



Staff Report

Date: December 14, 2023
To: Mayor Brekhus and Council Members
From: Christa Johnson, Town Manager
Subject: AB1600 Annual Report for Fiscal Year Ended June 30, 2023

Recommendation

It is recommended that the Town Council adopt Resolution No. 2345 accepting the Fiscal Year Ended June 30, 2023 Annual Report on Development Impact Fees (AB 1600 Report).

Background and discussion

In accordance with Assembly Bill 1600, 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 development impact fees under Government Code section 66006. This report is due no later than December 31, 2023.

Adoption of Resolution No. 2345 meets the reporting requirements required under California Government Code Section 66006 regarding the receipt of Development Impact Fees. The Town collects impact fees for roadway improvements, drainage improvements, general plan upgrades and implementation, and in-lieu tree replacement. 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, 2023. This report also provides a plan for future uses of these fees that have not yet been spent.

Fiscal, resource and timeline impacts

Staff time tracking of the fund activities, summarizing the activity for this report, and preparation of the report requires accounting and administrative resources.

Alternative actions

No alternative action is suggested to meet these report requirements.

Attachments

- Resolution No. 2345
- AB1600 Report - Attachment A

TOWN OF ROSS

RESOLUTION NO. 2345

A RESOLUTION OF THE TOWN OF ROSS ACCEPTING THE FISCAL YEAR ENDED JUNE 30, 2023 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 loans were made from any of the accounts identified in the AB 1600 Report; 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 Attachment 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 impact fees continue to be required to fund applicable improvements, and as such, these fees will continue to be collected and deposited into the appropriate funds for utilization for their intended purpose.
- D. The unexpended impact fees on June 30, 2023 as detailed in Attachment A are needed to finance future road and drainage infrastructure projects and General Plan Implementation projects.
- E. The Town Council hereby approves, accepts, and adopts the AB 1600 Report.
- F. 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 14th day of December 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elizabeth Brekhus, Mayor

ATTEST:

Cyndie Martel, Town Clerk

ATTACHMENT A



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 the following:

1. **Drainage Impact** development fees are used to fund the design and construction of drainage infrastructure improvements required to mitigate the impact of development.
2. **Road Impact** development fees are used to fund the design and construction of streets, bridges and traffic signal infrastructure improvements required to mitigate the impact of development.
3. **General Plan Impact** development fees are used to update and implement the General Plan.
4. **In Lieu Tree Fund** fees are used to mitigate the impacts from tree removal when trees cannot be planted on the site from which the tree is removed.

ATTACHMENT A-1

Fee Schedule effective 1/1/23:

Drainage impact fee (% of valuation)	1.00%
Road impact fee (% of valuation)	1.00%
	+\$3/cubic yard for import/export for demolition activity, earthwork, site work
General plan impact fee (% of valuation)	0.35%
In Lieu Tree Fee	\$250 per one inch of tree replacement diameter
	\$500 for a tree determined to be in poor condition or creating a hazard to a building or other structure, as determined by a certified arborist

ATTACHMENT A-2

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

	Road Impact Fees	Drainage Impact Fees	General Plan Impact Fees	In Lieu Tree Impact Fees		
Balance beginning of year 7/1/22	\$ 1,002,025	\$ 1,425,568	\$ 355,782	\$ -		
Revenues						
Impact Fees	121,908	121,908	79,991	-		
Interest	19,333	32,104	8,084	-		
	<u>141,241</u>	<u>154,012</u>	<u>88,075</u>	<u>-</u>		
Expenditures					% complete	% funded with fee
Road Improvements	81,396				15%	100%
Bolinas Avenue Drainage project		54,218			20%	100%
Drainage Improvements		112,943			30%	100%
Storm Drain Master Plan		57,320			90%	100%
General Plan Housing element Study			156,000		100%	100%
	<u>81,396</u>	<u>224,481</u>	<u>156,000</u>	<u>-</u>		
Revenues over (under) expenditures	59,845	(70,469)	(67,925)	-		
Balance end of year 6/30/23	<u>\$ 1,061,870</u>	<u>\$ 1,355,099</u>	<u>\$ 287,857</u>	<u>\$ -</u>		

ATTACHMENT A-3

Annual Report on Development Impact Fees
Planned Usage of Development Impact Fees
 (Costs shown are net of Other Funding Sources for Improvements)

	FYE24 to FYE28
Road Impact Fee	
Road Infrastructure Improvements	\$ 1,750,000
ADA/Sidewalk Improvement Program	\$ 140,000
Total Road Impact Fee Projects	\$ 1,890,000
Drainage Impact Fees	
Townwide drainage improvements	\$ 450,000
Bolin-as-SFD drainage project	\$ 820,000
Drainage Master Plan	\$ -
Creek bank protection Town Hall site	\$ 300,000
Total Drainage Impact Fee Projects	\$ 1,570,000
General Plan Impact Fee	
General Plan update & implementation	500,000
General Plan Housing Element Update	-
Total General Plan Impact Fee Projects	\$ 500,000

Note:

All current Roadway Impact and Drainage Impact fees are anticipated to be expended in the next five years based on the Town Capital Improvement Plan. The current General Plan Impact fund balance is also anticipated to be expended for General Plan implementation and support projects within the next five years.