

Development Mitigation Fee Act Program

Annual Reports and Five Year Report
Hearing

Mitigation Fee Act

- Government Code 66000 et seq.
- Development Impact Fees are imposed on new development to pay for construction costs associated with new public infrastructure necessary to serve the new development
 - Roads
 - Parks
 - Fire and Sheriff Stations
 - Libraries

Annual Reports (Attachment A)

- A brief description of the type of fee in the account or fund.
- The amount of the fee.
- The beginning and ending balance of the account or fund.
- The amount of the fees collected and the interest earned.

Annual Reports (Attachment A)

- An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that were funded with fees.
- An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete improvement and the public improvement remains incomplete.
- A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account of fund will receive on the loan.

Five Year Reports and Findings (Attachment B)

- The purpose to which the fee is to put.
- Demonstrate a reasonable relationship between the fee and the purpose for which it is charged.
- Identify all sources and amounts of funding anticipated to complete financing incomplete identified improvements.
- Designate the approximate dates on which the funding from other sources is to be deposited into the appropriate account or fund.

Automatic Annual Fee Adjustments

- County development impacts fees require that the fees be adjusted automatically based upon the Engineering Construction Cost index
- Engineering Construction Cost index
 - Lags behind by 6 to 9 months
 - From April 2008 through May 2009
 - Inputs:
 - Construction Costs – Construction Costs & Common Labor
 - Building Costs – Building Costs & Skilled Labor
 - Materials Costs – Materials, Cement, Steel and Lumber

Stakeholder Outreach Notification

- Notified and conducted conference calls on information and questions
 - COLAB
 - Developer Associations
 - Developers

Recommended Actions:

- a) Receive the 2008-2009 combined annual and five year reports for the Countywide, Orcutt, and Goleta development impact fee programs including five-year collection schedule (Attachment A) and
- b) Adopt a Resolution Making Findings Required by Government Code 66001(d) (Attachment B)