



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: January 11, 2022

Subject: Accept the County's Bay Point AOB Development Impact Fee five-year FY 2016/17 through FY 2020/21 report, Bay Point area.

**RECOMMENDATION(S):**

ACCEPT the County's Bay Point Area of Benefit Development Impact Fee Five-Year Program Report ("Five-Year Report") for fiscal years 2016/2017 through 2020/2021, as recommended by the Public Works Director, Bay Point area. (District V)

Based on the Five-Year Report, FIND that:

1. The purpose of the Bay Point Area of Benefit fees ("Fees") is to fund new development's proportional share of certain transportation improvements within the Bay Point Area of Benefit, as more particularly described in the Five-Year Report.
2. There is a reasonable relationship between the Fees and the purpose of the Fees, as more particularly described in the Five-Year Report.
3. Sources of funds needed to finance incomplete transportation improvements will include additional Fees, and funding from other sources, including but not limited to the general fund, gas tax monies, and other sources of revenue, as more particularly described in the Five-Year Report.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/11/2022** ☒ 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 11, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Jerry Fahy,  
925.313.2276

cc:



## RECOMMENDATION(S): (CONT'D)

4. The approximate dates on which the funding referred to in finding 2(C) is expected to be deposited in the Bay Point Area of Benefit fund are as more particularly described in the Five-Year Report.

### FISCAL IMPACT:

No fiscal impact.

### BACKGROUND:

Contra Costa County imposes Area of Benefit (AOB) fees on new development within 15 separate Areas of Benefit in unincorporated Contra Costa County, pursuant to Government Code sections 66000 through 66025, 66484, and 66484.7. The AOB program is a traffic fee mitigation program imposed to recover new development's proportional share of the costs of transportation improvements required to meet transportation demands within the AOB. The specific transportation improvements required within each AOB, the costs of those improvements, and new development's proportional share of those costs, are more particularly described in the most recent Nexus Study report for each AOB. Nexus Studies for all AOB's are on file with the Public Works Department.

The Bay Point AOB includes portions of unincorporated Contra Costa County in the Bay Point area. On September 27, 2016, the Board of Supervisors adopted Ordinance No. 2016-18 to readopt the boundaries of the Bay Point AOB and to impose transportation mitigation fees on new development within the Bay Point AOB to fund transportation improvements on the project list. The Development Program Report and Nexus Study in support of Ordinance No. 2016-18 more particularly describe the fee program and the projects on the project list.

Government Code section 66001(d)(1) requires the County to make specific findings related to AOB fees, projects, and funds following the fifth fiscal year after monies are first deposited in an AOB fee account. Government Code section 66001(d)(2) requires these findings to be made in connection with providing information required to be released for that fifth fiscal year, in accordance with Government Code section 66006(b)(1).

The Public Works Department prepared the Development Impact Traffic Fee Five-Year Report for Bay Point AOB fiscal years 2016/2017 through 2020/2021 to satisfy reporting requirements of Government Code sections 66001(d)(1) 66006(b)(1) that apply to collection and accounting of AOB fee revenues. The Report was made available at the Clerk of the Board's office at least 15 days before the Board meeting, in accordance with Government Code section 66006(b)(2). Public Works Department staff recommends that the Board accept the Report, make the findings included in the Report based on the information in the Report, and accept the fiscal year 2020/2021 information included in

the Report, all in accordance with Government Code sections 66001(d) and 66006(b).

CONSEQUENCE OF NEGATIVE ACTION:

The required findings would not be made and the required information would not be provided at this time.

ATTACHMENTS

Bay Point AOB 5-Year Report