



COUNCIL REPORT

DATE: September 12, 2023

CATEGORY: Consent

DEPT.: Finance and Administrative Services

TITLE: **Fiscal Year 2022-23 Annual Compliance Report for In-Lieu Parking Fees**

RECOMMENDATION

Make available to the public the Fiscal Year 2022-23 Annual Compliance Report for In-Lieu Parking Fees and place the report on the agenda for the October 10, 2023 City Council meeting.

BACKGROUND

The City levies fees on new development within the City in order to fund public capital improvements necessitated by such development. The California Mitigation Fee Act, commonly known as AB 1600 (Government Code Sections 66000 and following), imposes certain accounting and reporting requirements on local agencies that collect development fees. The Mitigation Fee Act mandates that, for accounting purposes, development fees must be segregated from the general funds of the City and from other funds containing fees collected for other improvements. Interest on each development fee fund must be credited to that fund and used only for the purposes for which the fees were collected.

California Government Code (CGC) Section 66006(b)(1)(A-H) requires local agencies, within 180 days after the last day of each fiscal year, to make available to the public the following information:

- Description of the type of fee;
- Amount of fee;
- Beginning and ending balances, amount of fees collected, and interest earned;
- Identification of each public improvement on which fees were expended;
- Identification of approximate date by which construction will commence once sufficient funds have been collected;

- Description of each interfund transfer or interfund loan made from the fund; and
- Amount of refunds made.

In addition, CGC Section 66006(b)(2) requires the information be made available to the public at the next regularly scheduled public meeting but not fewer than 15 days after this information is made available to the public. No Council action is required on this item at this time. The report will be placed on the agenda for consideration at the October 10, 2023 City Council meeting.

ANALYSIS

The attached report discusses the In-Lieu Parking Fees (Fees). CGC Section 66001(d)(1) requires local agencies to make findings with respect to fees and investment earnings remaining unexpended, whether committed or uncommitted, for the fifth year following receipt of the first fee deposited and every five years thereafter.

FISCAL IMPACT—None.

ALTERNATIVE

Do not place the Annual Compliance Report on the Council agenda and provide the information to the public through another mechanism.

PUBLIC NOTICING—Agenda posting.

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EY-GZ/6/CAM
575-09-12-23CR
203312

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Attachment: 1. Fiscal Year 2022-23 Annual Compliance Report for In-Lieu Parking Fees