



Agenda Item No. 7f.

Staff Report

Date: November 13, 2014

To: Mayor Elizabeth Brekhus and Councilmembers

From: Rob Braulik, Town Manager

Subject: Council adoption of Resolution No. 1877 which meets the reporting requirements required under California Government Code Section 66606 regarding receipt of Development Impact Fees (AB 1600 Annual Report)

Recommendation

Town Council adopt attached Resolution No. 1877 which meets the reporting requirements required under California Government Code Section 66606 regarding the receipt of Development Impact Fees. The Town collects impact fees for roadway improvements, drainage improvements, and general plan implementation. These fees are recorded in special revenue funds and this report gives an annual accounting of the activity in these funds for the fiscal year ended June 30, 2014. This report also provides a plan for future uses of these fees that haven't yet been spent.

Background and discussion

The Town is required within one hundred and eighty days (180) after the last day of each fiscal year to make available to the public information for the fiscal year regarding these fees under Government Code section 66006. This report is due no later than December 31, 2014.

Fiscal, resource and timeline impacts

Tracking of the fund activities, summarizing the activity for this report, and preparation of the report requires accounting and administrative resources. No funds were expended on outside sources to comply with this unfunded State mandate. This is required reporting per the California Government Code. Failure to report on activity and account balances per regulations in AB 1600 or SB 1693 could allow a successful challenge to the collection of the related fees in the future.

Alternative actions

No alternative action is available that would bring the Town into compliance.

Environmental review (if applicable)

N/A

Attachments

- Resolution No. 1877

TOWN OF ROSS

RESOLUTION NO. 1877

A RESOLUTION OF THE TOWN OF ROSS ACCEPTING THE FISCAL YEAR 2014 ANNUAL REPORT ON DEVELOPMENT IMPACT FEES (AB 1600 REPORT)

WHEREAS, the Town of Ross imposes fees to mitigate the impact of development pursuant to Government Code sections 66000 et seq.; and

WHEREAS, the Town maintains separate accounts for Road Impact Fees, Drainage Impact Fees, and General Plan Impact Fees; and

WHEREAS, the Town is required within 180 days after the last day of each fiscal year to make available to the public information for the fiscal year regarding these fees under Government Code section 66006; and

WHEREAS, Town staff has prepared a report that contains the information required by Government Code section 66006, a copy of which is attached hereto as Attachment "A"; and

WHEREAS, no inter-fund transfers or loans were made from any of the accounts identified in the AB 1600 Report; and

WHEREAS, there were no refunds of development impact fees collected pursuant to Government Code §66001(e), and

WHEREAS, no interested persons have requested notice of the AB 1600 Report; Consequently no notices of the availability of the AB 1600 Report were mailed.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF ROSS DOES RESOLVE AS FOLLOWS:

Section 1. Findings. The Town Council of the Town of Ross hereby finds and adopts as follows:

- A. In accordance with Government Code section 66006, the Town has conducted an annual review of its development impact fees and capital infrastructure programs and the Town Council has reviewed the report attached hereto as Exhibit A and incorporated herein by this reference.

- B. The funds have been and shall be used for the purposes stated in said reports and are necessary to mitigate impacts resulting from development in the Town and further finds that there is a reasonable relationship between the use of the fees and type of development project upon which the fee is imposed.
- C. The Town Council hereby approves, accepts and adopts the AB 1600 Report.
- D. The AB 1600 report is available for public review at the Town Clerk's office upon request.

Section 2. Effective Date. The resolution shall take effect immediately upon adoption.

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 13th day of November 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elizabeth Brekhus, Mayor

ATTEST:

Linda Lopez, Town Clerk



Attachment A

AB1600 Development Impact Fees (DIF) Description of Fees

Introduction

A development impact fee is a monetary exaction other than a tax or special assessment that is charged by a local governmental agency to an applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project.

AB1600 development fees are used for the construction and expansion of infrastructure to accommodate growth, not for operating or maintenance costs. Revenue will be used to maintain infrastructure standards for three capital types:

1. Drainage. Drainage Impact AB1600 development fees are used to fund the design and construction of drainage infrastructure improvements required to mitigate the impact of new development
2. General Plan implementation. General Plan Impact AB1600 development fees are used to upgrade and implement the General Plan
3. Road and Traffic. Road Impact AB1600 development fees are used to fund the design and construction of streets, bridges and traffic signal infrastructure improvements required to mitigate the impact of new development

Impact fee schedule	<u>FY14</u>
Drainage impact fee	1.8% (1)
General plan impact fee	.2% (1)
Road impact fee	1.55% (1)

(1) DIF % of valuation

ANNUAL REPORT ON DEVELOPMENT IMPACT FEES
ANALYSIS OF CHANGES IN FUND BALANCE

	Road Impact Fees	Drainage Impact Fees	General Plan Impact Fees		
Balance beginning of year 7/1/13	\$ 706,142	\$ 313,346	\$ 42,801		
Revenues					
Impact Fees	351,867	400,574	43,941		
Interest	1,665	1,007	166		
	<u>353,532</u>	<u>401,581</u>	<u>44,107</u>		
Expenditures					
Bolinas Ave Safe Pathways	3,035		complete	% complete	% funded with fee
Bolinas Pedestrian Improvements OBAG	1,444		ongoing		1%
MTC Pavement Management Program Report	2,000		complete		100%
High Intensity Reflect Signs	574		complete		100%
Road Improvements	34,561		complete		100%
Bridge Preventative Maintenance		240	complete		100%
Creek Bank Stabiliz, Town Hall		186,269	complete		100%
HBP - 3 Bridges, BPMP - initial costs		16,653	ongoing		100%
HBP - Winship Bridge - initial costs		24,946	ongoing		100%
Lagunitas Bridge Replacement - wind up costs		975	complete		100%
General Plan Consultant			167	ongoing	100%
	<u>41,614</u>	<u>229,083</u>	<u>167</u>		
Revenues over (under) expenditures	311,918	172,498	43,940		
Balance end of year 6/30/14	<u>\$ 1,018,060</u>	<u>\$ 485,844</u>	<u>\$ 86,741</u>		

**Annual Report on Development Impact Fees (DIF)
Planned usage of Development Impact Fees**

	<u>FY15 – FY19</u>
Road impact fee	
Bolinas Sir Francis Drake median island	\$ 125,000
HSIP Sir Francis Drake (SFD) improvements	\$ 150,000
Interest capital carrying costs	\$ 100,000
Lagunitas safe routes improvements	\$ 300,000
Project planning, design, engineering and support	\$ 250,000
Road infrastructure improvements	<u>\$ 875,000</u>
Total	\$1,800,000
Drainage impact fee	
Bridge improvements	\$ 500,000
Corte Madera Creek landscaping	\$ 25,000
Creek bank behind Town Hall	\$ 250,000
Interest capital carrying costs	\$ 100,000
Project planning, design, engineering and support	\$ 250,000
Storm drainage improvements	<u>\$ 250,000</u>
Total	\$1,375,000
General Plan impact fee	
General plan implementation	\$ 100,000
Project planning, design, and support	<u>\$ 50,000</u>
Total	\$ 150,000