

RESOLUTION NO. 2023-133

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
RECEIVING AND FILING THE FISCAL YEAR 2022-2023 ANNUAL REPORT ON THE
COLLECTION AND USE OF MITIGATION FEES FOR NEW DEVELOPMENT.

WHEREAS, the City of Marina collects impact fees to mitigate the effects of increased demand for public facilities, transportation infrastructure, and parks, and;

WHEREAS, pursuant to the Mitigation Fee Act (Government Code Section 66000 et seq.), the City is required to annually report certain information regarding the collection of development impact fees, and;

WHEREAS, the Report for Fiscal Year 2022-23, attached as “Exhibit A,” identifies unexpended impact fee programs, and;

WHEREAS, receiving an informational report on the collection and use of mitigation fees is not a project under CEQA per Article 20 Section 15378(b), and;

WHEREAS, the Report was made available to the public prior to this Council meeting, and;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Marina does hereby receive and file the fiscal year 2022-2023 annual report on the collection and use of mitigation fees for new development.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of December 2023, by the following vote:

AYES, COUNCIL MEMBERS: Visscher, McCarthy, Biala, Delgado

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: Medina Dirksen

ABSTAIN, COUNCIL MEMBERS: None

ATTEST:

Bruce C. Delgado, Mayor

Anita Sharp, Deputy City Clerk

**Annual Impact Fee Report
For the City of Marina
For Fiscal Year 2022-23**

This report contains information on the City of Marina's development impact fees for Fiscal Year 2022-23. This information is presented to comply with the annual reporting requirements contained in Government Code section 66000 *et seq.* Please note that this annual report is not a budget document, but rather is compiled to meet reporting requirements. It is not intended to represent a full picture of currently planned projects as it only reports project information, revenues and expenditures for Fiscal Year 2022-23.

Government Code Section 66006 requires 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 within 180 days after the last day of the fiscal year and must be presented to the public agency (City Council) no less than 15 days after it is made available to the public.

This report summarizes the following annual reporting information for each of the development impact fee programs:

1. A brief description of the fee program.
2. Schedule of fees.
3. Beginning and ending balances of the fee program.
4. Amount of fees collected, interest earned, and transfers/loans.
5. 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.
6. A description of each interfund transfer or loan, the date the loan will be repaid, the rate of interest, and a description of the public improvement on which the transferred or loaned fees will be expended.
7. The estimated date when projects will begin if sufficient revenues are available to construct the project.
8. The amount of refunds made to property owners.

More detailed information on certain elements of the various fee programs is available through other documents such as nexus studies, master plans, the capital improvement program, and budgets.

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Impact Fee Program Descriptions

Public Building Facilities Fee

The Public Facilities Fee is imposed to pay for the public building costs for a City Hall, Public Works Yard and a Senior Community Center. Residential and commercial development help pay the City Hall and Public Works Yard. Only residential development pays towards the future Senior Community Center.

Public Safety Facilities Fee

The Public Safety Fee is imposed to pay the public building costs for a new fire station and animal control facility. Residential and commercial development help pay for these facilities.

Transportation Facilities Fee – Roadways and Intersections

New vehicle trip generation by new development impacts the City's roadways and intersections. What portion of the development impact not paid by other transportation revenues are paid by transportation impact fees. The City divides these impacts into roadway and intersection impacts and collects fees for these two types of transportation impacts.

Park Facilities Fee

The Park Facilities Fee is imposed to create additional park facilities to maintain the same ratio of park space currently available to the residents of Marina. The fee is limited to residential development.

The City does not typically earmark impact fees for any specific project as the revenues are collected, but rather the revenues are applied toward a series of capital improvement projects as outlined in the nexus studies, such as future parks, transportation infrastructure, and other capital facilities.

Annual Impact Fee Report For the City of Marina For Fiscal Year 2022-23

City of Marina
AB 1600 Impact Fee Report
Fiscal Year ending 6/30/2023

	Intersections	Roadways	Public Safety	Public Building Facilities	Parks	Total
Ending Balance 6/30/2022	\$ 2,445,474.90	\$ 6,113,058.81	\$ 1,098,936.12	\$ 4,453,169.18	\$ 6,174,426.49	\$ 20,285,065.37
<u>Revenues</u>						
Impact Fee Revenues	620,684.48	1,672,181.65	287,190.29	907,530.50	2,387,009.53	5,874,596.45
Transfer In from Closed Proj.	69,519.59	-	-	-	-	69,519.59
Interest	52,202.16	130,505.44	21,750.92	95,704.00	134,855.63	435,018.15
Total Revenues	742,406.23	1,802,687.09	308,941.21	1,003,234.50	2,521,865.16	6,379,134.19
<u>Expenditures</u>						
Transfers to Projects	(1,170,000.00)	(50,000.00)	(50,000.00)	(50,000.00)	(700,000.00)	(2,020,000.00)
Total Expenditures	(1,170,000.00)	(50,000.00)	(50,000.00)	(50,000.00)	(700,000.00)	(2,020,000.00)
Ending Balance 6/30/2023	\$ 2,017,881.13	\$ 7,865,745.90	\$ 1,357,877.33	\$ 5,406,403.68	\$ 7,996,291.65	\$ 24,644,199.56

Project Descriptions

California Avenue Pedestrian Crossing Installation Project (\$120,000 Intersections)

The project includes installation of a crosswalk and two new ADA compliant curb ramps on the south side of the intersection with a PHB and associated electrical system. In addition, work will require conform curb, gutter, and sidewalk, asphalt concrete pavement; pavement markings and striping and associated miscellaneous work for a complete and operational pedestrian crossing. This additional appropriation of Impact Fee funds was approved through Council Resolution No. 2022-118.

Sea Haven Community Park (\$650,000 Parks)

Funding for a playground and pickleball courts to be included in the Sea Haven Park which is being developed in conjunction with the subdivision developer. This additional appropriation of Impact Fee funds was approved through Council Resolution No. 2022-122.

Windy Hill Park Playground and Restroom (\$250,000 Parks)

Funding for a restroom to serve the existing Windy Hill Park. The park is currently only served by a portable toilet.

Development Impact Fee Study Update (\$50,000 from each Fee Category, \$250,000 total)

The purpose of the Development Impact Fee Study Update is to re-evaluate and update the fees developed from the 2016 study, and to incorporate the adopted CIP projects and additional recommended projects. Additional appropriation of Impact Fee funds was approved through Council Resolution No. 2023-47.

Annual Impact Fee Report For the City of Marina For Fiscal Year 2022-23

Public Facilities Impact Fee Summary Indexed for 2023													
Land Use	(a) 2022 Public Buildings Fee	2023 Public Buildings Fee	(c) 2022 Public Safety Fee	2023 Public Safety Fee	(e) 2022 Roadways Fee	2023 Roadways Fee	(g) 2022 Intersections Fee	2023 Intersections Fee	(i) 2022 Parks Fee	2023 Parks Fee	2022 Total Fee (a+c+e+g+i)	2023 Total Fee	
Residential													
Single Family Dwelling Units	\$ 4,622	\$ 4,815	\$ 996	\$ 1,038	\$ 8,717	\$ 9,081	\$ 2,111	\$ 2,199	\$ 10,011	\$ 10,429	\$ 26,457	\$ 27,562	
Senior Homes	\$ 3,082	\$ 3,211	\$ 662	\$ 690	\$ 3,370	\$ 3,511	\$ 817	\$ 851	\$ 6,675	\$ 6,953	\$ 14,606	\$ 15,216	
Assisted Living - Senior	\$ 1,713	\$ 1,784	\$ 368	\$ 383	\$ 2,418	\$ 2,519	\$ 587	\$ 611	\$ 3,707	\$ 3,862	\$ 8,793	\$ 9,159	
Multi-Family Dwellings	\$ 4,281	\$ 4,460	\$ 922	\$ 960	\$ 6,088	\$ 6,342	\$ 1,477	\$ 1,539	\$ 9,269	\$ 9,656	\$ 22,037	\$ 22,957	
Mobile Home Park	\$ 4,281	\$ 4,460	\$ 922	\$ 960	\$ 4,568	\$ 4,759	\$ 1,106	\$ 1,152	\$ 9,269	\$ 9,656	\$ 20,146	\$ 20,987	
Campground/RV Park	\$ 4,281	\$ 4,460	\$ 922	\$ 960	\$ 2,473	\$ 2,576	\$ 600	\$ 625	\$ 9,269	\$ 9,656	\$ 17,545	\$ 18,277	
Non-residential													
Office/Research	\$ 322	\$ 335	\$ 604	\$ 629	\$ 9,926	\$ 10,340	\$ 2,406	\$ 2,506	\$ -	\$ -	\$ 13,258	\$ 13,810	
Retail/Service	\$ 194	\$ 202	\$ 361	\$ 376	\$ 16,683	\$ 17,379	\$ 4,044	\$ 4,213	\$ -	\$ -	\$ 21,282	\$ 22,170	
Industrial	\$ 65	\$ 68	\$ 120	\$ 125	\$ 6,273	\$ 6,535	\$ 1,520	\$ 1,583	\$ -	\$ -	\$ 7,978	\$ 8,311	
Hotel	\$ 87	\$ 91	\$ 164	\$ 171	\$ 7,353	\$ 7,660	\$ 1,782	\$ 1,856	\$ -	\$ -	\$ 9,386	\$ 9,778	
Church	\$ 65	\$ 68	\$ 120	\$ 125	\$ 8,198	\$ 8,540	\$ 1,986	\$ 2,069	\$ -	\$ -	\$ 10,369	\$ 10,802	
Day Care Center	\$ 258	\$ 269	\$ 484	\$ 504	\$ 66,650	\$ 69,431	\$ 16,156	\$ 16,830	\$ -	\$ -	\$ 83,548	\$ 87,034	
Animal Hospital/Veterinary Clinic	\$ 387	\$ 403	\$ 724	\$ 754	\$ 42,478	\$ 44,250	\$ 10,296	\$ 10,726	\$ -	\$ -	\$ 53,885	\$ 56,133	
Medical/Dental Office Building	\$ 387	\$ 403	\$ 724	\$ 754	\$ 32,515	\$ 33,872	\$ 7,880	\$ 8,209	\$ -	\$ -	\$ 41,506	\$ 43,238	
Casino/Video Lottery	\$ 387	\$ 403	\$ 724	\$ 754	\$ 120,863	\$ 125,906	\$ 29,294	\$ 30,516	\$ -	\$ -	*	*	
Casino	\$ 387	\$ 403	\$ 724	\$ 754	\$ 35,484	\$ 36,964	\$ 8,601	\$ 8,960	\$ -	\$ -	*	*	
Notes:													
¹ Fee in this table refers to "fee per dwelling unit or mobile home park/campground/RV space," "fee per 1,000 square feet of building space (non-residential) or gaming space," and "fee per hotel room."													
* Specifically for the Casino uses, the fees for Public Buildings, Public Safety, and Parks are based on the 1,000 square feet of gaming area, while Roadways and Intersection fees are based on 1,000 square feet of building space, excluding hotel uses.													

University Villages (the Dunes) Impact Fees Summary Indexed for 2023

Land Use	(a) 2022 DA Traffic Intersections	2023 DA Traffic Intersections	(c) 2022 DA Roadways	2023 DA Roadways	(e) 2022 DA Parks	2023 DA Parks	(g) 2022 DA Facilities	2023 DA Public Facilities	(i) 2022 DA Public Safety	2023 DA Public Safety	2022 DA Total Fee (a+c+e+g+i)	2023 DA Total Fee
Residential												
Single Family Dwelling Units	\$ 3,849.28	\$ 4,009.88	\$ 5,661.40	\$ 5,897.60	\$ 10,847.29	\$ 11,299.86	\$ 2,376.71	\$ 2,475.87	\$ 988.40	\$ 1,029.64	\$ 23,723.08	\$ 24,712.83
Town Homes	\$ 2,356.81	\$ 2,455.13	\$ 3,467.52	\$ 3,612.18	\$ 10,043.81	\$ 10,462.84	\$ 2,376.71	\$ 2,475.87	\$ 988.40	\$ 1,029.64	\$ 19,233.23	\$ 20,035.66
Senior	\$ 1,206.22	\$ 1,256.54	\$ 1,774.70	\$ 1,848.74	\$ 6,428.04	\$ 6,696.22	\$ 2,376.71	\$ 2,475.87	\$ 988.40	\$ 1,029.64	\$ 12,774.06	\$ 13,307.00
Multi-Family Dwellings	\$ 2,702.86	\$ 2,815.62	\$ 3,976.67	\$ 4,142.58	\$ 10,043.81	\$ 10,462.84	\$ 2,376.71	\$ 2,475.87	\$ 988.40	\$ 1,029.64	\$ 20,088.44	\$ 20,926.55
Non-residential												
Office (per building sq. ft.)	\$ 4.08	\$ 4.25	\$ 6.00	\$ 6.25	\$ -	\$ -	\$ 1.85	\$ 1.92	\$ 1.58	\$ 1.65	\$ 13.51	\$ 14.07
Hotels (room)	\$ 3,026.76	\$ 3,153.03	\$ 4,453.17	\$ 4,638.96	\$ -	\$ -	\$ 1,980.57	\$ 2,063.20	\$ 806.52	\$ 840.16	\$ 10,267.01	\$ 10,695.36
Commercial/Retail (per building sq. ft.)	\$ 16.42	\$ 17.10	\$ 24.16	\$ 25.17	\$ -	\$ -	\$ 1.13	\$ 1.17	\$ 0.95	\$ 0.99	\$ 42.65	\$ 44.43
Industrial (per building sq. ft.)	\$ 2.59	\$ 2.70	\$ 3.80	\$ 3.96	\$ -	\$ -	\$ 0.37	\$ 0.39	\$ 0.33	\$ 0.34	\$ 7.09	\$ 7.38

November 28, 2023

Item No: **10j(1)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of December 19, 2023

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2023-,
RECEIVING AND FILING THE FISCAL YEAR 2022-2023 ANNUAL
REPORT ON THE COLLECTION AND USE OF MITIGATION FEES
FOR NEW DEVELOPMENT IMPACTS.**

REQUEST:

It is requested that City Council consider:

1. Adopting Resolution No. 2023-, receiving and filing the fiscal year 2022-2023 annual report on the collection and use of mitigation fees for new development impacts.

BACKGROUND:

AB 1600 (Statutes of 1998, Mitigation Fee Act), codified as Section 66000 et seq. of the California Government Code, regulates how public agencies collect, maintain, and spend development impact fees imposed on developers for the purpose of defraying costs of public facilities. It includes requirements for accounting, spending, and reporting the fees and related interest earnings.

The City's Public Building Facilities Impact Fee, Public Safety Facilities Impact Fee, Transportation (Roadway and Intersections) Facilities Impact Fee, and Parks Facilities Impact Fee collected by the City have been identified as fees subject to Government Code 66000 (AB 1600) requirements, and each had a balance remaining at the end of the most recently ended fiscal year. These fees are accounted for in separate funds, and each fund earns and accumulates interest. Expenditures from these funds have been used for the purposes for which the fees were collected.

ANALYSIS:

Attached (**EXHIBIT A**) is the FY 2022-23 report required under Government Code Section 66006(b)(1). The report summarizes revenue and expenditures for the funds, and includes beginning and ending balances, as required. The purpose and use of the expenditures and transfers made during the fiscal year have been identified. Since the fees are imposed on development projects that impact the facility requirements of the community, the use of these fees to fund the construction of system facilities is reasonable.

The law also requires that this report be made available to the public. The requirement for public notification has been met in conjunction with the posting of the agenda and related attachment that is associated with the City Council meeting at which this report will be presented.

FISCAL IMPACT:

No direct fiscal impact results from receiving and filing this report of activity within the impact mitigation fee accounts. The 2016 Impact Fee nexus study established an allowable administrative fee to cover the cost of activities such as preparing the annual report.

California Environmental Quality Act (CEQA)

Receiving an informational report on the collection and use of mitigation fees is not a project under CEQA per Article 20 Section 15378(b).

CONCLUSION:

This report is submitted to City Council for information.

Respectfully submitted,

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

Laura Pruneda, CPA
Finance Director
City of Marina

REVIEWED/CONCUR:

Layne P. Long
City Manager
City of Marina