

RESOLUTION NO. 2010- _____

**RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS
MAKING GOVERNMENT CODE SECTION 66000 ET SEQ. FINDINGS FOR
FISCAL YEAR 2007-2008, FISCAL YEAR 2008-2009, AND THE FIVE YEAR
DEVELOPMENT REPORT REGARDING PROJECT DEVELOPMENT FEES**

WHEREAS, As of January 1, 1997, California State Planning and Zoning law requires local agencies collecting mitigation fees after January 1, 1989 to make findings of continued need if a collected fee remained unexpended or uncommitted after five years, and

WHEREAS, on or after January 1, 1989, the County of Marin has collected transportation and drainage improvement fees, and

NOW, THEREFORE, BE IT RESOLVE, the Marin County Board of Supervisors does hereby find and declare the following:

1. The Board of Supervisors has reviewed and accepts the Annual Statement of Developer Fee Collections for the Fiscal Year ending on June 30, 2008, attached hereto and incorporated as Exhibit A.
2. The Board of Supervisors has reviewed and accepts the Annual Statement of Developer Fee Collections for the Fiscal Year ending on June 30, 2009, attached hereto and incorporated as Exhibit B.
3. The Board of Supervisors has reviewed and accepts the 5 Year Development Fee Report for the period ending June 30, 2009, attached hereto and incorporated as Exhibit C.
4. Considered the following findings of continued need for the transportation and drainage improvement fees collected.
 - A. The impacts for which the fees were collected still exist and funding for the public improvement projects in which the developments have been collected is not complete.
 - B. The scope of the contemplated improvements and the incremental nature of the impact fee collection have delayed collection of adequate fees to cover the cost of improvements.
 - C. The existing and future collection of fees is necessary to fund needed improvements to mitigate the impacts from all projects.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin, held on this 9th day of February 2010, by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

ATTEST:

President of the Board of Supervisors

Clerk

Exhibit A
Annual Development Fee Report
Fiscal Year 2007-2008
By Collection Zone

	Tamalpais Community Plan Area	Strawberry Interchange (US-101/SR- 131)	West Sir Francis Drake Boulevard	Northgate Activity Center Plan Area	Atherton Avenue Interchange	Lucasfilm Traffic Impact Fee	Miscellaneous Traffic Impact Fees	Seminary Drainage Improvements
Fee Type	Public Transportation Facilities							Drainage
Fee Amt. per PM Peak Hour Trip	\$ 4,248.56	\$ 4,457.05	\$ 5,149.66	\$ 6,654.89	\$ 3,167.42	N/A	N/A	N/A
Beginning balance	\$221,751.00	\$188,284.84	\$ 10,291.38	\$ 75,231.44	\$354,026.21	\$212,668.59	\$ 2,878.90	\$244,561.57
Fees Collected FY 2007-2008	\$ 10,903.79	\$ 21,047.93	\$ 10,401.93	\$ 13,399.34	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Interest Accrued FY 2007-2008	\$ 9,992.54	\$ 9,464.31	\$ 620.09	\$ 3,511.99	\$ 15,992.63	\$ 12,236.09	\$ 130.05	\$ 11,047.72
Funds Expended	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Interfund Transfer or Loan	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Refunds	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Ending balance	\$242,647.33	\$218,797.08	\$ 21,313.40	\$ 92,142.77	\$370,018.84	\$224,904.68	\$ 3,008.95	\$255,609.29

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Exhibit B
Annual Development Fee Report
Fiscal Year 2008-2009
By Collection Zone

	Tamalpais Community Plan Area	Strawberry Interchange (US-101/SR- 131)	West Sir Francis Drake Boulevard	Northgate Activity Center Plan Area	Atherton Avenue Interchange	Lucasfilm Traffic Impact Fee	Miscellaneous Traffic Impact Fees	Seminary Drainage Improvements
Fee Type	Public Transportation Facilities							Drainage
Fee Amt. per PM Peak Trip	\$ 4,489.51	\$ 4,709.93	\$ 5,441.83	\$ 7,032.47	\$ 3,347.13	N/A	N/A	N/A
Beginning balance	\$242,647.33	\$218,797.08	\$ 21,313.40	\$ 92,142.77	\$370,018.84	\$224,904.68	\$ 3,008.95	\$255,609.29
Fees Collected FY 2008-2009	\$ 29,262.03	\$ 16,176.91	\$ 29,494.03	\$199,799.53	\$ 1,740.51	\$ 0.00	\$ 0.00	\$ 0.00
Interest Accrued FY 2008-2009	\$ 5,689.69	\$ 4,708.96	\$ 712.40	\$ 2,214.68	\$ 8,208.01	\$ 4,922.39	\$ 66.66	\$ 5,662.94
Funds Expended	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Interfund Transfer or Loan	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Refunds	\$ 0.00	\$(56,433.91)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Ending balance	\$277,599.05	\$183,249.04	\$51,519.83	\$294,156.98	\$379,967.36	\$229,827.07	\$ 3,075.61	\$261,272.23

Exhibit C
5 Year Development Fee Report
Period Ending June 30, 2009

Pursuant to Government Code Section 66001, the following report is provided:

Collection Zone: Fund	Fee Purpose	Relationship of Fee to Purpose	Sources and Amt of Funding to Completed Financing	Approximate Year on which Funding is Expected to be Deposited
Tamalpais Community Plan Area: Fund 85G/80710	Transportation improvements along State Route 1 from US Hwy 101 to Loring Ave..	Cost of ultimate improvements proportional to the number of new PM peak trips expect from development	Future development, local funds, and State and federal grant funds	2020
Strawberry Interchange (US- 101/SR-131): Fund 85H/80711	Transportation improvements to main roadways leading to and through interchanges as described in more detail in the "Project Study Report On State Route 131 Between Tower Dr./Kipling Dr. and North Knoll Rd."	Cost of ultimate improvements proportional to the number of new PM peak trips expect from development	Future development local funds, and State and federal grant funds.	2020
West Sir Francis Drake Boulevard: Fund 85J/80713	White's Hill Slide Repair and Nicasio Valley Rd./Sir Francis Drake Blvd. intersection improvements.	Cost of ultimate improvements proportional to the number of new PM peak trips expect from development	Future development local funds, and State and federal grant funds.	2020
Northgate Activity Center Plan Area: Fund 85K/80713	Interchange and interchange access improvements as describe in the Northgate Activity Center Plan.	Cost of ultimate improvements proportional to the number of new PM peak trips expect from development	Future development local funds, and State and federal grant funds.	2020
Atherton Avenue Interchange: Fund 85L/80714	Transportation improvements necessary to handle increased traffic at Binford Rd./Atherton Ave. and a bike path along Atherton Ave. from Bugeia Lane to Olive Ave.	Cost of ultimate improvements proportional to the number of new PM peak trips expect from development	Future development local funds, and State and federal grant funds.	2020
Lucasfilm Traffic Impact Fee: Fund 83T/80715	Transportation improvements to Northgate Activity Center Plan improvements and to Lucas Valley Rd.	Fair share contribution based PM peak trips generated by applicant's projects.	Future development local funds, and State and federal grant funds.	2020
Miscellaneous Traffic Impact Fees: Fund 85N/80709	Miscellaneous contributions to Public Transportation Facilities otherwise identified by Resolution 2002-97.	Cost of ultimate improvements proportional to the number of new PM peak trips expect from development	Future development local funds, and State and federal grant funds.	2020
Seminary Drainage Improvements: Fund 85M/80715	Pump station and tidal controls facilities in and around Seminary Drive and Redwood Frontage Rd., Strawberry.	Local development contribution for public infrastructure protection from flooding.	Local funds, and State and federal grant funds.	2015

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