



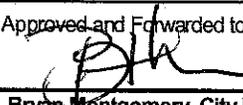
Agenda Date: 12/08/2015

Agenda Item: 3.16

## STAFF REPORT

Date: December 8, 2015  
To: Bryan H. Montgomery, City Manager  
From: Deborah Sultan, Finance Director  
SUBJECT: Development Impact Fee Five Year Report

Approved and Forwarded to City Council:

  
Bryan Montgomery, City Manager

### Background and Analysis

State law allows the City to charge fees to offset impacts associated with new development. Along with requirements related to the amount of the fees, nexus to impacts, and specifications for use of the fees, the Law requires that the City prepare annual and five year reports for each fee program. The annual report must include a fee schedule, beginning and ending fund balances, revenues, expenditures and project information. The five year report must include information showing the fees are being spent timely and include supporting information about each program's projects that support making a number of required findings. Once prepared and made available to the Public, it must also be presented to the City Council. The attached report is the City's Five Year Report for the period ending June 30, 2015 containing the prescribed information for each of the City's Impact Fee Programs.

The attached Five Year Report was prepared in accordance with Government Code sections 66000 et seq. and made available to the public on November 19, 2015. The law requires the report be presented to the City Council at the next regular meeting not less than 15 days after it is made available to the public.

### Fiscal Impact

None.

### Recommendation

Staff recommends that City Council approve the Resolution accepting the attached Report and making the required findings pursuant to Government Code Sections 66000 et seq.

### Attachments

1. Resolution
2. Five Year Report

## RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ACCEPTING THE FIVE YEAR DEVELOPMENT IMPACT FEE REPORT FOR THE PERIOD ENDING JUNE 30, 2015 AND MAKING REQUIRED FINDINGS AS REQUIRED BY GOVERNMENT CODE SECTIONS 66000 ET SEQ.**

**WHEREAS**, State Law allows Cities to establish development impact fees to mitigate the impacts of new development on growing communities; and

**WHEREAS**, the City of Oakley did, in 2003, adopt its existing development impact fee programs; and

**WHEREAS**, Sections 66000 et seq. of the California Government Code contains the provisions defining parameters of development impact fees, as well as reporting and maintenance requirements to ensure the ongoing appropriateness of the fees charged; and

**WHEREAS**, the attached Five Year Report contains information that meets both the annual and five year reporting requirements described in the Code; and

**WHEREAS**, State Law also requires that every five years the Council make the following specific findings for each fee program related to that portion of the account or fund remaining unexpended, whether committed or uncommitted:

- a) Identify the purpose to which the fee is to be put;
- b) Demonstrate a reasonable relationship between the fee and the purpose for which it is charged;
- c) Identify all sources and amounts of funding anticipated to complete financing of incomplete improvements identified in the program;
- d) Designate the approximate dates on which the funding referred to in c) is expected to be deposited into the appropriate account or fund; and

**WHEREAS**, Staff recommends the City Council accept the attached report and incorporate it herein in order to make the required findings.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Oakley accepts the attached Five Year Report, and makes the following required findings for each of the City's Development Impact Fee Programs, incorporating the information from the report into this resolution.

1. The report includes the stated purpose for each fee;
2. The report includes the amount of fees unexpended in each Fund at June 30, 2015 and sufficient detail regarding the expected use of the fees to demonstrate a reasonable relationship between the fee and the purpose for which it is charged;

3. The report includes the sources and amounts of funding anticipated to complete financing of incomplete improvements identified in each program;
4. The report includes the approximate dates on which the funding is expected to be deposited into the appropriate account or fund to finance the incomplete improvements noted.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Oakley held on the 8<sup>th</sup> day of December 2015 and adopted by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED: \_\_\_\_\_, MAYOR

ATTEST:

\_\_\_\_\_  
Libby Vreonis, CITY CLERK

**Five Year Report  
Development Impact Fees  
For the City of Oakley  
For Fiscal Year Ending June 30, 2015**

Government Code Sections 66000 et seq. require local agencies to submit annual and five-year reports detailing the status of development impact fees. The annual report must be made available to the public no later than 180 days after the end of the fiscal year, and must be presented to the City Council at least fifteen days after it is made available to the public. The five year report must be made available to the public following the fifth year the fees are collected and each five years thereafter. This report is the City's Five Year Report for the period ended June 30, 2015.

This report includes all of the Annual Report required data, and data that supports the findings required by the Code for the five year period. Below, and on the following pages you will find for each fee program:

1. A brief description of the program.
2. Beginning and ending balances for the year.
3. Amount of fees collected and the interest earned during the year.
4. Total Expenditures for the year.
5. A summary of fund balances and five year test.
6. A detailed list of current year disbursements by project, including the percentages funded by fees, including operating transfers.
7. Information listing the programs' projects expected to be funded with fees that have been collected but unspent, whether committed or not yet committed, including data from the City's most current Capital Improvement Plan.
8. A current schedule of fees.

The fee programs included in this report are the following:

Section A – Traffic Impact Fee Program

Section B – Park Impact Fee Program

Section C – Child Care Facilities Impact Fee Program

## Section D - Public Facilities Impact Fee Program

## Section E – Fire Facilities Impact Fee Program

### **Program Descriptions**

#### **A. Traffic Impact Fee Program**

The Traffic Impact Fee Program was established by the City on incorporation in 1999, and included separate Area of Benefit and Median Island Fees. In 2003, all of these programs were rolled up into a broader Traffic Impact Fee Program. The Program's stated purpose is to finance roadway improvements to reduce the impacts caused by future development in the City. The City accounts for the program in its Traffic Impact Fee Fund.

#### **B. Park Impact Fee Program**

In 2003, the City amended its existing Park Impact Fee Program. The stated purpose for the program is to acquire property and develop city parks to reduce the impacts caused by future development in the City. The City accounts for the program in its Park Impact Fee Fund.

#### **C. Child Care Facilities Impact Fee Program**

The Child Care Facilities Impact Fee Program was established by the County and subsequently adopted by the City to finance the acquisition, or design, engineering, construction and other costs related to child care facilities in order to reduce the impacts caused by future development in the City. The City accounts for the program in its Child Care Facilities Impact Fee Fund.

#### **D. Public Facilities Impact Fee Program**

The Public Facilities Impact Fee Program was established by the City in 2003 to finance the acquisition, or design, engineering, construction and other costs related to the purchase or construction of the Civic Center, Community Center, and Corporation Yard detailed in the resolution establishing the fee. These facilities were identified as necessary to reduce the impacts caused by future development in the City. The City accounts for the program in its Public Facilities Impact Fee Fund.

#### **E. Fire Facilities Impact Fee Program**

The Fire Facilities Impact Fee Program was established by the City in 2003 to finance the acquisition, design, engineering, construction, upgrade and or other costs related to

the improved fire facilities in Oakley and Knightsen. Specific projects were identified in the enabling legislation, although subject to revision by the City Council.

### **Attached Supporting Documentation**

The pages following include the supporting documentation required to meet the annual program reporting requirements and to support the Council's ability to make the findings they are required to make for each program as part of this five year report.

The City's Capital Improvement Plan (CIP) is updated annually and provides a longer-term view of the City's plan for public improvements. The Fee Program revenues are budgeted and allocated through the annual CIP and City Budget process. References to CIP project numbers in the attachments have been provided where they are part of the adopted CIP.

**TRAFFIC IMPACT FEES**

**Section A Summary of Annual Activity**

Fund Balance 6/30/14	Fee Income 14/15	Interest & Misc Inc 14/15	Expenditures 14/15	Fund Balance 06/30/15
\$ 5,039,749	1,320,389	654	1,854,713	\$ 4,506,078 ***

\*\*\*  
Above includes \$641,480 in deferred impact fees receivable from the Successor Agency to the Oakley Redevelopment Agency for a prior housing project. The balance is due on or before December 2063 at variable interest rate.

**Section B Summary of Fund Balance**

Five Year Revenue Test  
Using First In First Out Method

Unspent Funds Representing Ending Fund Balance:	Amount
Revenues Collected from FY 10/11	\$ -
Revenues Collected from FY 11/12	-
Revenues Collected from FY 12/13	1,106,466
Revenues Collected from FY 13/14	1,437,090
Revenues Collected from FY 14/15	<u>1,321,043</u>
Total Ending Fund Balance	\$ 3,864,598

**Section C Summary of Expenditures**

Expenditure Detail:	CIP #	% Complete	% Funded by Fee	Expenditures 14/15	Future Traffic Fee Appropriations 15-16 - 19-20+	Future Add'l Appropriations & Other Funding Sources	Future Funding & Construction
Administrative & Operating Expenditures			100%	\$ 43,375	\$ -		
Laurel Road Widening-O'Hara to Laurel Ballfields	124	100%	98%	1,589,708	-		
Traffic Signal Modernization	142	100%	32%	70,000	-		
East Cypress Road Widening and Median	147				420,000		
Street Repair and Resurfacing	151	100%	38%	21,508	-		
Cypress, Big Break, & Rose Pavement Rehabilitation	163	100%	15%	17,500	-		
Main Street Resurfacing (Bridgehead to Big Break)	164	100%	63%	112,622	-		
Main Street Realignment (Vintage Parkway to 2nd Street)	165				800,000	Gen Cap Proj, Main St, Stormwater, 2012 Bond Benefit	
FY 15-16 Frontage Gap Closure Improvements	170				225,000		
FY 15-16 Traffic Calming Project	172				50,000		
				<u>\$ 1,854,713</u>	<u>\$ 1,495,000</u>		

## PARK IMPACT FEES

### Section A Summary of Annual Activity

Fund Balance 6/30/14	Fee Income 14/15	Interest & Misc Inc 14/15	Expenditures 14/15	Fund Balance 06/30/15
\$ 480,469	-	86	2,263	\$ 478,292 ***

\*\*\* Above includes \$475,593 in deferred Impact fees receivable from the Successor Agency to the Oakley Redevelopment Agency for a prior housing project. The balance is due on or before December 2063 at variable interest rate. The deficit Fund Balance is expected to be eliminated from future Fee Revenues.

### Section B Summary of Fund Balance

**Five Year Revenue Test**  
Using First In First Out Method

Unspent Funds Representing Ending Fund Balance:

	Amount
Revenues Collected from FY 10/11	\$ -
Revenues Collected from FY 11/12	-
Revenues Collected from FY 12/13	-
Revenues Collected from FY 13/14	-
Revenues Collected from FY 14/15	-
<b>Total Ending Fund Balance</b>	<b>\$ -</b>

### Section C Summary of Expenditures

Expenditure Detail:	CIP #	% Complete	% Funded by Fee	Expenditures 14/15	Future Park Fee Appropriations 15-16 - 19-20+	Future Additional Appropriations & Other Funding Sources	Future Funding & Construction
Administrative Fees & Expenses			100%	\$ 2,263	\$ -		
				<u>\$ 2,263</u>	<u>\$ -</u>		

### CHILD CARE IMPACT FEES

#### Section A Summary of Annual Activity

Fund Balance 6/30/14	Fee Income 14/15	Interest & Misc Inc 14/15	Expenditures 14/15	Fund Balance 06/30/15
\$ 591,812	-	1,228	8,010	\$ 585,030 *

#### Section B Summary of Fund Balance

Five Year Revenue Test  
Using First In First Out Method

Unspent Funds Representing Ending Fund Balance:	Amount
Revenues Collected from FY 10/11 and Prior	\$ 578,676.00
Revenues Collected from FY 11/12	2,852
Revenues Collected from FY 12/13	1,427
Revenues Collected from FY 13/14	847
Revenues Collected from FY 14/15	1,228
<b>Total Ending Fund Balance</b>	<b>\$ 585,030 *</b>

\* A \$925,000 grant towards construction of a new child care facility was approved by the City Council in June 2013 and obligated by contract. In the fiscal year 2013-14, \$350,090 was disbursed. The remainder is expected to be disbursed in 15-16.

#### Section C Summary of Expenditures

Expenditure Detail:	CIP #	% Complete	% Funded by Fee	Expenditures 14/15	Future Child Care Fee Appropriations 15-16 - 19-20+	Future Additional Appropriations & Other Funding Sources	Future Funding & Construction
Administrative Fees			100%	\$ 8,010			
Grant - New Child Care Facility			100%		\$ 575,000		
				<u>\$ 8,010</u>	<u>\$ 575,000</u>		

**PUBLIC FACILITIES IMPACT FEES**

**Section A Summary of Annual Activity**

Fund Balance 6/30/14	Fee Income 14/15	Interest & Misc Inc 14/15	Expenditures 14/15	Fund Balance 06/30/15
\$ (8,993)	480,397	(560)	587,559	\$ (116,715) ***

\*\*\* Above includes \$152,228 in deferred impact fees receivable from the Successor Agency to the Oakley Redevelopment Agency for a prior housing project. The balance is due on or before December 2063 at variable interest rate.

**Section B Summary of Fund Balance**

**Five Year Revenue Test**  
Using First In First Out Method

	Amount
Unspent Funds Representing Ending Fund Balance:	
Revenues Collected from FY 10/11 and Prior	\$ -
Revenues Collected from FY 11/12	-
Revenues Collected from FY 12/13	-
Revenues Collected from FY 13/14	-
Revenues Collected from FY 14/15	-
Total Ending Fund Balance	\$ -

**Section C Summary of Expenditures**

Expenditure Detail:	CIP #	% Complete	% Funded by Fee	Expenditures 14/15	Future Public Fac. Fee Appropriations 15-16 - 19-20+	Future Additional Appropriations & Other Funding Sources	Future Funding & Construction
Administrative Fees				\$ 15,924	TBD		
Transfer to Fund 351 2006 COP Debt Service Fund			100%	571,635	\$ 2,779,275		
				<u>\$ 587,559</u>	<u>\$ 2,779,275</u>		

## FIRE PROTECTION FACILITIES IMPACT FEES

### Section A Summary of Annual Activity

Fund Balance 6/30/14	Fee Income 14/15	Interest & Misc Inc 14/15	Expenditures 14/15	Fund Balance 06/30/15
\$ 81,742	-	168	883	\$ 81,027 *

\* The City continues to hold this balance in order to accumulate an amount sufficient to fund a fire facility project.

### Section B Summary of Fund Balance

Five Year Revenue Test  
Using First In First Out Method

Unspent Funds Representing Ending Fund Balance:	Amount
Revenues Collected from FY 10/11 and Prior	58,634
Revenues Collected from FY 11/12	21,983
Revenues Collected from FY 12/13	134
Revenues Collected from FY 13/14	109
Revenues Collected from FY 14/15	168
<b>Total Ending Fund Balance</b>	<b>\$ 81,027</b>

### Section C Summary of Expenditures

Expenditure Detail:	CIP #	% Complete	% Funded by Fee	Expenditures 14/15	Future Fire Fac. Fee Appropriations 14/15 - 18/19+	Future Additional Appropriations & Other Funding Sources	Future Funding & Construction
Administrative Fees				\$ 883	\$ -		
				<u>\$ 883</u>	<u>\$ -</u>		

### City of Oakley Development Impact Fees FY 15-16

(Includes Reduced and Non-Reduced Impact Fees)

Fee Type	Single Family (per unit)	Multi-Family (per unit)	2nd Unit See Note	Age-Restricted Senior Housing Rate (9)	Commercial (per 1000 sq. ft.)	Commercial Recreation (per 1000 sq. ft.)	Business Park- Low Density (per 1000 sq. ft.)	Business Park- High Density (per 1000 sq. ft.)	Light Industrial (per 1000 sq. ft.)	Utility Energy (per 1000 sq. ft.)	Other (as noted)
<b>Current Fees (no reduction) July 1, 2015</b>											
Oakley Traffic	\$14,014.92	\$8,549.45	\$4,018.24	\$0.00	\$5,796.23	\$5,796.23	\$8,631.35	\$8,631.35	\$5,796.23	\$5,796.23	\$14,014.92 per peak hour trip
Regional Transportation Development Impact Mitigation (7)	\$20,156.57	\$12,373.51	\$5,815.55	\$5,761.11	\$1,676.60	\$1,676.60	\$1,464.50	\$1,464.50	\$1,464.50	\$1,464.50	\$20,156.57 per peak hour trip
Park Acquisition	\$3,578.67	\$2,338.42	\$1,099.06	\$0.00	\$631.29	\$631.29	\$505.44	\$1,264.61	\$537.92	\$537.92	
Park Improvement	\$5,863.01	\$3,831.12	\$1,800.63	\$0.00	\$662.61	\$690.39	\$1,726.72	\$1,726.72	\$734.20	\$734.20	
Public Facilities	\$3,151.09	\$2,058.98	\$967.72	\$0.00	\$464.34	\$371.17	\$927.15	\$927.15	\$394.08	\$394.08	
General Plan	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$300.00 per gross acre
South Oakley Infrastructure Master Plan (1)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$352.00 per gross acre
East County Fire Protection District	\$749.00	\$468.00	\$219.96		\$160.00	\$160.00	\$160.00	\$160.00	\$160.00	\$160.00	\$452.00 per mobile home unit
	<b>\$47,513.26</b>	<b>\$29,619.48</b>	<b>\$13,921.15</b>	<b>\$5,761.11</b>	<b>\$9,591.07</b>	<b>\$9,199.83</b>	<b>\$14,174.33</b>	<b>\$14,174.33</b>	<b>\$9,086.93</b>	<b>\$9,086.93</b>	
<b>Current fees with reduction July 1, 2015 continued to September 30, CC Reso 77-15</b>											
Oakley Traffic	\$8,408.95	\$5,129.67	\$2,410.94	\$0.00	\$3,477.74	\$3,477.74	\$5,178.81	\$5,178.81	\$3,477.74	\$3,477.74	\$8,408.95 per peak hour trip
Regional Transportation Development Impact Mitigation (7)	\$14,310.69	\$8,784.98	\$4,128.94	\$4,090.29	\$1,676.60	\$1,676.60	\$1,464.50	\$1,464.50	\$1,464.50	\$1,464.50	\$14,310.69 per peak hour trip
Park Acquisition	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Park Improvement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Public Facilities	\$3,151.09	\$2,058.98	\$967.72	\$0.00	\$464.34	\$371.17	\$927.15	\$927.15	\$394.08	\$394.08	\$0.00
General Plan	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
South Oakley Infrastructure Master Plan (1)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
East County Fire Protection District	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	<b>\$25,870.73</b>	<b>\$15,973.63</b>	<b>\$7,507.60</b>	<b>\$4,090.29</b>	<b>\$5,618.68</b>	<b>\$5,525.51</b>	<b>\$7,570.46</b>	<b>\$7,570.46</b>	<b>\$5,336.32</b>	<b>\$5,336.32</b>	
<b>Current Fees Starting October 1, 2015, CC Reso 77-15</b>											
Oakley Traffic	\$14,014.92	\$8,549.45	\$4,018.24	\$0.00	\$3,477.74	\$3,477.74	\$5,178.81	\$5,178.81	\$3,477.74	\$3,477.74	\$8,408.95
Regional Transportation Development Impact Mitigation (7)	\$14,310.69	\$8,784.98	\$4,128.94	\$4,090.29	\$1,676.60	\$1,676.60	\$1,464.50	\$1,464.50	\$1,464.50	\$1,464.50	\$14,310.69 per peak hour trip
Park Acquisition	\$3,578.67	\$2,338.42	\$1,099.06	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Park Improvement	\$5,863.01	\$3,831.12	\$1,800.63	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Public Facilities	\$3,151.09	\$2,058.98	\$967.72	\$0.00	\$464.34	\$371.17	\$927.15	\$927.15	\$394.08	\$394.08	\$0.00
General Plan				Not charged							\$300.00 per gross acre
South Oakley Infrastructure Master Plan (1)				Not charged							\$352.00 per gross acre
East County Fire Protection District	\$749.00	\$468.00	\$219.96		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$452.00 per mobile home unit
	<b>\$41,667.38</b>	<b>\$26,030.95</b>	<b>\$12,234.54</b>	<b>\$4,090.29</b>	<b>\$5,618.68</b>	<b>\$5,525.51</b>	<b>\$7,570.46</b>	<b>\$7,570.46</b>	<b>\$5,336.32</b>	<b>\$5,336.32</b>	

Contact Ironhouse Sanitary District at (925) 625-2279 for exact amount  
 Contact Diablo Water District at (925) 625-3798 for exact amount  
 Contact OUESD at (925) 625-0700 for the exact fees for all parcels east of Empire Avenue  
 Contact LUHSD at (925) 634-2166 for the exact fees for all parcels east of Empire Avenue  
 Contact AUSD at (925) 706-4100 for the exact fees for all parcels west of Empire Avenue