

**RESOLUTION NO. 22-9134**

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA,  
ACCEPTING THE AMENDED AB1600 REPORT ON  
DEVELOPMENT IMPACT FEES FOR FISCAL YEAR ENDED  
JUNE 30, 2021 AND MAKING FINDINGS REGARDING THE  
CONTINUING NEED FOR UNEXPENDED BALANCES OF  
IMPACT FEES AS OF JUNE 30, 2021**

**BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, Government Code Sections 66000 and following (commonly known as, and referenced herein as, "AB1600") regulate the imposition, collection, maintenance, expenditure and reporting of impact fees imposed on developers for the purpose of defraying costs of public facilities;

**WHEREAS**, the City of Santa Clara ("City") has identified seven (7) impact fees collected from developers that are subject to AB1600's requirements. Those funds are the Traffic Mitigation Fee (Funds 123/533), the Sanitary Sewer Outlet Fee (Fund 594), the Sanitary Sewer Connection Fee (Fund 594), the Sanitary Sewer Conveyance Fee (Fund 594), the Storm Drain Fee (Fund 535), the Parks Mitigation Fee (Fund 532) and the Affordable Housing Fee (Fund 565);

**WHEREAS**, in accordance with the provisions of AB1600, the City has set up separate special revenue funds for each type of fee, crediting earned interest to those funds, and spending the accumulated fees and related interest on appropriate expenditures;

**WHEREAS**, the City has prepared an annual report for fiscal year 2020-21 in accordance with AB1600, "AB1600 Report on Development Impact Fees for Fiscal Year ended June 30, 2021," reflecting the beginning and ending balances of each separate fund containing impact fees; the amount of fees collected and the interest earned for the year; the amount of expenditures and refunds made in the year; the percentage of expenditures paid for by fees; and a description of the type of fees. The amount of each of these development impact fees for FY 2020-21 is reflected in the City's Municipal Fee Schedule, previously adopted by this Council;

**WHEREAS**, a copy of the annual report has been on file and available for review in the City Clerk's Office and the Finance Department at Santa Clara City Hall, and online at [Santaclaraca.gov/Finance](http://Santaclaraca.gov/Finance) since January 14, 2022;

**WHEREAS**, the City has prepared an amended annual report for fiscal year 2020-21 in accordance with AB1600, "Amended AB1600 Report on Development Impact Fees for Fiscal Year ended June 30, 2021," to include the Sanitary Sewer Conveyance Fee that had originally been omitted while master planning efforts were underway.

**WHEREAS**, a copy of the amended annual report has been on file and available for review in the City Clerk's Office and the Finance Department at Santa Clara City Hall, and online at [Santaclaraca.gov/Finance](http://Santaclaraca.gov/Finance) since July 29, 2022;

**WHEREAS**, AB1600 requires the City to make specific findings every five (5) years with respect to any portion of the fees remaining unexpended or uncommitted after a period of five (5) years to 1) identify the purpose to which the fee is to be put, 2) demonstrate a reasonable relationship between the fee and the purpose for which it was charged, 3) identify all sources and amounts of funding anticipated to complete financing of the improvement, and 4) designate the approximate date on which such funding will be available;

**WHEREAS**, the Traffic Mitigation Impact Fee, which was established for the purpose of providing a source of funding for traffic improvements, contains some fee revenues which were received more than five (5) years ago. The sum of \$3,371,224 representing fees and accrued interest collected for traffic mitigation remains unexpended five (5) or more years after deposit of the fees;

**WHEREAS**, the Storm Drain Fee, which was established for the purpose of mitigating storm drainage that results directly or indirectly from development projects, contains some fee revenues which were received more than five (5) years ago. The sum of \$240,903 representing fees and accrued interest collected for storm drainage mitigation remains unexpended five (5) or more years after deposit of the fees;

**WHEREAS**, the Sanitary Sewer Conveyance Fee, which was established for the purpose of mitigating sanitary sewer conveyance load that results directly or indirectly from development projects, contains some fee revenues which were received more than five (5) years ago. The sum of \$7,275,439 representing fees and accrued interest collected for sewer conveyance mitigation remains unexpended five (5) or more years after deposit of the fees;

**WHEREAS**, the City desires to make the findings required by law with respect to these unexpended fees.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

1. That the City Council hereby accepts the attached Amended AB1600 Report on Development Impact Fees for Fiscal Year ended June 30, 2021 ("Amended Report"), and makes the following findings:

A. The Traffic Mitigation Impact Fee revenues are to be used to construct traffic improvements needed by new development. The amount of the fee for different land use types is proportionate to the need for traffic improvements generated by such land use types. This fee is still necessary as several projects are tied to larger development projects that have yet to occur. These development projects are still anticipated to take place based on the City's General Plan. The traffic mitigation fee is set at a lower rate than justified, and as a result projects are underfunded. This has also slowed down progress on projects resulting in some project costs increasing. Periodically, as the City updates the General Plan and as new development occurs, additional improvement projects are identified and added to the Traffic Mitigation Fee Project List.

B. The portion of the \$10,505,590 fund balance in the Traffic Mitigation Fund that was at least five (5) years old as of June 30, 2021, totals \$3,371,24. The City will use the entire fund balance for the projects identified in Exhibit A of the Amended Report which are programmed in the Capital Improvement Plan. The Traffic Mitigation Fund has projects

scheduled in the current Capital Improvement Plan for the next five (5) years and depends upon additional fees and interest each year. Projects identified in Exhibit A which are funded at less than 100% with Traffic Mitigation Impact fees are funded by other sources totaling \$11,786,101. Remaining appropriations totaling \$8,316,545 from the other sources are as follows: Reimbursable Grants \$440,232; Bonds Proceeds \$1,484,476; Curb Sidewalk Fee \$376,003, Measure B \$271,626, Electric Utility Contribution \$430,553; Regional Traffic Mitigation Fee \$707,720, General Fund \$1,400,000, and Developer Contributions \$3,205,935. All payments have been received and are available except the Reimbursable Grants. The City expects to receive Grant repayments in fiscal year 2020-21.

C. The Storm Drain Impact Fee revenues are to be used to mitigate City storm drainage that results either directly or indirectly from development projects. The amount of the fee is proportionate to the need for storm drainage improvements generated by development projects. This fee is still necessary as several storm drain projects are tied to larger development projects that have yet to occur. These development projects are still anticipated to take place based on the City's General Plan. As new development occurs, additional improvement projects are identified and added to the Storm Drain Impact Fee Project List.

D. The portion of the \$650,435 fund balance in the Storm Drain Impact Fee Fund that was at least five (5) years old as of June 30, 2021, totals \$240,903. The City will use the entire fund balance for the projects identified in Exhibit A of the Amended Report which are programmed in the Capital Improvement Plan. The Storm Drain Impact Fee Fund has projects scheduled in the current Capital Improvement Plan for the next five (5) years and depends upon additional fees and interest each year. The project identified in Exhibit A which is funded at less than 100% with Storm Drain Impact Fees is funded by the General Fund Capital Project Reserve (CPR) totaling \$1,239,577. The remaining appropriation from the CPR is \$564,519.

E. The Sanitary Sewer Conveyance Fee was adopted in 2006-07 to address Sewer Main capacity deficiencies resulting from increased development.

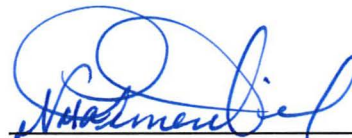
F. The portion of the \$39,419,207 fund balance in the Sanitary Sewer Conveyance Fees Fund that was at least five (5) years old as of June 30, 2021, totals \$7,275,439. The City will use the entire fund balance for the projects identified in Exhibit A of the Amended Report which are programmed in the Capital Improvement Plan. The Sanitary Sewer Conveyance Fee has projects scheduled in the current Capital Improvement Plan for the next five (5) years and depends upon additional fees and interest each year. These projects are entirely funded by this fee and do not receive funding from any other sources.

2. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 16TH DAY OF AUGUST 2022, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Becker, Chahal, Hardy, Jain, Watanabe, and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	Park
ABSTAINED:	COUNCILORS:	None

ATTEST:



NORA PIMENTEL, MMC  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Amended AB1600 Report on Development Impact Fees FYE June 30, 2021

**AMENDED**  
**AB1600 REPORT ON DEVELOPMENT IMPACT FEES**  
**For Fiscal Year ended June 30, 2021**

**BACKGROUND**

Cities and counties often charge fees on new development 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, et seq., to the California Government Code. The chapter sets forth a number of requirements that local agencies 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 66000-66025 apply to developer fees established, increased or imposed on or after January 1, 1989, and generally sets forth four broad requirements:

1. A local jurisdiction must follow the process set forth in the bill and make certain determinations regarding the purpose and use of the fees and to establish a "nexus" or connection between a development project or class of project and the public improvement being financed with the fee.
2. The fee revenue must be segregated from the General Fund in order to avoid commingling of public improvement fees and the General Fund.
3. 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.
4. If a local jurisdiction cannot make the findings required under paragraph 3, then the city or county must go through a refund procedure.

The Traffic Mitigation Fee, Sanitary Sewer Outlet Fee, Sanitary Sewer Connection Fee, Sanitary Sewer Conveyance Fee, Storm Drain Fee, Parks Mitigation Fee, and Affordable Housing Fees that the City of Santa Clara (City) collects qualify as Development Impact Fees and therefore must comply with the above referenced Government Code Sections. The amount of each of these development impact fees for fiscal year 2020-21 is reflected in the City's Municipal Fee Schedule, previously adopted by the City Council. The schedule is available at:

<https://www.santaclaraca.gov/home/showpublisheddocument/67706/637257428199370000>. As required by law, these fees are segregated and accounted for as Special Revenue Funds. 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, the following report is presented to the City Council for review.

The report is amended to reflect the Sanitary Sewer Conveyance Fee omitted in the original report approved by Council in February 2022 as the Sanitary Sewer Master Plan efforts were underway. The activities summary for the Sanitary Sewer Conveyance Fee from fiscal year 2016-17 through 2020-21 is on page 4 and the projects programmed for the impact fees held over five years are listed on page 11.

## ANALYSIS

Using the accounting method known as first in, first out (FIFO), which means the first revenue received is assumed to be the first spent, staff analyzed the annual balances at the end of fiscal year 2020-21 to determine what portion, if any, of the balance was five or more years old. If a balance is more than five years old, a review of previously identified projects is undertaken to determine if any developer fees collected need to be refunded.

Many of the identified projects are already underway, and the City has appropriated funds for these projects as noted in the City's FY2020-21 and 2021-22 Biennial CIP Budget Book. The book is available at <https://www.santaclaraca.gov/home/showpublisheddocument/70351/637443319258630000>. The identification of each Capital Project on which fees were expended and the amount of the expenditures on each Capital Project including the total percentage of the cost of the Capital Project that was funded with fees are detailed in Exhibit A.

### Traffic Mitigation Fee

The Traffic Mitigation Fee is levied to fund improvements or programs to mitigate City traffic problems that result either directly or indirectly from development projects. To determine the traffic mitigation fees the City conducts a Traffic Impact Fee Nexus study. The most recent report was approved by Council August 21, 2018. The basis of Santa Clara's traffic impact fee is the number of net new PM peak hour vehicle trips generated by new development. Those additional trips result in the traffic impacts the fee is intended to mitigate. The fee is calculated by dividing the total cost of the projects in the Traffic Mitigation Program by the number of additional PM peak hour trips generated by new development, which results in a "per PM peak hour trip" fee amount. For simplicity of application, this fee is then converted to a fee per square foot, per hotel room, or per dwelling unit, based on the trip generation rates in the latest ITE Trip Generation Manual. The fee shall automatically adjust for inflation annually at the start of each fiscal year, based on the latest Engineering News Record Construction Cost Index.

The following table summarizes the activity for the Traffic Mitigation Fund from 2016-17 through 2020-21.

<b>Fund 123 &amp; 533</b>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
Beginning Balance	\$ 7,852,470	\$ 8,711,428	\$ 8,448,382	\$ 10,353,046	\$ 10,448,972
Developer Fees	1,370,084	855,324	1,958,563	182,518	728,208
Interest Income	81,481	115,449	196,524	200,204	152,901
Expenditures	(592,607)	(1,233,819)	(250,423)	(286,796)	(824,491)
Ending Balance	<u>\$ 8,711,428</u>	<u>\$ 8,448,382</u>	<u>\$ 10,353,046</u>	<u>\$ 10,448,972</u>	<u>\$ 10,505,590</u>

During 2020-21, the City collected \$728,208 of traffic mitigation fees, earned \$152,901 from interest and incurred \$824,491 of project expenditures. The grand total of the Traffic Impact Fee fund balance that is available at the end of 2020-21 is \$10,505,590 of which \$3,371,224 has been held for over five years. Exhibit A identifies the projects that will make use of all unspent fees held over five years.

There is no impact on City resources since all qualified impact fees held by the City for over five years are either spent or committed, thus eliminating the need to refund any fees to developers according to Government Code Sections 66000, et seq.

### Sanitary Sewer Outlet Fee

The Sanitary Sewer Outlet Fee is collected from developers to construct public sanitary sewer facilities. City Council passed Ordinance 1778 on December 3, 2002 which created the sanitary sewer outlet charge which is used for the acquisition, construction, reconstruction, maintenance, and operation of off-site sewerage facilities, and to repay principal and interest on bonds issued for the construction and reconstruction of such sewerage facilities. The fee shall automatically adjust for inflation annually at the start of each fiscal year, based on the latest Engineering News Record Construction Cost Index.

The following table summarizes the activity for the Sanitary Sewer Outlet Fees from 2016-17 through 2020-21.

<b>Fund 594</b>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
Beginning Balance	\$ (2,547,612)	\$ (2,075,945)	\$ (1,831,352)	\$ (1,588,864)	\$ (1,288,884)
Developer Fees	471,667	244,593	242,488	299,980	199,286
Expenditures	-	-	-	-	-
Ending Balance	<u>\$ (2,075,945)</u>	<u>\$ (1,831,352)</u>	<u>\$ (1,588,864)</u>	<u>\$ (1,288,884)</u>	<u>\$ (1,089,598)</u>

The amount of developer fees collected in 2020-21 was \$199,286. The outstanding balance in the Sanitary Sewer Outlet Fee Fund at the end of 2020-21 is (\$1,089,598). Amounts have been transferred within the Sewer Enterprise Fund to make up the negative balance for Capital Projects financed with AB1600 development fees.

There is no impact on City resources since all qualified impact fees collected by the City have been spent, thus eliminating the need to refund any fees to developers according to Government Code Sections 66000-66003.

### Sanitary Sewer Connection Fee

The Sanitary Sewer Connection Fee was adopted to improve and expand the sewer collection system. City Council passed Ordinance 1428 on August 25, 1981 which created the sanitary sewer connection charge which is charged whenever a property is initially connected or requires an addition of a new connection to the sanitary sewer system. The fee is charged based on type of dwelling unit for residential (single family, duplex, condominium, etc.) and non-residential which charges based on connection size. The fee shall automatically adjust for inflation annually at the start of each fiscal year, based on the latest Engineering News Record Construction Cost Index.

The following table summarizes activity for the Sanitary Sewer Connection Fee from 2016-17 through 2020-21.

<b>Fund 594</b>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
Beginning Balance	\$ (38,526,561)	\$ (50,329,856)	\$ (74,240,874)	\$ (87,737,999)	\$ (116,641,597)
Developer Fees	2,350,574	1,625,820	2,303,752	1,124,123	1,007,031
Expenditures	(14,153,869)	(25,536,838)	(15,800,877)	(30,027,721)	(5,488,096)
Refunded Expenditures	-	-	-	-	6,825,720
Ending Balance	<u>\$ (50,329,856)</u>	<u>\$ (74,240,874)</u>	<u>\$ (87,737,999)</u>	<u>\$ (116,641,597)</u>	<u>\$ (114,296,942)</u>

During 2020-21, the City collected \$1,007,031 from developer fees and spent \$5,488,096 in construction project. The City received a cumulative \$6,825,720 in construction refunds from the City of San Jose for the Joint Venture project, and the City reported this under a separate Refunded Expenditures line. The

current year deficit along with prior cumulative deficits brought the impact fee balance to (\$114,296,942) as of 2020-21. Amounts have been transferred within the Sewer Enterprise Fund to make up the negative balance for Capital Projects financed with AB1600 development fees.

There is no impact on City resources since all qualified impact fees held by the City have been spent, thus eliminating the need to refund any fees to developers according to Government Code Sections 66000-66003.

Sanitary Sewer Conveyance Fee

The Sewer Conveyance Fee was approved by City Council in June 2007 and is intended to mitigate development impacts to the City’s sanitary sewer conveyance system resulting from increases in the sanitary sewer discharges. The amount of Sanitary Sewer Conveyance Fee is based directly on the potential sewer discharge volumes of the proposed land uses. The fee was based on a Sanitary Sewer Capacity Assessment Report 2006, and subsequent update in 2016. The basis of Santa Clara’s sewer conveyance fee is sewer flow rate generated by the new development. The fee is calculated by dividing the total cost of the capacity improvement projects in the Sanitary Sewer Master Plan or its predecessor reports by the total projected sanitary sewer flow rate generated by future developments, which results in a “per gallon per day (GPD)” fee amount. The per GPD fee multiplied by the estimated sanitary sewer flow rate (GPD) generated by a new development is the sanitary sewer conveyance fee for that new development.

The following table summarizes the activity for the Sanitary Sewer Conveyance Fees from 2016-17 through 2020-21.

<b>Fund 594</b>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
Beginning Balance	\$ 13,737,225	\$ 22,504,850	\$26,847,028	\$34,179,296	\$38,232,186
Developer Fees	8,630,774	4,136,935	6,916,161	4,079,586	3,126,854
Interest Income	211,354	307,104	515,362	705,177	559,621
Expenditures	(74,503)	(101,861)	(99,255)	(731,873)	(2,499,454)
Ending Balance	<u>\$22,504,850</u>	<u>\$ 26,847,028</u>	<u>\$34,179,296</u>	<u>\$38,232,186</u>	<u>\$39,419,207</u>

The current year’s developer fees and interest income of \$3,126,854 and \$559,621 respectively, were partially offset by expenditures of \$2,499,454. The net change resulted in a current balance of \$39,419,207 of which \$7,275,439 has been held for over five years. Exhibit A identifies the project that will make use of all unspent fees held over five years.

There is no impact on City resources since all qualified impact fees held by the City for over five years are either spent or committed, thus eliminating the need to refund any fees to developers according to Government Code Sections 66000-66003.

Storm Drain Fee

The Storm Drain Fee is levied to mitigate City storm drainage that results either directly or indirectly from development projects. The Storm Drain Outlet Fee is codified in the Santa Clara City Code Section 17.15.220 Sanitary Sewer and Storm Drains and was created for the purpose of defraying the estimated costs of constructing planned drainage facilities for removal of surface and storm waters from local drainage areas. The fee is charged based on the amount of acreage being developed with a project. The fee shall automatically adjust for inflation annually at the start of each fiscal year, based on the latest Engineering News Record Construction Cost Index.

The following table summarizes the activity for the Storm Drain Fees from 2016-17 through 2020-21.

<b>Fund 535</b>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
Beginning Balance	\$ 552,889	\$ 555,070	\$ 626,783	\$ 586,578	\$ 613,299
Developer Fees	10,375	67,194	5,749	15,409	27,903
Interest Income	5,213	4,760	8,845	11,312	9,233
Expenditures	(13,407)	(241)	(54,799)	-	-
Ending Balance	<u>\$ 555,070</u>	<u>\$ 626,783</u>	<u>\$ 586,578</u>	<u>\$ 613,299</u>	<u>\$ 650,435</u>

During 2020-21, the City collected \$27,903 from developer fees and earned \$9,233 from interest. The grand total of the Storm Drain Fees that is available at the end of 2020-21 is \$650,435 of which \$240,903 has been held for over five years. Exhibit A identifies the projects that will make use of all unspent fees held over five years.

There is no impact on City resources since all qualified impact fees held by the City for over five years are either spent or committed, thus eliminating the need to refund any fees to developers according to Government Code Sections 66000-66003.

### Parks Mitigation Fee

The Parks Mitigation Fee was adopted in fiscal year 2014-15 and went into effect for the 2016-17 fiscal year. Fees received can be used to provide (acquire) public parkland and/or make necessary park improvements according to the restrictions of the Mitigation Fee Act and help the City to address its park, recreation and open space needs. The City of Santa Clara completed a Parks & Recreation Facilities Development Impact Fee Study in 2014 and in 2019 that were reviewed and approved by the City Council after community and stakeholder public comment hearings. These reports provide the necessary findings required by the Mitigation Fee Act and Quimby Act for the adoption of the fees by Council resolution contained in the Municipal Fee Schedule. These reports provide the facility cost and land acquisition cost data and analysis and describe the methodology for calculation of the fees.

The parks and recreation facilities fees use an existing inventory demand standard translated into facility costs per capita to determine new development's fair share of planned facility costs. A cost standard provides a reasonable method for converting disparate types of facilities, in this case parkland and special use recreational facilities, into a single measure of demand (capital cost per capita). The cost standard is based on the existing inventory of parks and recreation facilities. New residential development would fund the expansion of facilities at the same rate that existing residential development has provided facilities to date. The City uses the existing ratio of developed parkland per 1,000 residents. In 2010 the standard was 2.45. The current standard is 2.60. (Quimby Act allows 3.0 acres/1,000 resident Standard).

The formula to calculate the cost per capita of providing new park facilities involves the following variables: (A) the value per acre of parkland by Zip Code Area of the City (95050, 90551, and 95054) as established by annual appraisal; (B) the Level of Service standard (parkland acres per 1,000 residents); (C) Cost per 1,000 Capita; (D) cost per capita; (F) Development land use type density per household (Single Family = 2.98, Multifamily = 2.40); (G) the per capita value of parkland improvements, and (H) a 2% in lieu fee program administrative charge. The formula used is  $C = A \times B$ ,  $D = C/1,000$ . This cost per capita for parkland (D), and the cost per capita for improvements (G), are each multiplied by the density of development type (F):  $D \times F + G \times F = \text{Base Fee (E)}$ . The administrative fee (H) is then added to the Base Fee (E) for the "Total Fee" (I) for each Zip Code Area:  $H + E = I$ .

The calculation tables are provided in the in-Lieu Fee Resolution adopted by Council and posted on the City website and incorporated into the Municipal Fee Schedule. Based on the date the resident

developer's Project application is deemed complete, the total parkland due can be calculated, the developed parkland dedicated, and credits deducted for eligible on-site recreational amenities.

The following table summarizes the activity for the Parks Mitigation Fee from 2016-17 through 2020-21.

<b>Fund 532</b>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
Beginning Balance	\$ -	\$ 13,505,806	\$ 10,545,074	\$ 5,261,415	\$ 10,771,523
Developer Fees	14,780,447	-	268,091	7,159,545	1,522,149
Interest Income	90,301	147,253	111,431	176,942	110,320
Expenditures	(1,364,942)	(3,107,985)	(5,663,181)	(1,826,379)	(3,466,274)
Ending Balance	<u>\$ 13,505,806</u>	<u>\$ 10,545,074</u>	<u>\$ 5,261,415</u>	<u>\$ 10,771,523</u>	<u>\$ 8,937,718</u>

During 2020-21, the City collected \$1,533,149 for Park Mitigation fees, earned \$110,320 from interest, and incurred \$3,466,274 of project expenditures. The grand total of the Parks Mitigation Fee that is available at the end of 2020-21 is \$8,937,718. There are no fees that have been held over five years.

There is no impact on City resources since all qualified impact fees held by the City for over five years are either spent or committed, thus eliminating the need to refund any fees to developers according to Government Code Sections 66000-66003.

#### Affordable Housing Fee

The Affordable Housing Fee was adopted to mitigate the impacts of new market-rate housing development and non-residential development on the need for affordable housing, in addition to assisting in meeting the City's share of the region's housing need and implementing the goals, policies and actions specified in the Housing Element of the general plan. City Council passed Ordinance 1974 on December 5, 2017 which established the affordable housing fee applicable to residential and nonresidential projects and to encourage the development of rental housing and as well as smaller units that may be more affordable by design. The fee established are significantly lower than the amount needed to fully mitigate the impacts of the new for-sale and rental resident projects and non-residential project on the need for affordable housing. The fees shall automatically adjust for inflation annually using the Engineering News Record McGraw-Hill Construction Weekly Building Index for San Francisco.

The following table summarizes the activity for the Affordable Housing Fee from 2016-17 through 2020-21.

<b>Fund 565</b>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
Beginning Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Developer Fees	-	-	-	-	130,201
Interest Income	-	-	-	-	1,083
Expenditures	-	-	-	-	-
Ending Balance	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 131,284</u>

During 2020-21, the City collected \$130,201 from developer fees and earned \$1,083 from interest. The grand total of the Affordable Housing Fees that is available at the end of 2020-21 is \$131,284. There are no fees that have been held over five years.

There is no impact on City resources since all qualified impact fees collected by the City have been spent, thus eliminating the need to refund any fees to developers according to Government Code Sections 66000-66003.

**PUBLIC NOTICE:** Public notification was achieved by posting the availability of the report 15 days prior to the meeting, as required by Government Code Section 66006(b)(2).

**Attachments:**

Exhibit A: Summary of Development Impact Fees

**Exhibit A**

**City of Santa Clara  
Summary of Local Agency Improvement Fees  
(AB 1600 Development Impact Fees)  
Report for Fiscal Year Ended June 30, 2021  
Streets and Highways (Fund 123 & 533)**

**Traffic Mitigation Fee (Fund 123 and 533)**

FY 2019-20 Ending Fund Balance	\$ 10,448,972
Fees Collected	728,208
Interest Earned	152,901
Expenditures	(824,491)
<b>FY 2020-21 Ending Fund Balance</b>	<b>\$ 10,505,590</b>
Funds Accumulated in Current and Last 5 Years	\$ 7,134,366
Funds Held Longer than 5 Years	\$ 3,371,224
Projects Programmed for Impact Fees	\$ 6,939,452

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Project #	Description	Project Status/ Estimated Completion Year	Total Project Appropriation All Funding Sources	Funding Status	Traffic Mitigation Fee Since Inception Date Through June 30, 2021				FY 2020-21 Impact Fee Expenditure
					% Impact Fee Funded	Total Impact Fee Appropriation	Total Impact Fee Expenditures	Impact Fee Appropriation Remaining	
1206	Pruneridge Ave-Lawrence Expwy Bicycle Lanes Improvement	2021	\$ 575,000	100%	20%	\$ 115,000	\$ 15,411	\$ 99,589	\$ 15,411
1214	Coleman Avenue Widening	2021	115,747	100%	0%	79	79	-	-
1215	Sidewalk Installation Program	2021	143,955	100%	21%	30,208	30,208	-	-
1216	Traffic Studies and Signal Needs Assessment/Upgrade	Ongoing	500,000	100%	64%	320,000	222,280	97,720	67,930
1217	Central Control Traffic Signal Upgrade	2022	3,019,800	100%	88%	2,647,871	1,572,357	1,075,514	39,616
1218	Traffic Pre-Emptors	2022	1,295,259	100%	93%	1,208,104	508,601	699,503	2,999
1219	Traffic Signal Enhancements	Ongoing	734,141	100%	100%	734,141	572,051	162,090	42,047
1220	Pedestrian and Bicycle Enhancement Facilities	Ongoing	2,759,954	100%	86%	2,359,954	1,378,452	981,502	-
1221	Traffic Monitoring at Various Locations- Phase "C"	2021	123,783	100%	100%	123,783	123,783	-	-
1222	Citywide Accessible Pedestrian Signal Installation	Ongoing	200,000	100%	100%	200,000	11,623	188,377	391
1224	Traffic Signal Replacement - ECR-Lafayette, Homestead, Scott Area	2029	860,510	100%	0%	2,510	2,510	-	-
1232	Traffic Signal Interconnect Upgrade	2025	244,560	100%	41%	100,000	14,491	85,509	14,491
1233	Pedestrian Master Plan	2021	307,135	100%	9%	27,921	-	27,921	-
1234	Travel Demand Model Update	Ongoing	216,700	100%	92%	200,000	16,700	183,300	16,700
1236	Traffic Signal Modification	2021	8,160	100%	87%	7,100	7,100	-	-
1237	MCB/GAP Intersection Improvement	2021	8,368,124	100%	40%	3,330,400	1,623,243	1,707,157	383,175
1238	Pedestrian Crosswalk Sensors	2021	300,000	100%	100%	300,000	-	300,000	-
1242	Intersection Improvement- ECR at San Thomas Phase B	2021	2,843,588	100%	66%	1,886,041	1,683,590	202,451	-
1245	Benton Bike Lane	2021	1,726,000	100%	10%	172,000	129,810	42,190	129,810
1248	Pruneridge Ave-Complete Street Plan	2021	416,347	100%	22%	90,270	-	90,270	-
1249	Multimodal Improvement Plan	2021	740,000	100%	32%	238,280	-	238,280	-
1251	HAWK Beacon Scott and Harrison	2021	750,000	100%	73%	544,000	12,340	531,660	12,340
1253	Saratoga Bike Lane	2021	71,000	100%	46%	32,500	32,500	-	32,500
1261	Santa Clara School Access Improvements	2022	200,000	100%	100%	200,000	67,081	132,919	67,081
1262	Scott-Benton Traffic Signal Timing	2022	165,000	100%	17%	28,500	-	28,500	-
1376	Vehicle Emission Reduction	Ongoing	65,000	100%	100%	65,000	-	65,000	-
<b>Totals</b>			<b>\$ 26,749,763</b>			<b>\$ 14,963,662</b>	<b>\$ 8,024,210</b>	<b>\$ 6,939,452</b>	<b>\$ 824,491</b>

**Exhibit A**

**City of Santa Clara  
 Summary of Local Agency Improvement Fees  
 (AB 1600 Development Impact Fees)  
 Report for Fiscal Year Ended June 30, 2021**

**Sanitary Sewer Outlet Fee (Fund 594)**

<b>Sanitary Sewer Outlet Fee (Fund 594)</b>	
FY 2019-20 Ending Fund Balance	\$ (1,288,884)
Fees Collected	199,286
Interest Earned	-
Expenditures	-
<b>FY 2020-21 Ending Fund Balance</b>	<b>\$ (1,089,598)</b>
Funds Accumulated in Current and Last 5 Years	\$ 1,478,409
Funds Held Longer than 5 Years	\$ -
Projects Programmed for Impact Fees	\$ -

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		<b>Sanitary Sewer Outlet Fee Since Inception Date Through June 30, 2021</b>							
Project #	Description	Project Status	Total Project Appropriation All Funding Sources	Funding Status	% Impact Fee Funded	Total Impact Fee Appropriation	Total Impact Fee Expenditures	Impact Fee Appropriation Remaining <sup>(1)</sup>	FY 2020-21 Impact Fee Expenditure
1907	Development Extensions	Ongoing	\$ 220,445	100%	100%	220,445	1,310,043	\$ (1,089,598)	\$ -

Note (1) Amounts have been transferred within the Sewer Enterprise Fund to make up the negative balance for Capital Projects financed with AB1600 Development Fees

**Exhibit A**

**City of Santa Clara  
 Summary of Local Agency Improvement Fees  
 (AB 1600 Development Impact Fees)  
 Report for Fiscal Year Ended June 30, 2021**

**Sanitary Sewer Connection Fee (Fund 594)**

<b>Sanitary Sewer Connection Fee (Fund 594)</b>	
FY 2019-20 Ending Fund Balance	\$ (116,641,597)
Fees Collected	1,007,031
Prior Years Construction Adjustments	6,825,720
Expenditures	(5,488,096)
<b>FY 2020-21 Ending Fund Balance</b>	<b>\$ (114,296,942)</b>
Funds Accumulated in Current and Last 5 Years	\$ 9,749,718
Funds Held Longer than 5 Years	\$ -
Projects Programmed for Impact Fees	\$ -

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Project #	Description	Project Status	Total Project Appropriation All Funding Sources	Funding Status	Sanitary Sewer Connection Fee Since Inception Date Through June 30, 2021				FY 2020-21 Impact Fee Expenditure
					% Impact Fee Funded	Total Impact Fee Appropriation	Total Impact Fee Expenditures	Impact Fee Appropriation Remaining <sup>(1)</sup>	
1908	S.J.- S.C. Regional Wastewater Facility	Ongoing	\$ 162,556,977	100%	7%	12,172,057	126,468,999	\$ (114,296,942)	\$ 5,488,096

Note (1) Amounts have been transferred within the Sewer Enterprise Operating Fund and Debt Service Fund to make up the negative balance for Capital Projects financed with AB1600 Development Fees. There were no interfund loans.

(2) The construction refunds from City of San Jose were not reported as reduction of the expenditures from FY2017-18 through FY2019-20. The refund in amount of \$6,825,720 was adjusted in FY2020-21.

**Exhibit A**

**City of Santa Clara  
 Summary of Local Agency Improvement Fees  
 (AB 1600 Development Impact Fees)  
 Report for Fiscal Year Ended June 30, 2021**

**Sanitary Sewer Conveyance Fee (Fund 594)**

<b>Sanitary Sewer Conveyance Fee (Fund 594)</b>	
FY 2019-20 Ending Fund Balance	\$ 38,232,186
Fees Collected	3,126,854
Interest Earned	559,621
Expenditures	(2,499,454)
<b>FY 2020-21 Ending Fund Balance</b>	<b>\$ 39,419,207</b>
Funds Accumulated in Current and Last 5 Years	\$ 32,143,768
Funds Held Longer than 5 Years	\$ 7,275,439
Projects Programmed for Impact Fees	\$ 19,275,954

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					<b>Sanitary Sewer Conveyance Fee Since Inception Date Through June 30, 2021</b>				
<b>Project #</b>	<b>Description</b>	<b>Project Status</b>	<b>Total Project Appropriation All Funding Sources</b>	<b>Funding Status</b>	<b>% Impact Fee Funded</b>	<b>Total Impact Fee Appropriation</b>	<b>Total Impact Fee Expenditures</b>	<b>Impact Fee Appropriation Remaining</b>	<b>FY 2020-21 Impact Fee Expenditure</b>
1909	Sanitary Sewer Capacity Improvements	Ongoing	\$ 30,013,640	100%	100%	\$ 30,013,640	\$ 11,024,937	\$ 18,988,703	\$ 2,320,182
1919	Sanitary Sewer Hydraulic Modeling As Needed Support	Ongoing	973,636	100%	48%	466,523	179,272	287,251	179,272
<b>Totals</b>			<b>\$ 30,987,276</b>			<b>\$ 30,480,163</b>	<b>\$ 11,204,209</b>	<b>\$ 19,275,954</b>	<b>\$ 2,499,454</b>

**Exhibit A**

**City of Santa Clara  
 Summary of Local Agency Improvement Fees  
 (AB 1600 Development Impact Fees)  
 Report for Fiscal Year Ended June 30, 2021**

**Storm Drain Fee (Fund 535)**

<b>Storm Drain Fee (Fund 535)</b>	
FY 2019-20 Ending Fund Balance	\$ 613,299
Fees Collected	27,903
Interest Earned	9,233
Expenditures	-
<b>FY 2020-21 Ending Fund Balance</b>	<b>\$ 650,435</b>
Funds Accumulated in Current and Last 5 Years	\$ 409,532
Funds Held Longer than 5 Years	\$ 240,903
Projects Programmed for Impact Fees	\$ 278,469

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Project #	Project Description	Project Status	Total Project Appropriation All Funding Sources	Funding Status	Storm Drain Fee Since Inception Date Through June 30, 2021				FY 2020-21 Impact Fee Expenditure
					% Impact Fee Funded	Total Impact Fee Appropriation	Total Impact Fee Expenditures	Impact Fee Appropriation Remaining	
1831	Miscellaneous Storm Drain Improvements	Ongoing	\$ 316,577	100%	32%	100,000	-	100,000	\$ -
1834*	Storm Drain System Improvement	Ongoing	425,374	100%	100%	425,374	392,106	33,268	-
1835	Storm Drain Outfall Reconstruction Program	Ongoing	1,673,000	100%	39%	650,000	504,799	145,201	-
<b>Totals</b>			<b>\$ 2,414,951</b>			<b>\$ 1,175,374</b>	<b>\$ 896,905</b>	<b>278,469</b>	<b>\$ -</b>

**Exhibit A**

**City of Santa Clara  
Summary of Local Agency Improvement Fees  
(AB 1600 Development Impact Fees)  
Report for Fiscal Year Ended June 30, 2021**

**Parks Mitigation Fee (Fund 532)**

<b>Parks Mitigation Fee (Fund 532)</b>	
FY 2019-20 Ending Fund Balance	\$ 10,771,523
Fees Collected	1,522,149
Interest Earned	110,320
Expenditures	(3,466,274)
<b>FY 2020-21 Ending Fund Balance</b>	<b>\$ 8,937,718</b>
Funds Accumulated in Current and Last 5 Years	\$ 24,366,479
Funds Held Longer than 5 Years	\$ -
Projects Programmed for Impact Fees	\$ 5,576,448

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		<b>Parks Mitigation Fee Since Inception Date Through June 30, 2021</b>							
Project #	Project Description	Project Status/ Estimated Completion Year	Total Project Appropriation All Funding Sources	Funding Status	% Impact Fee Funded	Total Impact Fee Appropriation	Total Impact Fee Expenditures	Impact Fee Appropriation Remaining	FY 2020-21 Impact Fee Expenditure
3001	Misc. Park Improvements	Ongoing	\$ 2,265,374	100%	26%	\$ 591,400	591,400	\$ -	\$ 391,400
3136	Westwood Oaks Park Playground Rehabilitation	2023	1,149,800	100%	100%	1,149,800	-	1,149,800	-
3177	Youth Soccer Fields & Athletic Facilities	2021	45,251,768	100%	22%	10,032,925	9,989,884	43,041	2,569,886
3178	Playground Construction	2022	4,335,275	100%	21%	920,121	920,121	-	339,886
3181	Park Impact Fees Monitoring Project	Ongoing	1,148,791	100%	73%	834,019	343,352	490,667	49,471
3184	Montague Park Enhancement	2022	4,290,000	100%	100%	4,290,000	397,060	3,892,940	115,631
<b>Totals</b>			<b>\$ 58,441,008</b>			<b>\$ 17,818,265</b>	<b>\$ 12,241,817</b>	<b>\$ 5,576,448</b>	<b>\$ 3,466,274</b>

