

Agenda Report Reviewed by:
 City Manager: 

**CITY OF SEBASTOPOL
 CITY COUNCIL
 STAFF REPORT**

Meeting Date: November 19, 2019
 To: Honorable Mayor and Honorable City Councilmembers
 From: Henry Mikus, Engineering Manager
 Subject: Accept and Approve of the Annual AB 1600 Report
 Recommendation: Adopt Minute Order accepting & approving the Annual AB 1600 Report.
 Funding: Currently Budgeted: Yes No N/A
 Net General Fund Cost: \$ none

INTRODUCTION: This item is to request the City Council Accept and Approve of the Annual AB 1600 Report for FY 18-19.

BACKGROUND: Cities and Counties normally charge fees on new development projects to fund public improvements, public amenities, and public services. For example, Traffic Mitigation Fees are used to fund transit facilities, streets, bike lanes and sidewalks. These fees are commonly known as “Development Impact Fees” (Developer Fees). In 1989, the State Legislature passed Assembly Bill 1600 (AB1600) which added Section 66000 to the California Government Code. The chapter sets forth a number of requirements that local governments must follow if they are to collect fees from developers to defray the cost of the construction of public facilities related to development projects. Government Code Sections 66000-66003 apply to developer fees established, increased or imposed on or after January 1, 1989. An “AB 1600 Report” to discuss a jurisdiction’s use of the Developer Fees that have been collected, and expended, is normally presented and approved on an annual basis.

DISCUSSION: The Art In-Lieu Fee, Inclusionary & Linkage Housing Fee, Building Permit Incremental Fee, Housing General Plan Fee, Park In-Lieu Fee, Traffic Impact Fee, and Utility Undergrounding Fee that the City of Sebastopol (City) collects qualify as Development Impact Fees and therefore must comply with the above referenced Government Code Sections. As required by law, these fees are segregated and accounted for as Special Revenue Funds, and kept separate from the City General fund.

Government Code Section 66001 requires the City to make available to the public certain information regarding these fees for each fund within 180 days after the end of each fiscal year. Accordingly, this report is presented to the City Council for review and approval. If a local jurisdiction has had possession of a developer fee for five years or more and has not committed that money to a project or actually spent that money, then it must make findings describing the continuing need for that money each fiscal year after the five years have expired. If a local jurisdiction cannot make these required findings, then the city or county must go through a refund procedure. Attachment A shows the activities in the above-listed Developer Fees across the most recent five fiscal years as documentation that these fees are being regularly utilized or committed to projects as required.

RECOMMENDATION: That the City Council adopt a Minute Order accepting & approving this Annual AB 1600 Report for FY 18-19.

ATTACHMENT(S):

Attachment A: Five Year Revenues and Expenditures for Sebastopol Developer Fees

City of Sebastopol
Annual AB 1600 Report
November 6, 2019

		Developer Fee Fund *							
		Art in-Lieu	Inclusionary & Linkage Housing	Building Permit Technology	Building Permit Incremental	General Plan Update	Park In-Lieu	Traffic Impact	Utility Undergrounding
		203	204-205	122	206	208	212	213	214
FY 12-13	Beginning Balance	\$ 17,053	\$ 190,013	\$ 16,361	\$ 18,919	\$ 54,506	\$ 441,891	\$ 612,365	\$ 188,076
	Revenue	\$ 15,562	\$ 10,043	\$ 5,077	\$ 6,461	\$ 9,384	\$ 54,129	\$ 215,776	\$ 2,115
FY13-14	Expenditures	\$ -	\$ -	\$ 4,648	\$ 11,180	\$ 54,259	\$ 107,474	\$ 9,306	\$ -
	Ending Balance	\$ 32,615	\$ 200,056	\$ 16,790	\$ 14,200	\$ 9,631	\$ 388,546	\$ 818,835	\$ 190,191
FY14-15	Revenue	\$ 18,729	\$ 14,390	\$ 7,004	\$ 8,154	\$ 13,459	\$ 26,989	\$ 202,112	\$ 36,963
	Expenditures	\$ -	\$ -	\$ 9,500	\$ 7,249	\$ 21,000	\$ 41,944	\$ 55,068	\$ -
	Ending Balance	\$ 51,344	\$ 214,446	\$ 14,294	\$ 15,105	\$ 2,090	\$ 373,591	\$ 965,879	\$ 227,154
FY15-16	Revenue	\$ 50,587	\$ 148,835	\$ 15,725	\$ 15,759	\$ 39,086	\$ 57,038	\$ 116,404	\$ 1,913
	Expenditures	\$ -	\$ -	\$ 2,931	\$ 7,401	\$ -	\$ 178,814	\$ 29,498	\$ -
	Ending Balance	\$ 101,931	\$ 363,281	\$ 27,088	\$ 23,463	\$ 41,176	\$ 251,815	\$ 1,052,785	\$ 229,067
FY16-17	Revenue	\$ 19,341	\$ 18,486	\$ 11,246	\$ 4,901	\$ 18,911	\$ 44,158	\$ 61,110	\$ 1,751
	Expenditures	\$ 221	\$ 26,141	\$ 3,207	\$ 5,368	\$ -	\$ 31,472	\$ 211,760	\$ -
	Ending Balance	\$ 121,051	\$ 355,626	\$ 35,127	\$ 22,996	\$ 60,087	\$ 264,501	\$ 902,135	\$ 230,818
FY17-18	Revenue	\$ 5,375	\$ 7,207	\$ 7,049	\$ 6,899	\$ 8,832	\$ 37,605	\$ 67,153	\$ 1,354
	Expenditures	\$ -	\$ 98,145	\$ 2,853	\$ 7,807	\$ -	\$ 136,461	\$ 450,901	\$ -
	Ending Balance	\$ 126,426	\$ 264,688	\$ 39,323	\$ 22,088	\$ 68,919	\$ 165,645	\$ 518,387	\$ 232,172
FY18-19**	Revenue	\$ 6,770	\$ 14,320	\$ 9,790	\$ 9,311	\$ 7,440	\$ 23,754	\$ 107,850	\$ 5,582
	Expenditures	\$ 2,000	\$ 147,707	\$ 4,651	\$ 7,435	\$ -	\$ 48,095	\$ 259,671	\$ -
	Ending Balance	\$ 131,196	\$ 131,301	\$ 44,462	\$ 23,964	\$ 76,359	\$ 141,304	\$ 366,566	\$ 237,754

* Source: City of Sebastopol Audited Financial Statements

** Unaudited