

## REPORT TO CITY COUNCIL

**DATE: NOVEMBER 9, 2022**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: NATHAN HAMBURGER, CITY MANAGER**

**BY: JESSICA FORTE, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER**

**SUBJECT: ANNUAL COMPLIANCE REPORT FOR THE TRANSPORTATION IMPACT FEES FUND COVERING FISCAL YEAR 2021-2022**

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In 1988, State Legislature passed Assembly Bill 1600 (AB 1600) – The Mitigation Fee Act (Government Code Section 66000 *et seq.*) which established ground rules for the administration of impact fee programs. Since its adoption, the City has established a Transportation Impact Fee (TIF) Program for developments. The purpose of the fee is to provide funds for the implementation and construction of arterial roadway improvements to address the traffic impact of new development on the City's arterial network.

The California Mitigation Fee Act mandates procedures for administration of impact fee programs, including collection, accounting, refunds, updates and reporting. Section 66006 requires that once each year, within 180 days of the close of the fiscal year, the local agency must make available to the public the following information for each account established to receive impact fee revenues:

- (A) A brief description of the type of fee in the account or fund;
- (B) The amount of the fee;
- (C) The beginning and ending balance of the account or fund;
- (D) The amount of the fees collected and interest earned;
- (E) Identification of each public improvement on which fee revenues were expended and the amount of the expenditures on each improvement, including the percentage of the cost of the public improvement that was funded with fee revenues;
- (F) Identification of the approximate date by which the construction of a public improvement will commence, if the City determines sufficient funds have been collected financing of an incomplete public improvement;
- (G) A description of each inter-fund transfer or loan made from the account or fund, including interest rates, repayment dates, and a description of the improvements on which the transfer or loan will be expended;
- (H) The amount of any refunds or allocations made pursuant to Section 66001;

Attached to this report is Attachment A, which is intended to fulfill the annual compliance information requirements of Section 66006(b)(1).

## **RECOMMENDATION**

Staff respectfully recommends the City Council receive the annual Transportation Impact Fee report to fulfill the requirements, as stated in Government Code Section 66006(b)(1).

Attachment: AB 1600 Annual Compliance Report

**AB 1600 ANNUAL COMPLIANCE REPORT  
TRANSPORTATION IMPACT FEES  
FY 2021-2022**

For the purpose of compliance with Government Code Subsection 66006(b)(1), the following information regarding AB 1600 fees is presented:

*For each separate account or fund established pursuant to subdivision (a), the local agency shall make available to the public the following information for the fiscal year:*

**(A)** *A brief description of the type of fee in the account or fund.*

**Transportation Impact Fee** - The purpose of the fee is to provide funds for the implementation and construction of arterial roadway improvements to address the traffic impact of new development on the City's arterial network.

**(B)** *The amount of the fee.*

Development Type	Impact Fee	2% Admin	Total Fee
<i>Residential (per unit)</i>			
Single Family	\$ 3,033	\$ 61	\$ 3,094
Multi-Family	\$ 1,486	\$ 30	\$ 1,516
Multi-Family - Mixed Use	\$ 1,338	\$ 27	\$ 1,365
<i>Non-Residential (per 1,000 bldg sf except Hotel/Motel and Commercial Recreation)</i>			
Shopping Center	\$ 12,557	\$ 251	\$ 12,808
Retail/Service	\$ 6,551	\$ 131	\$ 6,682
Hotel/Motel (per room)	\$ 2,517	\$ 50	\$ 2,567
Business Park/Mfg	\$ 5,035	\$ 101	\$ 5,136
Business Pk-Office/Retail	\$ 7,158	\$ 143	\$ 7,301
Mixed Use Commercial/Residential	\$ 5,884	\$ 118	\$ 6,002
Commercial Recreation (per acre)	\$ 1,335	\$ 27	\$ 1,362

**(C)** *The beginning and ending balance of the account or fund.*

07/1/2021	\$ 1,632,328.28
6/30/2022	\$ 1,642,714.58

**(D)** *The amount of the fees collected and the interest earned.*

Fees collected	\$ 7,380.00
Interest earned	\$ 3,006.30

- (E) *An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.*

<b>EXPENDITURES</b>		
<b>PROJECT</b>	<b>TIF EXPENDED</b>	<b>% FUNDED</b>
N/A	\$0	\$0
Total:	\$0	\$0

- (F) *An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete*

<b>AGOURA HILLS CAPITAL IMPROVEMENT PROJECTS FY 2021-2022</b>		
<b>PROJECT</b>	<b>START DATE</b>	<b>% Funded</b>
PALO COMADO	December, 2019	2.5% (loan from Measure M)
ROADSIDE BRIDGE	May, 2021	13%

- (G) *A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund 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.*

The current loan balance for 2021-2022 is \$963,763.40. This amount includes the original loan from 2015-2016 in the amount of \$763,763.40. This was loaned to the Measure "R" Capital Projects Fund in 2015-2016 to fund the Agoura Road Widening Project. During the 2018-2019 period an additional \$200,000.00 was also loaned to Measure "R" to fund the Agoura Road Widening Project. During the current 2021-2022 period, there were no additional loans from this account. The loaned money is anticipated to be reimbursed with Measure "R" monies by June 2023, when the Agoura Road Widening Project is finalized and receives the final audit by Metro. There will be no interest repaid on the loans.

- (H) *The amount of refunds made pursuant to subdivision (e) Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.*

No refunds were made during the fiscal year.