, and developer agreement fees.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Brief Description of Fees, 2. B - Fee Schedules, 3. C - Cash Statement

Date	Ver.	Action By	Action	Result
12/8/2020	1	Board of Supervisors	Approved	Pass

Planning and Building Department recommending the Board:  
 1) Receive and file the Annual Report for Fiscal Year 2019-20 for the Ecological Preserve Fee and Oak Woodland Conservation Fee Programs in compliance with California Government Code Section 66006;  
 2) Receive and file the Fiscal Year 2019-20 for the Community Benefit Fee associated with the Alto, LLC Development Agreement in compliance with California Government Code Sections 65865(e) and 66006; and  
 3) Receive and file the Annual Report for Fiscal Year 2019-20 for the Bass Lake Hill Specific Plan Public Facilities Plan Fee Program in compliance with California Government Code Section 66006.

**FUNDING:** Ecological Preserve Fees, Oak Woodland Conservation Fees, and developer agreement fees.

**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)).

Section 66006(b)(1)(F) requires an identification of an approximate date by which the construction of the public improvement will commence. The Ecological Preserve Fee and Oak Woodland Conservation Fee Programs are designed to acquire land for mitigation and do not include construction of public improvements. Therefore, there is no approximate date by which construction of a public improvement would commence and no information to disclose in the annual report.

Alto, LLC Development Agreement Community Benefit Fee

The Alto development is a tentative subdivision for twenty-three (23) residential lots on an eighty-one (81) acre site identified as Assessor's parcel number 126-100-19 approved May 5, 2009. On June 24, 2014 the Board approved Ordinance 5009 approving Development Agreement (DA) 13-0001 with Alto, LLC. Section 4.01 of the DA required the Alto, LLC to contribute \$30,000.00 for the County to use in its discretion toward a public benefit for the community. County received \$30,000.00 on July 25, 2014, which was subsequently deposited into special revenue fund 3670704-Road Construction Improvement In Lieu Fee to be used for potential road improvements in the Green Valley Road area. Pursuant to Section 65865(e) of the California Government Code, the County is required to comply with Section 66006 of the California Government Code with respect to any fee it receives through terms of a developer agreement. Attachments A through C listed above include all required information for the Community Benefit Fee.

Bass Lake Hills Specific Plan Public Facilities Financing Plan Fee

The Bass Lake Hills Specific Plan (BLHSP) was established November 7, 1995. It consists of 1,414 acres in size and includes 88 individual parcels ranging in size from 1.1 to 96.4 acres. The BLHSP Public Facilities Financing Plan (PFFP) fee was adopted on June 8, 2004. In phases 1, 1A, 2, and 3 of the development, 1,404 units were subject to the PFFP fee. The fee was established to finance the backbone infrastructure and other public facilities for the BLHSP. Attachments A through C listed above include all required information for the Community Benefit Fee.

Planning and Building has posted the annual report information contained in Attachments A through C to the Planning and Building Department's website to comply with the 15-day public notice requirement of Section 66006(b)(2).

**ALTERNATIVES**

N/A

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Department of Transportation

Chief Administrative Office, Community Development Administration and Finance

**CAO RECOMMENDATION**

It is recommended that the Board approve this item.

**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**

N/A

**STRATEGIC PLAN COMPONENT**

Good Governance

**CONTACT**

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