

*Before the Board of Supervisors in and for the
County of Monterey, State of California*

Resolution No. 22-235

Adopt a Resolution to:

- a. Approve a report on the status of development traffic impact fees for fiscal year ending June 30, 2021; and)
- b. Adopt findings, in accordance with Government Code section 66000, et seq. that the need for the improvements for which the fees are being collected still exists, and as such the funds will be retained.)

WHEREAS, Government Code Section 66000 et seq. (AB1600) delineates certain accounting and reporting requirements with respect to development impact fees collected by the County;

WHEREAS, pursuant to Government Code Section 66006, the agency that collected the fees must make available to the public the following information regarding each fund or account:

1. Brief description of the type of fee in the fund;
2. Amount of the fee;
3. Beginning and ending balance for the fiscal year;
4. Amount of fees collected, and interest earned;
5. Identification of each public improvement on which fees were expended and the amount of the expenditure on each improvement, including the total percentage of the cost of the public improvement that was funded with fees;
6. Identification of an approximate date by which the construction of a public improvement will commence, if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement fund;
7. Description of each inter-fund transfer or loan made from the account or fund, including the public improvement on which the loaned funds will be expended, and in the case of an inter-fund loan, the date on which the loan will be repaid and the rate of interest that the account or fund will receive on the loan; and
8. Amount of any refunds made due to inability to expend fees within the required time frame.

WHEREAS, the fees collected by the County must be segregated from general and other funds of the County, interest reported for each development fund and used only for the purposes for which the fees were collected;

WHEREAS, the County must make available to the public an accounting of information regarding the status of each development fee fund;

WHEREAS, the Carmel Valley Traffic Mitigation Fee (CVTMF) is specific to Carmel Valley Master Plan (CVMP) where ten (10) projects have been identified to mitigate development in accordance to the CVMP, and the ending balance as of June 30, 2021 is \$3,192,869 (Exhibit 1);

WHEREAS, the Countywide Traffic Impact Fee 2652 (Fund 002-3000-2652) accounts for 27 projects and has an ending balance of \$3,973,686 (Exhibit 2);

WHEREAS, East Garrison Traffic Impact Fee 2655 (Fund 002-3000-2655) accounts for projects related to East Garrison and has an ending balance of \$364,770 (Exhibit 1); and

WHEREAS, pursuant to Government Code Section 66001 for Projects for which fees have been collected for more than five (5) years, the County is required to make findings with respect to any portion of the fee remaining unexpended, whether committed or uncommitted regarding the following project criteria:

1. Identify the purpose to which the fee is to be put;
2. Demonstrate a reasonable relationship between the fee and the purpose for which it was originally charged;
3. Identify all sources and amounts of funding anticipated to complete financing of incomplete improvements; and
4. Designate the approximate dates on which the anticipated funding is expected to be deposited into the fund.

WHEREAS, the findings required pursuant to Government Code Section 66001, for Projects for which fees have been collected for more than five (5) years are set forth in Exhibits 1 and 2, which are attached and incorporated by this reference.

NOW, THEREFORE, BE IT RESOLVED THAT the Monterey County Board of Supervisors hereby approves the following:

1. The purposes for which the fees have been collected are identified in Exhibits 1 and 2 which are attached hereto and incorporated by this reference.
2. A reasonable relationship exists between the fees and the purposes for which said fees were charged as indicated in Exhibits 1 and 2, and because the need for the improvements for which the fees are being collected still exists.
3. The sources and amounts of funding anticipated to complete the financing of the various improvements are identified in Exhibits 1 and 2.
4. Exhibits 1 and 2 designate as unknown the approximate dates on which the anticipated funding is expected to be deposited into the fund.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Monterey County hereby approves the reports on the status of development traffic impact fees for fiscal year ending June 30, 2021.

PASSED AND ADOPTED on this 21st day of June 2022, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams

NOES: None

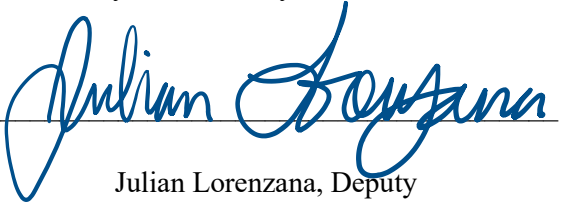
ABSENT: None

(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting June 21, 2022.

Dated: June 24, 2022
File ID: RES 22-118
Agenda Item No.: 89

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California



Julian Lorenzana, Deputy