



**Contra
Costa
County**

To: Contra Costa County Flood Control District Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: January 11, 2022

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

RECOMMENDATION(S):

ACCEPT the Contra Costa County Flood Control and Water Conservation District (FC District) Drainage Fee Program Annual Report (Report) for fiscal year 2020/21, as recommended by the Chief Engineer, FC District, Countywide.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The FC District Act (FCD Act) authorizes the FC District to set up drainage areas and associated fees (Section 12.2, FCD Act). The FC District is not the approving local agency of development projects. The approving local agency is either the city in which the development is located or the County, when the development is located in an unincorporated area. However, the FC District does recommend that the local approving agency 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 FC District has an agreement with each city allowing each city to collect the fee on behalf of the FC District during the typical land development

☒ 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: Michael Taylor, (925)
313-2023

process and approval.

BACKGROUND: (CONT'D)

For the purpose of transparency and record-keeping, FC District staff produces this Report as a best practice. The FC 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 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 FC District’s Drainage 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 attached Report provides accounting information for each of the drainage areas and is current as of the end of fiscal year 2020/21.

Upon review of the Report for fiscal year 2019/20, it was determined by FC District staff that incorrect figures were reported on both the Fund Balance Table (Attachment B – Table 1) and the Project Expenditures Table (Attachment B – Table 2). To rectify this mistake, FC District staff has included the complete Report for fiscal year 2019/20 with an amended Fund Balance Table and an amended Project Expenditures Table for the purposes of accuracy and transparency. An amended version of the Report for fiscal year 2019/20 is attached as well.

CONSEQUENCE OF NEGATIVE ACTION:

The Report would not be accepted.

ATTACHMENTS

2020-21 Drainage Fee Report

2019-20 Amended Drainage Fee Report