

February 9, 2010

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Resolution Related to Making Development Project Fees Findings for the Annual Statement of Collection of Developer Fees for Fiscal Years 2007-2008 and 2008-2009, and Five Year Development Fee Report

Dear Board Members:

RECOMMENDATION: Approve the resolution.

SUMMARY: The State has adopted regulations on establishing, documenting and reporting certain defined development project fees. The provisions allow local governments to adopt fees for development projects. California Government Code (GC) Section 66000 et seq. requires local government agencies to make financial disclosures regarding the collection and expenditure of development fees on an annual basis, and to make certain findings every five years. The attached resolution conforms to those requirements and fulfills the County's reporting obligation to make available to the public fiscal information relating to collected developer fees. In addition, the attached resolution was made available to the public at least 15 days prior to this meeting by posting on the Department web site and at the public information counter in Room 304 of the Civic Center in accordance with Government Code 66006(b)(2).

DISCUSSION: The County has been collecting traffic mitigation impact fees, now identified as Public Transportation Facilities Fees, since 1988. The Board of Supervisors codified the collection of fees on July 9, 2002, by adopting Ordinance 3348 and Resolution 2002-97 establishing five Public Transportation Facilities Fee collection zones. These fee zones were based on the results and recommendation of a March 2002 report titled, "Marin County Sub-Regional Transportation Improvement Fee Study." This study evaluated regional transportation facilities throughout the County, identified future areas of deficiencies, and identified zones of influence and specific projects. Increasing origin/destination traffic to/from these zones was determined to cause level-of-service failures on the regional infrastructure. Therefore, the resolution established a fee schedule for new PM Peak Hour trips in and out of these zones. The intent is to fund the fair share of needed the future infrastructure improvements with this Public Transportation Facilities Fee.

Other development fees similar to the Public Transportation Facilities Fees have been collected for specific public improvements. These fees are also subject to the reporting requirements and are therefore also contained in the resolution. Note that the refund reported in FY2008-2009 for the Strawberry zone was for a single business overpayment of fees, as determined by a traffic study.

FISCAL IMPACT: None.

REVIEWED BY:	<input type="checkbox"/>	Department of Finance	<input checked="" type="checkbox"/>	N/A
	<input type="checkbox"/>	County Counsel	<input checked="" type="checkbox"/>	N/A
	<input type="checkbox"/>	Human Resources	<input checked="" type="checkbox"/>	N/A

Respectfully submitted,

Eric Steger
Senior Civil Engineer

Attachments