

## SUMMARY DESCRIPTION OF DEVELOPER FEE ACCOUNTS AND FINDINGS

### **PUBLIC WORKS AGENCY**

#### **Purpose and Authorization**

The Public Works Agency manages two types of developer fees: transportation projects for road improvements and flood control projects for drainage and flood control improvements. The total balance at June 30, 2009, is \$21,212,474. The projects, approval dates by the Board of Supervisors, at which a reasonable relationship was established, and five-year balances are as follows:

<u>Purpose/Commitment</u>	<u>Authorization</u>	<u>5-Year Funds</u>
Transportation:		
Traffic Impact Mitigation	August 1994	\$9,591,836
Land Development:		
Thousand Oaks Road Improvements	November 1987	249,300
Flood Control:		
Camarillo Heights Drainage	February 1988	63,519
Total Five-Year Funds		<u>\$ 9,904,655</u>

#### **Five-Year Funds**

Remaining balances of \$9,904,655 collected between January 1, 1989, and June 30, 2004, and therefore, held five years or more are committed to the above purposes.

### **Sources and Amounts of Additional Funding Anticipated**

#### **Transportation:**

##### Traffic Impact Mitigation Trust Funds:

The County Traffic Impact Mitigation Trust Fund is established pursuant to County Ordinance Code Sections 8601-1 through 8601-8, approved by the Board of Supervisors August 30, 1994, and subsequently repealed and re-enacted October 23, 2001. The purpose of the fee is to fund the pro-rata share of road improvements in the unincorporated area required to maintain the level of service (LOS) on the Regional

Road Network as identified in the County General Plan Goals, Policies, and Programs, Policy 4.2.2.3(a), and as necessitated by traffic generated from development countywide.

The current ordinance established 14 traffic districts in the county. As approximately 90% of development in Ventura County is contained within the ten Ventura County cities, the ordinance encourages cooperative or reciprocal traffic impact agreements between the County and all ten cities. As of this date, all ten cities have entered into reciprocal agreements.

The documentation which the Board relied upon to make the findings required by Government Code Section 66001(a) prior to establishment of the Traffic Impact Mitigation fee is contained within the Final Engineering Report dated October 2001 (Engineering Report), which is on file with the Public Works Agency, Transportation Department. The fees collected by this ordinance are restricted to projects required to maintain the level of service (LOS) on the Regional Road Network as identified in the County General Plan Goals, Policies, and Programs, Policy 4.2.2.3(a), and as necessitated by traffic generated from development countywide. An indeterminable amount of funding is to be received. The collection and availability of fees to fund projects is dependent on development in the unincorporated area and to the extent reciprocal traffic agreements between the County and the various cities are effectuated.

#### Land Development:

No other source of revenue is expected to be received by the County. Thousand Oaks is the lead agency on this project.

#### Watershed Protection:

##### Camarillo Heights Drainage Trust Fund:

On February 2, 1988, the Board of Supervisors approved imposing a fee on development within the Camarillo Heights Local Drainage Area for the purpose of accumulating funds for the construction of drainage improvements. The current estimated cost of the improvements is \$ 3,000,000. As of June 30, 2009, the trust has accumulated \$150,181 (in fees and interest earnings). District staff and County Counsel continue research and discussion to determine if local drainage improvements completed or planned in the Camarillo Heights area are qualified expenditures and to close out this benefit trust.

## **Approximate Dates on Which the Funding is to be Received and Construction Commenced**

### **Transportation:**

#### Transportation Impact Mitigation Trust Funds:

Revenue accrues to the fund as a result of development within cities to the extent reciprocal traffic agreements between the County and the various cities are effectuated and the approval of such development. Additional federal or state grant funds which may be used toward the accomplishment of the facilities identified in the Engineering Report are reasonably anticipated to be available, but are dependent on the availability of federal or state highway funding, and the discretionary funding allocations by the Ventura County Transportation Commission. Approximately \$5.8 million in federal/state funding has been approved for certain projects. Some construction is ongoing but the exact timing of funding availability and impacts are beyond the direct control of the County. For facilities identified in the Engineering Report, which use 5-year funds, it is anticipated that funding will be received and construction commenced consistent with the County General Plan and Capital Improvements Plan.

### **Land Development:**

The specific dates of reimbursement are unknown. Funds are to be released as requested by the City of Thousand Oaks. It is anticipated that all funds will be released for construction during the current fiscal year.

### **Watershed Protection:**

#### Camarillo Heights Drainage Trust Fund:

The collection and availability of additional funding is dependent upon development within the area. It has become clear that increases in the cost of construction of the originally contemplated area wide drainage project outpaced the collection of funds. There are however several isolated local drainage improvements in the Camarillo Heights area which have been or are planned to be accomplished in the near future which have the resultant to improve drainage in this area. Discussions are in process with County Counsel to determine if this work qualifies for the intent of the original project and to close out this benefit trust.

## **FIRE PROTECTION DISTRICT**

### **Purpose and Authorization**

Developer fees for cost of construction for improvements to fire stations and/or the need to acquire equipment as a result of new residential, commercial, or industrial development are authorized by Ventura County Ordinance Code Section 3221, et seq., for the unincorporated areas. Each city within the Fire Protection service area (Camarillo, Moorpark, Thousand Oaks, and Simi Valley) has passed a separate resolution authorizing collection of fire facility fees by the city.

The fees are established by formulae that mathematically establish a reasonable relationship between the amount of the fee and a project's prorated share of the cost of providing the additional fire service ability needed to provide services to the project. The fees must be used for projects within a specific geographic area, sometimes referred to as the East Valley service area, roughly defined as southeastern Ventura County, including an unincorporated area, and the cities of Camarillo, Moorpark, Thousand Oaks, and Simi Valley. The total balance held by the Fire District at June 30, 2009, is \$3,479,540.

The cities of Camarillo, Moorpark, and Simi Valley each collect and distribute fire facility fees to the County each year. Thousand Oaks, pursuant to its Resolution No. 93-68 adopted April 27, 1993, specifies that fire protection facilities fees collected, with any interest earned thereon, shall be retained by the City to be used for purposes of acquiring or improving fire stations serving the service area, as determined by the City Council. It should be noted that the City of Thousand Oaks is holding an additional \$2,588,987.

### **Five-Year Funds**

Remaining balances of \$2,687,360 collected between January 1, 1989, and June 30, 2004, and therefore, held five years or more, are committed to providing for the replacement of Fire Station 35 in Newbury Park and a new Fire Station 47 in Simi Valley. This amount represents the net amount of 5 year funds held by the Fire District and the City of Thousand Oaks.

Fire Station 35 in Newbury Park has an estimated cost of construction of \$8.8 million dollars. This project is currently on hold due to the current financial climate. Fire Station 47 in Simi Valley is currently in the design phase and the estimated cost of construction is \$5.0 million dollars. Construction is anticipated to begin the 3<sup>rd</sup> quarter of 2010.

## **SHERIFF'S DEPARTMENT**

### **Purpose and Authorization**

Developer fees for costs of construction of sheriff's facilities are authorized by Ventura County Ordinance Code section 3211 et seq. The fees are established by formulae that mathematically establish a reasonable relationship between the amount of the fee and a project's prorated share of the cost of providing the additional sheriff's station capacity needed to provide an adequate level of service to the project. The geographical service area for this fee includes Moorpark and Thousand Oaks. The total balance held at June 30, 2009, is \$262,255.

### **Five-Year Funds**

Remaining balances of \$173,228 collected between January 1, 1989, and June 30, 2004, and therefore, held five years or more, combined with other facility fee balances, are committed to providing communications upgrades. Poor communications in the outlying sheriff jurisdictions requires an upgrade to the county communications backbone. Oak Park will be one of the primary targets for improvement. The estimated cost is \$262,255. The earliest estimated date for the improvements is FY 2009-2010.

## **GENERAL SERVICES AGENCY**

### **Purpose and Authorization**

The County's Quimby Ordinance in lieu fees is authorized by Government Code Section 66477 of the Subdivision Map Act and Ventura County Ordinance Code sections 8209-6 through 8209-6.11. As a condition of approval for a subdivision of land, the subdivider shall dedicate and improve land, or pay a fee in lieu thereof, or a combination of the two, for the purpose of providing park and recreational facilities to serve the future residents of the property being subdivided. The County is divided into ten geographical service areas or spheres of influence and monies collected must be expended within the geographical area where the subdivision resides. The total balance held at June 30, 2009, is \$189,931.

### **Five-Year Funds**

The total funds held five years or more by the General Services Agency are \$ 145,347.

Of that total balance, \$ 19,674 is committed to providing for improvements at Warring Park. It is anticipated that these funds will be expended during FY 2009-2010.

The remaining balance of \$ 125,673 is being reviewed for transfer to another district. Thousand Oaks in-lieu fees of \$14,961 were transferred to the Conejo Recreation and Park District. In addition, Las Posas in-lieu fees of \$ 150,040 are being reviewed for transfer to another district.

These Parkland Dedication (Quimby) fees are to be used to develop new or improve existing recreational facilities in the sphere of influence in which the development occurred.