



# Monterey County

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## Board Report

Legistar File Number: 16-1015

September 13, 2016

**Introduced:** 8/29/2016

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** General Agenda Item

- a. Adopt a Resolution approving a report on the status of development traffic impact fees for fiscal year ending June 30, 2009 through June 30, 2015; and
- b. Adopting findings in accordance with Government Code Section 66000 et. seq.

### RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a Resolution:

- a. Approving a report on the status of Traffic Impact Fees for the five-year period ending June 30, 2015; and
- b. Adopting findings in accordance with Government Code Section 66000 et. seq.

### SUMMARY/DISCUSSION:

Government Code Section 66000 et. seq. (AB 1600) delineates certain accounting and reporting requirements with respect to development impact fees collected by the County. The fees, for accounting purposes, must be segregated from the general funds of the County and from other funds or accounts containing fees collected for other improvements. Interest on each development fee fund must be credited to that fund or account and used only for the purposes for which the fees were collected. 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.

For projects for which fees have been collected for more than five years, the law also prescribes findings that the local agency must make with respect to any portion of the fee remaining

unexpended, whether committed or uncommitted. The findings, as stated in the Resolution, (Attachment 1) must:

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

Exhibit A is a list of the projects and associated accounting of development impact fees by project and by fiscal year for fiscal year ending June 30, 2009 through June 30, 2015. Exhibit B is a listing of the projects for which fees have been collected for more than five (5) years.

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:

The Resource Management Agency has collected a pro-rata fair share development fees under Government Code Section 66000 et. seq. Exhibit A summarizes the traffic impact fees received by project location and fiscal year for Fiscal Year June 30, 2009 through Fiscal Year ending June 30, 2015 for a total Ending Fund Balance of \$4,607,803.23.

Prepared by: Enrique Saavedra, Assistant Director of Public Works (Acting)

Approved by: Benny J. Young, Interim Director of Public Works and Facilities

Approved by: Carl P. Holm, AICP, Resource Management Agency Director

Dated: June 7, 2016

Attachments:

- Attachment A -Resolution
  - Exhibit A - Summary of Development Traffic Impact Fees-Countywide
  - Exhibit B - AB 1600 Five Year Report
- (Attachments on file with the Clerk of the Board)