



County of El Dorado

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Legislation Text

File #: 16-0959, **Version:** 1

HEARING - Community Development Agency, Administration and Finance Division, recommending the Board:

- 1) Receive and file the Traffic Impact Mitigation Fee Program Annual Report for Fiscal Year 2015/16, and
- 2) Adopt and authorize the Chair to sign Resolution **186-2016** making certain findings as required under the Mitigation Fee Act (Cal. Gov. Code §66000 et. seq.) related to the development impact mitigation fee collected by the County for the Fiscal Year 2011/12 through Fiscal Year 2015/16 Traffic Impact Mitigation Fee Program. (Est. Time: 5 Min.)

FUNDING: N/A

DEPARTMENT RECOMMENDATION

Community Development Agency (CDA), Administration and Finance Division, recommending the Board:

- 1) Receive and file the Traffic Impact Mitigation Fee Program Annual Report for Fiscal Year 2015/16, and
- 2) Adopt and authorize the Chair to sign Resolution **186-2016** making certain findings as required under the Mitigation Fee Act (Cal. Gov. Code §66000 et. seq.) related to the development impact mitigation fee collected by the County for the Fiscal Year 2011/12 through Fiscal Year 2015/16 Traffic Impact Mitigation Fee Program.

DISCUSSION / BACKGROUND

Pursuant to Section 66006 of the Mitigation Fee Act, the County is required to annually make available to the public specific information related to the prior year's activity for the County's Impact Fee Programs. In compliance with Government Code Section 66006, Attachments A-C provide the following, related to the County's road Impact Fee Programs for Fiscal Year 2015/16:

Attachment A - Brief Description of the Types of Road Impact Fee Programs

Attachment B - Fee Schedules

Attachment C - Cash Statement

- Beginning and ending (cash) balance of the account
- Total Fees collected
- Total interest earned in the fund
- Identification of each public improvement for which Fees were expended
- Approximate date by which construction will commence
- A summary of loans or interfund transfer activity during the fiscal year
- Total refunds

Additionally, Attachment D summarizes the total labor and indirect costs funded by the various Traffic Impact Mitigation (TIM) Fee Programs.

The Mitigation Fee Act (Cal. Gov. Code §66000 et. seq.) requires reports annually and every five

years following the first deposit of the Fee. The attached Resolution (Attachment F) makes findings for selected TIM funds which are required by the Act (66001[d]). 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 2011-2012 through 2015-2016; 2) on Fee data available as of June 30, 2016; and, 3) the legal context existing as of June 30, 2016, including but not limited to the General Plan in effect as of June 30, 2016. The findings are consistent with the current Capital Improvement Program (CIP) and TIM Fee Program.

Note: Based on Board direction and General Plan policy, CDA staff is updating both the CIP and TIM Fee Programs. This is a related but different project that CDA staff will be presenting to the Board in December 2016. If approved, actions taken by the Board at that time may potentially result in an updated General Plan, CIP, and adjustments to the TIM fees. The potential adoption of an updated CIP and potential adjustments to the TIM Fees would be based on and supported by updated data, including a new Nexus Study, and would require an amendment to the General Plan and adoption of various Ordinances and Resolutions. The Mitigation Fee Act requires reporting and findings regarding the purpose and use of the Mitigation Fee funds as of specific points in time, such reporting and findings are made in the context of the circumstances that existed over the course of the reporting or findings periods and not as they exist at the time of the reporting or findings adoption. The annual and five-year statutory reporting and findings do not preclude the County from making adjustments to the CIP/TIM Program to account for changing circumstances.

ALTERNATIVES

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

CAO RECOMMENDATION

Approve the Department's recommendations.

FINANCIAL IMPACT

This item has no associated fiscal impact or change to Net County Cost.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Following approval of the Resolution, obtain Chair's signature on the Resolution and post executed Resolution to Legistar File 16-0959.

CDA FOLLOW UP ACTIONS

CDA will facilitate the posting of Attachments A through D of the Traffic Impact Mitigation Fee Program Report for the 2015/16 Fiscal Year to CDA's website.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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Community Development Agency, Administration and Finance Division