



AGENDA NO: A-X

MEETING DATE: February 28, 2023

**TO: Honorable Mayor and City Council**

**DATE: February 10, 2023**

**FROM: Sarah Johnson-Rios, Assistant City Manager / Admin Services Director  
Emily Conrad, Finance Manager**

**SUBJECT: Fiscal Year (FY) 2021-22 Status Report on Receipt and Use of Development Impact Fees**

**RECOMMENDATION:**

Staff recommends the Council Accept Fiscal Year (FY) 2021-22 status report on receipt and use of Development Impact Fees.

**FISCAL IMPACT:**

There is no fiscal impact associated with the requested action.

**BACKGROUND/DISCUSSION:**

To ensure that mitigation fees associated with development are spent in a timely manner and on projects for which they were being collected, the State Legislature passed a bill known as AB 1600 (the Mitigation Fee Act). This bill applies to developer fees which were increased or imposed on or after January 1, 1989.

The Mitigation Fee Act (California Government Code, Section 66000 et seq.) requires local agencies that impose Development Impact Fees to present an annual, consolidated report showing the receipt and use of those fees. The Annual Status Report (Attachment 1) must be available for review by the Council within 180 days after the close of the fiscal year represented. The AB 1600 report is required to be accessible to the public for viewing at least 15 days prior to the public meeting. In accordance with this legal requirement the report for FY 2021-22 (July 1, 2021 to June 30, 2022) was posted to the City's website on February 13, 2023.

The City collects the following Development Impact Fees that meet the AB 1600 reporting requirements:

- Government Impact Fees (Fund 900)
  - Administration
  - Police
  - Fire
  - Street
  - Storm Drain
  - Parks Fees
- Affordable Housing In-Lieu Fees (Fund 941)
- Water Impact Fees (Fund 951)

Prepared By: \_\_\_\_\_

Dept Review: \_\_\_\_\_

City Manager Review: \_\_\_\_\_

City Attorney Review: \_\_\_\_\_

- Sewer Impact Fees (Fund 952)
- Miscellaneous Impact Fees (Fund 515)
  - Highway 41/Main Impact Fees
  - Traffic Impact
  - Storm Drain Impact
  - Calvary Baptist Drain Impact
  - Sewer Master Plan Impact
  - Flood Hazard Plan Impact

Separate balances exist for each of these fees either as individual accounts or separate funds. As required by AB 1600, as of June 30, 2022, all accounts or funds with unspent balances have been credited interest revenue at the City's current interest rate earned on its total investment portfolio.

AB 1600 requires that a status report be prepared annually which must include a brief description of the fee and the fund into which the fee was deposited; the associated fund's beginning and ending balances for the fiscal year; the total amount of the fees collected and interest earned; each public improvement on which impact fees were expended and amount of the expenditure on each improvement; and other information about the public improvement projects or interfund loans, if applicable.

The Government Code section 66001, subdivision (d) of the Mitigation Fee Act mandates the requirement that beginning with the fifth fiscal year following deposit of development fees into a designated account, and each fifth fiscal year thereafter, the City must make specified findings regarding any portion of the fees that remain unexpended.

The information is presented in the attached FY 2021-22 Annual Status Report on Receipt and Use of Development Impact Fees and resolution of specified findings.

### **CONCLUSION**

Staff recommends Council accept the FY 2021-22 Annual Status Report on Receipt and Use of Development Impact Fees as required under the Mitigation Fee Act (AB 1600).

### **ATTACHMENT**

1. FY 2021-22 Annual Status Report on Receipt and Use of Development Impact Fees
2. Specified Findings Resolution 23-xx

**ATTACHMENT 1**

**CITY OF MORRO BAY  
ANNUAL STATUS REPORT ON RECEIPT AND USE OF DEVELOPMENT IMPACT FEES  
JUNE 30, 2022**

**Government Impact Fees**

Government Impact Fees are collected to ensure that new development pays the cost of infrastructure expansion required to meet the needs of that new development, effectively transferring the cost burden of growth from the existing rate and taxpayers.

The collected fees are held in fund 900, Government Impact Fees Accumulation Fund and are permitted to be used for capital projects for new facilities, vehicles, and rehabilitation and/or renovation of existing facilities, so long as the rehabilitation or renovation is needed to serve the new development that has paid the fee.

**Fund 900**

**Beginning Fund Cash Balance FY 2021-22 (07/01/2021) 989,880**

	<b>Bal 7/1/2021</b>	<b>Fees Collected</b>	<b>Interest Earned</b>	<b>Fees Used</b>	<b>Remaining Balance</b>
Administration Fees	\$ 528,997	\$ 127,905	\$ 2,028	\$ (9,900)	\$ 649,030
Police Fees	\$ 8,584	\$ 40,533	\$ 152	\$ (1,490)	\$ 47,778
Fire Fees	\$ 26,890	\$ 55,021	\$ 253	\$ -	\$ 82,164
Street Fees	\$ 230,235	\$ 405,131	\$ 1,962	\$ (38,488)	\$ 598,840
Storm Drain Fees	\$ (0)	\$ -	\$ (0)	\$ -	\$ (0)
Parks Fees	\$ 195,176	\$ 116,622	\$ 963	\$ (23,069)	\$ 289,691
	<b>\$ 989,880</b>	<b>\$ 745,212</b>	<b>\$ 5,357</b>	<b>\$ (72,947)</b>	<b>\$ 1,667,502</b>

**Uses of Funds**

Pipeline Kern and Anchor - Transferred to CIP Fund	\$ 9,900
Shasta St. Pocket Park (Bocce Ball) - Transferred to CIP Fund	\$ 23,069
Hwy 1/41	\$ 38,488
Repave Police Annex	\$ 1,490
<b>Total Use of Funds</b>	<b>\$ 72,947</b>

**Total Ending Balance FY 2021-22 (06/30/2022) \$ 1,667,502**

Potential future projects are provided below. These are potential projects and may or may not be approved in the City's current budget. Any expenditure from these funds would require Council authorization and approval prior to expenditure.

**Government Impact Fees Potential Future Projects**

**Fund 900**

<b>Potential Future Projects</b>		<b>Total Funds Available</b>	
Administration Fees			
Citywide Capital and Facilities Planning	\$	400,000	
<b>Total Potential Admin Projects</b>	<b>\$</b>	<b>400,000</b>	<b>\$ 649,030</b>
Police Fees			
Automated License Plate Reader Camera System	\$	159,000	
<b>Total Potential Police Projects</b>	<b>\$</b>	<b>159,000</b>	<b>\$ 47,778</b>
Fire Fees			
No identified future projects	\$	-	
<b>Total Potential Fire Projects</b>	<b>\$</b>	<b>-</b>	<b>\$ 82,164</b>
Street Fees			
Rock Parking Lot Restroom Renovation-Unfunded	\$	75,000	
ADA Accessibility Upgrades at Quintana and Morro Road	\$	180,500	
<b>Total Potential Street Projects</b>	<b>\$</b>	<b>255,500</b>	<b>\$ 598,840</b>
Storm Drain Fees			
Emergency Storm Drain Repair - Sequoia Court	\$	120,000	
Emergecny Storm Drain Repair Juniper/Elena	\$	83,000	
<b>Total Potential Storm Drain Projects</b>	<b>\$</b>	<b>203,000</b>	<b>\$ (0)</b>
Parks Fees			
Lila Kaiser Parking Lot ADA Improvements	\$	120,000	
Bocce Ball and Recreation Court Improvements	\$	30,000	
<b>Total Potential Parks Projects</b>	<b>\$</b>	<b>150,000</b>	<b>\$ 289,691</b>
<b>Total Potential Future Projects</b>	<b>\$</b>	<b>1,167,500</b>	<b>\$ 1,667,502</b>

### Affordable Housing In-Lieu Fees

Affordable Housing In-Lieu Fees are collected from residential development projects when the construction of affordable housing units is impractical. The required in-lieu fee is to be paid to the City prior to the issuance of a building permit (where square footage is added) or a final tract map. The Affordable Housing In-Lieu Fee is \$0.35 per square foot. The collected fees are held in the 941 fund and used solely for the affordable housing program activities, such as the Housing Element development and implementation, or transfer to another public agency for providing affordable housing in the City.

<b>Beginning Fund Cash Balance FY 2021-22 (07/01/2021)</b>					<b>\$ 257,376</b>
<b>Sources of Funds</b>					
	<b>Bal 7/1/2021</b>	<b>Fees Collected</b>	<b>Interest Earned</b>	<b>Fees Used</b>	<b>Remaining Balance</b>
	\$ 257,376	\$ 35,878	\$ 465	\$ (150,000)	\$ 143,718
<b>Uses of Funds</b>					
405 Atascadero Road					\$ (150,000)
<b>Total Use of Funds</b>					<b>\$ (150,000)</b>
<b>Ending Fund Cash Balance (06/30/2020)</b>					<b>\$ 143,718</b>
<b>Potential Future Projects</b>					
Local Housing Agency					\$ 5,000
<b>Total Potential Projects</b>					<b>\$ 5,000</b>

### Sewer Impact Fees

Pursuant to Government Code, revenues derived from the City's impact fees can only be used for the purpose for which the charges are collected. Wastewater impact fees recover costs for buying in to existing facilities and assets. As such, this share of each fee represents a reimbursement to the City's existing customer base for previously-funded facilities and may potentially be used for any purpose. However, the City's practice is conservative and uses these fees to exclusively fund capital improvements. The collected fees are held in the 952 fund and are used solely for wastewater capital improvements.

<b>Beginning Fund Cash Balance FY 2021-22 (7/1/2021)</b>					<b>\$0.00</b>
<b>Sources of Funds</b>					
	<b>Bal 7/1/2021</b>	<b>Fees Collected</b>	<b>Interest Earned</b>	<b>Fees Used</b>	<b>Remaining Balance</b>
	\$ -	\$ 141,487	\$ 821	\$ (142,308)	\$ -
<b>Uses of Funds</b>					
Interfund Transfer to WRF Capital Project					\$ 142,308
<b>Total Use of Funds</b>					<b>\$ 142,308</b>
<b>Ending Fund Cash Balance (06/30/2022)</b>					<b>\$0.00</b>
<b>Potential Future Projects</b>					
Lift Station No 1. Force Main Replacement					\$ 400,000
Beachcomber Drive Sewer Main Replacement					\$ 1,207,000
<b>Total Potential Projects</b>					<b>\$ 1,607,000</b>

## Water Impact Fees

Pursuant to Government Code, revenues derived from the City's impact fees can only be used for the purpose for which the charges are collected. Water impact fees are designed to recover the cost of existing water system facilities and assets as well as the cost of system upgrades and expansion needed to serve the City. The collected fees are held in the 951 fund and are restricted to be used solely for water system facilities, assets and system upgrades and expansion.

<b>Beginning Fund Cash Balance FY 2021-22</b>					<b>\$0.00</b>
<b>Sources of Funds</b>					
	<b>Bal 7/1/2021</b>	<b>Fees Collected</b>	<b>Interest Earned</b>	<b>Fees Used</b>	<b>Remaining Balance</b>
	\$ -	\$ 141,949	\$ 85	\$ (142,033)	\$ -
<b>Uses of Funds</b>					
Interfund Transfer to WRF Capital Project					\$ 142,033
<b>Total Use of Funds</b>					<b>\$ 142,033</b>
<b>Ending Fund Cash Balance (06/30/2022)</b>					<b>\$0.00</b>

### Potential Future Projects

OneWater Plan Update	\$ 60,000
Reverse Osmosis Facility Upgrades	\$ 80,000
Water Tank Rehabilitation	\$ 125,000
<b>Total Potential Projects</b>	<b>\$ 265,000</b>

## Trust & Agency Fund Impact Fee Revenues

The Trust & Agency fund (fund 515) has historically been used by the city to hold funds with restricted purposes. There are three impact fees that remain in the Trust & Agency fund, traffic impact, sewer master plan impact and flood hazard plan impact. In addition, previous years balances exist for the Highway 41/Main Impact, Storm Drain Impact and Calvary Baptist Drain Impact. These funds are restricted to use of related projects and improvements.

<b>Beginning Fund Cash Balance FY 21-22 (07/01/2021)</b>					<b>251,049</b>
<b>Sources of Funds</b>					
	<b>Bal 7/1/2021</b>	<b>Fees Collected</b>	<b>Fees Used</b>	<b>Remaining Balance</b>	
Highway41/Main (2600)	\$ 45,242	\$ 182,807	\$ -	\$ 228,050	
Traffic Impact/All Surces (2607)	\$ 49,973	\$ -	\$ -	\$ 49,973	
Storm Drain (2613)	\$ 6,837	\$ 6,150	\$ -	\$ 12,987	
Calvary Baptist Drain Impact ( 2616)	\$ 314	\$ -	\$ -	\$ 314	
Sewer Master Plan (2622)	\$ 146,073	\$ -	\$ -	\$ 146,073	
Flood Hazard Plan ( 2740)	\$ 2,610	\$ 738	\$ -	\$ 3,348	
Subtotal General Fund	\$ 251,049	\$ 189,695	\$ -	\$ 440,744	
<b>Uses Of Funds</b>					
No Funds Used in FY 2021-22					
<b>Ending Fund Cash Balance (06/30/2022)</b>					<b>\$ 440,744</b>

Potential future projects using impact fee balances in the Trust and Agency Fund (515) are provided below. These are potential projects and may or may not be approved in the City's current budget. Any expenditures from these funds would require Council authorization and approval prior to expenditure.

<b>Fund 515</b>		
<b>Potential Future Projects</b>	<b>Estimated Cost</b>	<b>Funds Available</b>
Highway41/Main Impact Fee		\$ 228,050
Traffic Impact/All Sources		\$ 49,973
Citywide Speed Survey	\$ 75,000	
State Rt (SR) 1/SR 41 Interchange Improvement	\$ 600,000	
<b>Potential Future Projects</b>	<b>\$ 675,000</b>	<b>\$ 278,023</b>
Storm Drain Impact		\$ 12,987
Calvary Baptist Drain Impact		\$ 314
Local Roadway Safety Plan	\$ 50,000	
<b>Potential Future Projects</b>	<b>\$ 50,000</b>	<b>\$ 13,301</b>
Sewer Master Plan Impact		\$ 146,073
Flood Hazard Plan Impact		\$ 3,348
Wastewater Treatment Plan Decommissioning	\$ 135,000	
<b>Potential Future Projects</b>	<b>\$ 135,000</b>	<b>\$ 149,421</b>
<b>Total Potential Future Projects &amp; Available Funds</b>	<b>\$ 860,000</b>	<b>\$ 440,744</b>

**RESOLUTION NO. 22-xx**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MORRO BAY MAKING  
FINDINGS FOR UNEXPENDED DEVELOPMENT  
FEES IN ACCORDANCE WITH GOVERNMENT  
CODE SECTION 66000 AND REVIEWING AND  
ACCEPTING ANNUAL DEVELOPMENT FEE  
DISCLOSURE INFORMATION**

**WHEREAS**, the Mitigation Fee Act, Government Code Section 66000 *et seq.*, authorizes the City to impose, collect, and expend mitigation fees to offset the impacts of development within the City; and

**WHEREAS**, among the procedural requirements mandated by the Mitigation Fee Act is a requirement that beginning with the fifth fiscal year following deposit of development fees into a designated account, and each fifth fiscal year thereafter, the City make specified findings regarding any portion of the fees that remain unexpended; and

**WHEREAS**, the City has deposited all development impact fees that it has received in a separate non-commingled capital facilities fund established for such a purpose, pursuant to Government Code Sections 66006(a) and (b); and

**WHEREAS**, a portion of the fees currently deposited in the City's Development Impact Funds for: Administration, Streets, Highway 41/Main Street, Traffic Impact, Storm Drain, Calvary Baptist Drain, Sewer Master Plan, and Flood Hazard Plan were collected over five years ago, and therefore the City wishes to make the findings required by Government Code Section 66001(d); and

**WHEREAS**, the City also wishes to memorialize that it has made public certain information, pursuant to the annual information disclosure requirements of Government Code Section 66006(b), including but not limited to the amount of the fee, the beginning and ending balance of the fee account or fund, and the interest earned thereon, available to the public at least fifteen (15) days before the City Council considers this matter. The information required by Government Code Sections 66001 and 66006 is set forth in the FY 2021-22 AB1600 Annual and Five-Year Report: City of Morro Bay ("Development Impact Fee Report") considered concurrently herewith; and

**WHEREAS**, on February 13, 2023, the information in the above-referenced recital was made available to the public as required by Government Code Section 66006(b); and

**WHEREAS**, on February 28, 2023, the above-referenced recitals were presented to City Council at a duly noticed, regularly scheduled public meeting.

**NOW, THEREFORE**, the City Council of the City of Morro Bay hereby finds, determines, and resolves as follows:

**Section 1.** The recitals set forth above are true and correct and are incorporated herein by



reference.

**Section 2.** The City Council has considered the full record before it, which may include but is not limited to the staff report, the Development Impact Fee Report, testimony by staff and the public, and other materials and evidence submitted or provided.

**Section 3.** The City Council finds that the Administration Development Impact Fee Fund currently contains \$261,789.13 in unexpended Development Impact Fees collected more than five years ago. In accordance with Government Code section 66001(d)(1), the City Council finds as follows:

- A. Additional funds are needed to design and construct updated City Administration facilities.
- B. There exists a reasonable relationship between the unexpended funds described above and the purpose for which they were generated because expanded City facilities are required to accommodate the additional service needs associated with the properties that paid these fees.
- C. The estimated total cost of expanded administrative facilities such as City Hall will be updated in the forthcoming capital needs assessment. The City's funding sources will include unexpended Development Impact Fees of \$261,789.00, future fees, and other available capital funding sources.
- D. The unexpended fees were deposited in the Administration Development Impact Fees Fund, which is the appropriate fund to finance administrative facilities. All future fees will also be deposited into this fund. The approximate date by which the above Development Impact Fee funds will be deposited into the appropriate account or fund for expenditure is 2024.

**Section 4.** The City Council finds that the Street Maintenance Development Impact Fee Fund currently contains \$45,656.49 in unexpended Development Impact Fees collected more than five years ago. In accordance with Government Code section 66001(d)(1), the City Council finds as follows:

- A. Additional funds are needed to complete street maintenance projects.
- B. There exists a reasonable relationship between the unexpended funds described above and the purpose for which they were generated because improvements will be made to mitigate impacts to streets associated with the properties that paid these fees.
- C. The estimated total cost of streets improvements will be updated in the forthcoming capital needs assessment. The City's funding sources will include unexpended Development Impact Fees of \$45,656.49, future fees, and other available capital funding sources.
- D. The unexpended fees were deposited in the Street Maintenance Development Impact Fees Fund, which is the appropriate fund to finance street maintenance projects. All future fees will also be deposited into this fund. The approximate date by which the

above Development Impact Fee funds will be deposited into the appropriate account or fund for expenditure is 2023.

**Section 5.** The City Council finds that the Highway 41/Main Development Impact Fee Fund currently contains \$45,242.10 in unexpended Development Impact Fees collected more than five years ago. In accordance with Government Code section 66001(d)(1), the City Council finds as follows:

- A. Additional funds are needed to design and replace the existing intersection at Highway 41/Main Street.
- B. There exists a reasonable relationship between the unexpended funds described above and the purpose for which they were generated because the intersection improvement will positively impact the properties that paid these fees.
- C. The estimated total cost of the Highway 41/Main Street Intersection Project is \$8,871,136.00. The City's funding sources will include unexpended Highway 41/Main Development Impact Fees of \$45,242.10, \$1,800,000.00 in Measure E District Transaction Tax, \$600,000.00 General Fund appropriation, \$70,630.00 Transit Fund appropriation, \$3,282,705 in grant funding, and other available capital funding sources.
- D. The unexpended fees were deposited in the Highway 41/Main Development Impact Fees Fund, which is the appropriate fund to finance this intersection improvement. All future fees will also be deposited into this fund. The approximate date by which the above Development Impact Fee funds will be deposited into the appropriate account or fund for expenditure is 2024.

**Section 6.** The City Council finds that the Traffic Development Impact Fee Fund currently contains \$30,992.00 in unexpended Development Impact Fees collected more than five years ago. In accordance with Government Code section 66001(d)(1), the City Council finds as follows:

- A. Additional funds are needed to design and implement traffic improvements to mitigate impacts of new development.
- B. There exists a reasonable relationship between the unexpended funds described above and the purpose for which they were generated because the improvements will mitigate impacts of development of the properties that paid these fees.
- C. The estimated total cost of traffic improvements will be updated in the forthcoming capital needs assessment. The City's funding sources will include unexpended Development Impact Fees of \$30,992.00, future fees, and other available capital funding sources.
- D. The unexpended fees were deposited in the Traffic Development Impact Fees Fund, which is the appropriate fund to finance these traffic improvements. All future fees will also be deposited into this fund. The approximate date by which the above Development Impact Fee funds will be deposited into the appropriate account or fund for expenditure is 2024.

**Section 7.** The City Council finds that the Storm Drain Development Impact Fee Fund currently contains \$4,208.00 in unexpended Development Impact Fees collected more than five years ago. In accordance with Government Code section 66001(d)(1), the City Council finds as follows:

- A. Additional funds are needed to design and improve the City’s storm drain facilities to accommodate new development.
- B. There exists a reasonable relationship between the unexpended funds described above and the purpose for which they were generated because the storm drain improvements will mitigate impacts of development from the properties that paid these fees.
- C. The estimated total cost of storm drain improvements will be updated in the forthcoming capital needs assessment. The City’s funding sources will include unexpended Development Impact Fees of \$4,208.00, future fees, and other available capital funding sources.
- D. The unexpended fees were deposited in the Storm Drain Development Impact Fees Fund, which is the appropriate fund to finance these storm drain improvements. All future fees will also be deposited into this fund. The approximate date by which the above Development Impact Fee funds will be deposited into the appropriate account or fund for expenditure is 2023.

**Section 8.** The City Council finds that the Calvary Baptist Drain Development Impact Fee Fund currently contains \$314.36 in unexpended Development Impact Fees collected more than five years ago. In accordance with Government Code section 66001(d)(1), the City Council finds as follows:

- A. Additional funds are needed to design and improve the storm drain adjacent to Calvary Baptist.
- B. There exists a reasonable relationship between the unexpended funds described above and the purpose for which they were generated because the improvements to the storm drain will help mitigate the impact from development of the properties that paid these fees.
- C. The estimated total cost of this storm drain improvement will be updated in the forthcoming capital needs assessment. The City’s funding sources will include unexpended Development Impact Fees of \$314.36, future fees, and other available capital funding sources.
- D. The unexpended fees were deposited in the Calvary Baptist Storm Drain Development Impact Fees Fund, which is the appropriate fund to finance this storm drain improvements. The approximate date by which the above Development Impact Fee funds will be deposited into the appropriate account or fund for expenditure is 2024.

**Section 9.** The City Council finds that the Sewer Master Plan Development Impact Fee Fund currently contains \$37,238.50 in unexpended Development Impact Fees collected more than five years ago. In accordance with Government Code section 66001(d)(1), the City Council

finds as follows:

- A. Additional funds are needed to update the City’s Sewer Master Plan.
- B. There exists a reasonable relationship between the unexpended funds described above and the purpose for which they were generated because the Sewer Master Plan will positively impact the properties that paid these fees.
- C. The estimated total cost of Sewer Master Plan will be updated in the forthcoming update to the One Water Plan and any required follow up. The City’s funding sources will include unexpended Development Impact Fees of \$37,238.50, future fees, and contributions from the Sewer Operating Fund.
- D. The unexpended fees were deposited in the Sewer Master Plan Development Impact Fees Fund, which is the appropriate fund to finance the Sewer Master Plan development. All future fees will also be deposited into this fund. The approximate date by which the above Development Impact Fee funds will be deposited into the appropriate account or fund for expenditure is 2024.

**Section 10.** The City Council finds that the Flood Hazard Development Impact Fee Fund currently contains \$17,385.99 in unexpended Development Impact Fees collected more than five years ago. In accordance with Government Code section 66001(d)(1), the City Council finds as follows:

- A. Additional funds are needed to improve flood hazard areas in the city.
- B. There exists a reasonable relationship between the unexpended funds described above and the purpose for which they were generated because the improvements to the flood hazard areas will help mitigate impacts from development of the properties that paid these fees.
- C. The estimated total cost of improvements to the flood areas will be updated in the forthcoming capital needs assessment. The City’s funding sources will include unexpended Development Impact Fees of \$17,385.99, future fees, and other available capital funding sources.
- D. The unexpended fees were deposited in the Flood Hazard Development Impact Fees Fund, which is the appropriate fund to finance the improvements. All future fees will also be deposited into this fund. The approximate date by which the above Development Impact Fee funds will be deposited into the appropriate account or fund for expenditure is 2024.

**Section 11.** In accordance with Government Code Section 66006(b), the City Council has reviewed and accepted the annual disclosure information made available to the public regarding City mitigation fees which was presented to the City Council and also placed on file with the City Clerk.

**PASSED, APPROVED AND ADOPTED** this 28<sup>th</sup> day of February, 2023.

\_\_\_\_\_  
Carla Wixom, Mayor

**ATTEST:**

\_\_\_\_\_  
Dana Swanson, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney  
CITY OF MORRO BAY     )  
COUNTY OF SAN LUIS  
OBISPO                    )  
STATE OF CALIFORNIA    )

I, Dana Swanson, City Clerk of the City of Morro Bay, California, do hereby certify that the foregoing Resolution No. 22-xx was duly passed and adopted by the City Council of the City of Fillmore at the regular meeting thereof, held on the 14<sup>th</sup> day of February, 2023, and was signed by the Mayor of the said City, and that the same was passed and adopted by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Dan Swanson, City Clerk