



STAFF REPORT

CITY of YORBA LINDA

PARKS AND RECREATION DEPARTMENT

DATE: NOVEMBER 16, 2021

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: MIKE KUDRON, PARKS AND RECREATION DIRECTOR

SUBJECT: LOCAL PARK DEVELOPMENT IMPACT FEES (MITIGATION FEE ACT) FY 2020 - 2021

RECOMMENDATION

It is recommended that the City Council receive and file the Annual Report on Local Park Development Impact Fees (Mitigation Fee Act), included as Attachment A, for the period ending June 30, 2021.

BACKGROUND

State law (Government Code Section 66006) requires each local agency that imposes development impact fees to prepare an annual report providing specific information about those fees. This requirement is part of the law commonly referred to as AB 1600. In addition, AB 1600 imposes certain accounting and reporting requirements with respect to the fees collected. The fees, for accounting purposes, must be segregated from the general funds of the City and from other funds or accounts containing fees collected for other improvements. Interest on each development fee fund or account must be credited to that fund or account and used only for the purposes for which the fees were collected.

This report must also be reviewed by the City Council at a regularly scheduled public meeting not less than 15 days after the information is made available to the public. In addition, notice of the time and place of the meeting shall be mailed at least 15 days prior to the meeting to any interested party who files a written request with the local agency for such a mailed notice. The attached Annual Report was made available at the City Clerk's office, Parks and Recreation Office and on the City website on October 25, 2021.

The law also provides that, for the fifth fiscal year following the first deposit into the fund and every five years thereafter, the local agency shall make findings with respect to any portion of the fee remaining unexpended, whether committed or uncommitted. The finding must identify the purpose for which the fee is to be utilized and identify all sources and amounts of funding anticipated to complete financing of incomplete improvements along with the approximate dates on which the anticipated funding is expected to be deposited into the fund. The first Five-Year report was

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provided two (2) years ago encompassing FY14-15 through FY 18-19. The next Five Year report will be an accumulation of FY19-20 through FY23-24.

If the agency no longer needs the funds for the purposes collected, the agency may be required to refund, on a prorated basis to owners of the properties upon which the fees for the improvement were imposed, the monies collected for that project and any interest earned on those funds.

DISCUSSION

City Resolution No. 2014-5264, adopted by the City Council on August 5, 2014, established a fee schedule of development impact fees (under the Mitigation Fee Act) for local parks, as authorized by Section 15.56 of the Yorba Linda Municipal Code.

As of the completed fiscal year ending June 30, 2021, the status of the Local Park Development Impact Fee receipts and expenditures is as follows:

Beginning Balance:	\$ 0.00
Fees Received	\$11,693.36
Interest Income	<u>\$ 534.31</u>
Subtotal	\$12,227.67
Expenditures	<u><\$12,227.67></u>
Ending Balance	<u>\$ 0.00</u>

Expenditures were incurred to assist in the completion of the Shade and Seating Improvements project at Checkers Dog Park in the amount of \$12,227.67, which equates to 12% of the total project expense to date.

FISCAL IMPACT

All collected Local Park Development Impact Fees related to developments that adhere to the Mitigation Fee Act requirements have been distributed as of this report.

ATTACHMENTS

A. The Annual Report on Local Park Development Impact Fees (Mitigation Fee Act)
