



**Contra
Costa
County**

To: Contra Costa County Flood Control District Board of Supervisors
 From: Brian M. Balbas, Public Works Director/Chief Engineer
 Date: January 21, 2020

Subject: Accept the Drainage Area Fee Program Annual Report, Countywide.

RECOMMENDATION(S):

ACCEPT the Contra Costa County Flood Control and Water Conservation District (Flood Control District) Drainage Area Fee Program Annual Report (Report) for fiscal year 2018/19, as recommended by the Chief Engineer, Flood Control District, Countywide.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The purpose of the Report is for transparency and record-keeping; Flood Control District staff produces this Drainage Area Fee Annual Report as a best practice. The Flood Control District uses requirements listed in California Government Code Section 66006 and others listed below as the guide for this Report.

In conjunction with state law requirements that apply to impact fees paid in connection with the approval of a development project, California

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/21/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
 Candace Andersen, District II Supervisor
 Diane Burgis, District III Supervisor
 Karen Mitchoff, District IV Supervisor
 Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 21, 2020

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Michelle Cordis, (925)
 313-2381

BACKGROUND: (CONT'D)

State legislation set certain legal and procedural parameters for the charging of development impact fees. This legislation was passed as AB1600 by the California Legislature and is now codified as California Government Code Sections (GC §) 66000 through 66025 (the “Mitigation Fee Act”). The Mitigation Fee Act imposes requirements on local agencies related to the accounting of fee revenues and expenditures. The Flood Control District’s Drainage Area Fee Program consists of approximately 50 separate fee areas or boundaries throughout Contra Costa County, each with a separate list of eligible projects and a separate account to ensure that revenue collected from developments within a specific drainage area boundary will be spent specifically for projects identified within that drainage area.

The Flood Control District Act (FCD Act) authorizes the Flood Control District to set up drainage areas and associated fees (Section 12.2, FCD Act). The Flood Control District is not the approving local agency of development projects. The typical approving local agency is the city in which the development is located or the county when in an unincorporated area. The Flood Control District recommends to the local approving agency to collect a fee to support drainage infrastructure if the development is within a formed drainage area. The fee is described in each drainage area’s ordinance that is approved by the County Board of Supervisors. The Flood Control District has an agreement with each city for each city to collect the fee on behalf of the Flood Control District during the typical land development process and approval.

The attached Report provides accounting information for each of the drainage areas and is current as of the end of fiscal year 2018/19.

CONSEQUENCE OF NEGATIVE ACTION:

The Report would not be accepted.

ATTACHMENTS

Annual Report