

# PUBLIC FACILITIES FEE REPORT

FISCAL YEAR ENDED JUNE 30, 2009



THE CITY OF  
**BRENTWOOD**

HERITAGE ■ VISION ■ OPPORTUNITY



*708 Third Street  
Brentwood, CA 94513*

# CITY OF BRENTWOOD



Every year the City selects a theme for the covers of its major financial documents - the Capital Improvement Program Budget (CIP), the Operating Budget, the Cost Allocation Plan, the Fiscal Model, the Comprehensive Annual Financial Report (CAFR) and the Public Facilities Fee Report. This year each of the covers will portray a major project completed within the last year.

COVER: This year's Public Facilities Fee Report cover shows an aerial view of the State Route 4 Bypass project. The Bypass project, which consists of three segments, will ease traffic congestion in Brentwood and Oakley and provide access to the growing areas of southeast Antioch and western Brentwood. Segment 2, which runs south from Lone Tree Way to Balfour Road, was completed in 2002. Segment 1, which runs south from the existing State Route 4 to Lone Tree Way, was opened in February 2008 and Segment 3, which runs south from Balfour Road to Vasco Road, was opened in October 2008.

*The Public Facilities Fee Report was prepared by the Finance Department.*

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*Letter of Transmittal*



January, 2010

The Honorable Mayor, Members of the City Council and Citizens of the City of Brentwood  
City of Brentwood  
Brentwood, CA 94513

Dear Mayor, Members of the City Council and Citizens of the City of Brentwood:

California Government Code requires reporting of the usage of public facilities fees. Therefore, in accordance with the provisions of the State of California and Government Code Section 66006(b) and 66001(d), as amended by AB 518 and SB 1693, I hereby submit the Public Facilities Fee Report for the City of Brentwood, California for the fiscal year ended June 30, 2009.

The publication of this Public Facilities Fee Report marks the first time the City has prepared one comprehensive document for meeting the reporting requirements of both California Government Code Section 66006(b) and 66001(d). In prior fiscal years, the City has complied with these requirements through the annual submittal of the Comprehensive Annual Financial Report (CAFR), the Five Year Capital Improvement Program (CIP) and the Operating Budget, all of which are on file with the City Clerk and available on the City's web site. This report will be updated and brought to City Council on an annual basis.

Public facility fees, otherwise known as development fees, are a monetary exaction, other than a tax or special assessment, which is charged by a local governmental agency to an applicant in connection with approval of a development project. The purpose of these fees, is to defray all or a portion of the cost of public facilities related to the development project. The legal requirements for enactment of a development impact fee program are set forth in Government Code §§ 66000-66025 (the "Mitigation Fee Act"), the bulk of which was adopted as 1987's Assembly Bill (AB) 1600 and thus are commonly referred to as "AB 1600 requirements."

The Public Facilities Fee Program has been in effect in Brentwood since fiscal year 1989/90. On June 27, 1989, the City Council adopted Brentwood Municipal Code Section 16 creating and establishing the authority for imposing and charging Public Facilities Fees. On June 27, 1989,

*Letter of Transmittal*

the City Council adopted Resolution No. 89-56, establishing and imposing Public Facilities Fees to be paid at the time of issuance of a building permit for development. The City began collecting these fees in August of 1989. In order to implement the goals and objectives of the master facilities element of the City of Brentwood's General Plan, and to mitigate the impacts upon public facilities caused by new development in the city, a number of public improvements must be constructed. The City Council determined revised development impact fees were needed in order to finance these public improvements and to pay for the new development projects' fair share of the costs of these improvements. On May 20, 1990, the City Council adopted Ordinance No. 471, updating Title 16 of the Brentwood Municipal Code adding Sections 16.010 through 16.180, to meet the goals and objectives of the General Plan.

Fees are collected at the time a building permit is issued for the purpose of mitigating the impacts caused by new development on certain public facilities. They are used to finance the acquisition, construction and improvement of public facilities needed as a result of this new development. A separate fund has been established to account for the impact of new development on each of the following types of public facilities: Water, Roadway, Parks and Trails, Wastewater, Community Facility and Fire.

State law requires the City prepare and make available to the public an annual report for each fund established to account for public facilities fees. The report must include the beginning and ending balances by public facility type for the fiscal year as well as any changes. The report must also present the amount of fees, interest and other income, expenditures and the amount of any required refunds made during the fiscal year. In prior years, the City has included this information in several documents including the Operating Budget, CIP and the CAFR. In addition, portions of this information have been included in periodical revisions to the Development Fee Program.

The City Council must review the annual report at a regularly scheduled public meeting not less than fifteen days after the information is made available to the public. This report was filed with the City Clerk's office and available for public review on December 21, 2009.

Respectfully submitted,

*Pamela Ehler*

Pamela Ehler  
City Treasurer  
Director of Finance and Information Systems

## ***LEGAL REQUIREMENTS***

### **A. REQUIREMENTS FOR DEVELOPMENT IMPACT FEES**

State law (California Government Code Section 66006) requires each local agency that imposes AB 1600 development impact fees to prepare an annual report providing specific information about those fees. Within the AB1600 legal requirements, it stipulates that fees imposed on new development have the proper nexus to any project on which they are imposed. In addition, AB1600 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.

Current California Government Code Section 66006(b) requires that for each separate fund the local agency shall, within 180 days after the last day of each fiscal year, make available to the public the following information for the fiscal year:

- A brief description of the type of fee in the account or fund.
- The amount of the fee.
- The beginning and ending balance of the account or fund.
- The amount of the fees collected and interest earned.
- An identification of each public improvement on which fees were expended and the amount of expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.
- An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement.
- A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid and the rate of interest that the account or fund will receive on the loan.
- The amount of refunds made due to sufficient funds being collected to complete financing on incomplete public improvements, and the amount of reallocation of funds made due to administrative costs of refunding unexpended revenues exceeding the amount to be refunded.

California Government Code Section 66001(d) requires the local agency make all of following findings every fifth year with respect to that portion of the account remaining unexpended, whether committed or uncommitted:

- Identify the purpose to which the fee is to be put.
- Demonstrate a reasonable relationship between the fee and purpose for which it is charged.
- Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements.

**LEGAL REQUIREMENTS** (Continued)

- Designate the approximate dates on which the funding is expected to be deposited into the appropriate account or fund.
- In any action imposing a fee as a condition of approval of a development project by a local agency, the local agency shall determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

**B. ADDITIONAL NOTES**

The State of California Government Code Section 66002 requires local agencies that have developed a fee program to adopt a CIP indicating the approximate location, size and timing of projects, plus an estimate for the cost of all facilities or improvements to be financed by fees. A formal CIP is recommended, at a minimum, as a five-year plan. The City annually produces a five-year CIP which helps to maintain and update the City's General Plan. The CIP also includes a 10-year projection of development fee revenue and expenditures. Further, it identifies situations where infrastructure is needed to accommodate the planned development.

The CIP relates the City's annual capital expenditures to a long-range plan for public improvements. By relating the plan for public improvements to the City's capacity for funding, and scheduling expenditures over a period of years, the CIP helps maximize the funds available. This type of fiscal management is important during periods, such as the current one, that are typified by budgetary demands exceeding financial resources.

**C. ESTABLISHING A REASONABLE RELATIONSHIP BETWEEN THE FEE AND THE PURPOSE FOR WHICH IT IS CHARGED**

The Public Facilities Fee Program has been in effect in Brentwood since fiscal year 1989/90. The current program, the 2005/06 Development Fee Program, was adopted on September 13, 2005. The program sets forth the relationship between contemplated future development, facilities needed to serve future development and the estimated costs of those improvements based on the current General Plan for build-out.

The City's CIP projects are financed in part by the capital improvement fees outlined in the Development Fee Program. The City's capital improvements provide infrastructure to the residents and businesses in Brentwood in order to keep pace with ongoing development in, and adjacent to, the community. Estimated project costs, and the summary of fee apportionment to each development fee type, are detailed within the Development Fee Program in Appendices F-1 through F-19.

Information on projects in the Development Fee Program can be found on pages 25-26. The information in these tables include: Current Projects, Project Phase, Construction Estimated Start Date, Construction Estimated Completion Date, Estimated Project Cost and Development Fee information including Funding to Date, Budget to Date and % of Total Project Cost.



**LEGAL REQUIREMENTS (Continued)****D. FUNDING OF INFRASTRUCTURE**

The 2009/10 - 2013/14 CIP identifies all funding sources and amounts for individual projects through 2013/14. The CIP is updated annually to reflect the current infrastructure needs of the City. As a CIP project is identified, the project is evaluated to determine the portion of the project that will service existing residents and businesses versus new development. Once the determination of use is made, the percentage of use attributable to new development is then funded by the appropriate development fee, based on the type of project. The percentage of use associated with existing residents or businesses are funded from other appropriate sources as identified on each individual project sheet in the CIP. All future planned infrastructure needs are outlined in the Development Fee program. The funding and commencement dates for projects are adjusted, as needed, to reflect the needs of the community.

**E. CURRENT CIVIC CENTER PROJECTS**

Construction is currently underway on a new Civic Center which includes the following projects – New City Hall, New Community Center, Civic Center Parking Facility – Phase I, City Park and Civic Center Plaza. Currently, the Community Facility Fee fund is paying for 26% of the overall costs associated with the Civic Center projects. In October 2009, the City issued the 2009 Civic Center Project Lease Revenue Bonds to help construct the New City Hall and the New Community Center projects. At that time all of the Civic Center project budgets were amended to reflect current project costs. The amended Civic Center budget information is shown in the tables on pages 25-26. The Civic Center project budgets will be updated during the preparation and adoption of the 2010/11 CIP and included in the Public Facilities Fee Report for fiscal year ended June 30, 2010.

***DESCRIPTION OF PUBLIC FACILITY FEES***

*Water Facility Fee* – To provide for the expansion of production, storage, transmission, treatment and distribution facilities in the water utility as specified in the City's Infrastructure Master Plans and Development Fee Program.

*Roadway Facility Fee* – To provide for traffic improvements necessary to accommodate the increase in traffic generated by new development as specified in the City's General Plan – Circulation Element and the Development Fee Program.

*Parks and Trails Facility Fee* – To provide for the acquisition and development of parks as specified in the City's Parks, Trails and Recreation Master Plan and Development Fee Program.

*Wastewater Facility Fee* – To provide for the expansion of collection and treatment capacities in the wastewater utility as specified in the City's Infrastructure Master Plan and Development Fee Program.

**DESCRIPTION OF PUBLIC FACILITY FEES (Continued)**

Community Facility Fee – To provide for the expansion, design and construction of capital facilities as specified in the City’s CIP and Development Fee Program.

Fire Facility Fee – To provide for the expansion, design and construction of fire facilities as set forth in the East Diablo Fire Protection District Financing Plan and Impact Fee Study (January 1998) and the City’s Development Fee Program.

**CURRENT FEE SCHEDULE**

The Development Fee program is reviewed annually in conjunction with the development of the CIP to ensure the Development Fee Program is accounting for all planned future development. The updated Development Fee Program information is then used to determine the amount of fees available for the funding of the proposed CIP projects.

DEVELOPMENT FEE PROGRAM								
General Plan Build Out								
Fee Category	S.F.R. Per Unit	A.S.R. Per Unit	M.F.R. Per Unit	S.H.U. (1200 SF Max)	Office Sq. Ft.	Commercial Sq. Ft.	Industrial Sq. Ft.	
Water Facility	\$ 7,135.87	\$ 5,794.77	\$ 5,600.14	\$ 2,800.07	\$ 1.5387	\$ 1.5387	\$ 0.8905	
Roadway Facility	10,745.97	4,635.52	6,637.22	3,318.61	6.7043	4.3664	4.6300	
Parks and Trails Facility	7,198.70	4,698.10	5,430.60	2,715.30	-	-	-	
Wastewater Facility	4,260.78	2,817.98	3,240.62	1,620.31	1.2788	1.0394	0.5467	
Community Facility	3,660.20	2,426.01	2,787.54	1,393.77	0.4935	0.4935	0.3427	
Fire Fee Faciltiy	780.98	780.98	780.98	780.98	0.1538	0.1538	0.1538	
Administration	574.71	354.78	412.66	206.33	0.1744	0.1295	0.1116	
<b>Total Fees</b>	<b>\$ 34,357.21</b>	<b>\$ 21,508.14</b>	<b>\$ 24,889.76</b>	<b>\$ 12,835.37</b>	<b>\$ 10.34</b>	<b>\$ 7.72</b>	<b>\$ 6.68</b>	

S.F.R.-Single Family Residence. A.S.R.-Active Senior Residence. M.F.R.-Multi-Family Residence  
 S.H.U.- Secondary Housing Unit up to 1200 SF - Over 1200 SF City Engineer will calculate fee

# City of Brentwood

## Financial Summary Report

### Statement of Revenues, Expenditures and Changes in Fund Balance For Last Five Fiscal Years

Description	Development Impact Fees					
	Water Facility	Roadway Facility	Parks and Trails Facility	Wastewater Facility	Community Facility	Fire Facility
<b>REVENUES</b>						
Fees	\$ 474,505	\$ 598,918	\$ 41,586	\$ 226,982	\$ 38,625	\$ 27,891
Interest	141,587	452,357	-	902,615	73,946	38,829
Other revenues	-	717,018	-	-	24,393	-
<b>Total Revenues</b>	<u>616,092</u>	<u>1,768,293</u>	<u>41,586</u>	<u>1,129,597</u>	<u>136,964</u>	<u>66,720</u>
<b>EXPENDITURES</b>						
Expenditures	13,853,688 <sup>(1)</sup>	(36,480) <sup>(3)</sup>	(68,646) <sup>(3)</sup>	2,947,741	171,838	716
<b>Total Expenditures</b>	<u>13,853,688</u>	<u>(36,480)</u>	<u>(68,646)</u>	<u>2,947,741</u>	<u>171,838</u>	<u>716</u>
<b>REVENUES OVER (UNDER) EXPENDITURES</b>	(13,237,596)	1,804,773	110,232	(1,818,144)	(34,874)	66,004
<b>Fund Balance, Beginning of Year</b>	<u>1,584,863</u>	<u>757,595</u>	<u>(716,270)</u>	<u>(1,206,392)</u>	<u>176,863</u>	<u>742,572</u>
<b>Fund Balance, End of Year</b>	<u>\$ (11,652,733) <sup>(2)</sup></u>	<u>\$ 2,562,368</u>	<u>\$ (606,038) <sup>(4)</sup></u>	<u>\$ (3,024,536) <sup>(5)</sup></u>	<u>\$ 141,989</u>	<u>\$ 808,576</u>

**Notes:**

- (1) Water expenditures for 2008/09 reflect the transfer of bond proceeds associated with the new Surface Water Treatment Facility.
- (2) The Water Facility Fee Fund reports a negative fund balance as a result of bonds payable in the amount of \$15,935,500 associated with the Surface Water Treatment Facility.
- (3) The negative expenditures are a result of the closure(s) of CIP projects that were fully funded in previous fiscal years and closed under budget; therefore, resulting of a transfer from the CIP project, to the original funding source.
- (4) The Parks and Trails Facility Fee Fund reports a negative fund balance due to project timing issues which are expected to be corrected once development activity increases. Several CIP projects have been funded in advance on the basis of fees being collected in ensuing years. This type of fiscal management is mandatory to support the infrastructure needed to accommodate the planned development.
- (5) The Wastewater Facility Fee Fund reports a negative fund balance as a result of notes payable in the amount of \$15,769,912 associated with the Wastewater Treatment Plant Expansion.



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**City of Brentwood**  
**Water Facility Fee Fund**

*Statement of Revenues, Expenditures and Changes in Fund Balance  
For Last Five Fiscal Years*

Description	FY 2004/05	FY 2005/06	FY 2006/07	FY 2007/08	FY 2008/09
<b>REVENUES</b>					
Fees	\$ 6,032,967	\$ 7,073,203	\$ 6,261,705	\$ 1,461,279	\$ 474,505
Interest	115,320	79,579	348,394	318,595	141,587
Other revenues	-	294,500	-	149,840	-
<b>Total Revenues</b>	<u>6,148,287</u>	<u>7,447,282</u>	<u>6,610,099</u>	<u>1,929,713</u>	<u>616,092</u>
<b>EXPENDITURES</b>					
Expenditures	12,357,333	15,030,489	(1,733,922) <sup>(1)</sup>	(4,683,984) <sup>(2)</sup>	13,853,688 <sup>(3)</sup>
<b>Total Expenditures</b>	<u>12,357,333</u>	<u>15,030,489</u>	<u>(1,733,922)</u>	<u>(4,683,984)</u>	<u>13,853,688</u>
<b>REVENUES OVER (UNDER) EXPENDITURES</b>	(6,209,046)	(7,583,207)	8,344,021	6,613,697	(13,237,596)
<b>Fund Balance, Beginning of Year</b>	<u>419,398</u>	<u>(5,789,648)</u>	<u>(13,372,855)</u>	<u>(5,028,834)</u>	<u>1,584,863</u>
<b>Fund Balance, End of Year</b>	<u>\$ (5,789,648) <sup>(4)</sup></u>	<u>\$ (13,372,855) <sup>(4)</sup></u>	<u>\$ (5,028,834) <sup>(4)</sup></u>	<u>\$ 1,584,863</u>	<u>\$ (11,652,733) <sup>(5)</sup></u>

**Five Year Revenue Test Using First In First Out Method**

Available Revenue Current Year <sup>(6)</sup>	\$ -	\$ -	\$ -	\$ 1,584,863	\$ -
Available Revenue Prior Fiscal Year (2-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
<b>Total Revenue Available</b>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,584,863</u>	<u>\$ -</u>

Result: Five Year Revenue test met in accordance with Government Code 66001.

**Notes:**

- (1) Water expenditures for FY 2006/07 include a reduction of expense of \$5,903,921 which reflect the benefits of reallocating 60% of the liability for the connection fees within CCWD's Los Vaqueros Service area.
- (2) Water expenditures for FY 2007/08 include a reduction in expenses of \$3,633,182 which reflect the benefits of reallocating the remaining 40% of the liability for the connection fees.
- (3) Water expenditures for 2008/09 reflect the transfer of bond proceeds associated with the new Surface Water Treatment Facility.
- (4) The Water Facility Fee Fund's negative fund balance is due to amounts owed to CCWD under an agreement relating to the Los Vaqueros Service Area. In FY 2004/05 this amount was \$10.3M; in FY 2005/06 it was \$9.8M and in FY 2006/07 it was \$3.6M.
- (5) The negative fund balance in FY 2008/09 is associated with a bond payable of \$15,935,000.
- (6) In using the revenue and expenditure reports to determine whether the fees have been spent within five years of collection, the total expenditures and operating transfers out over the five year period must be added together, and that total must be subtracted from the earliest fund balance plus any operating transfer for that year. In a number of instances, this calculation shows that not only have fees collected five years ago been spent, but fees collected in ensuing years have also been spent; therefore, a negative fund balance is reported.

**City of Brentwood**  
**Roadway Facility Fee Fund**

*Statement of Revenues, Expenditures and Changes in Fund Balance  
For Last Five Fiscal Years*

<u>Description</u>	<u>FY 2004/05</u>	<u>FY 2005/06</u>	<u>FY 2006/07</u>	<u>FY 2007/08</u>	<u>FY 2008/09</u>
<b>REVENUES</b>					
Fees	\$ 20,194,998	\$ 9,671,126	\$ 6,417,366	\$ 3,183,042	\$ 598,918
Interest	75,571	405	434,894	510,001	452,357
Other revenues	234,661	1,097,947	344,451	1,434,213	717,018
<b>Total Revenues</b>	<u>20,505,230</u>	<u>10,769,478</u>	<u>7,196,711</u>	<u>5,127,256</u>	<u>1,768,293</u>
<b>EXPENDITURES</b>					
Expenditures	12,759,903	15,082,993	10,058,977	(469,065)	(36,480)
<b>Total Expenditures</b>	<u>12,759,903</u>	<u>15,082,993</u>	<u>10,058,977</u>	<u>(469,065)</u>	<u>(36,480)</u>
<b>REVENUES OVER (UNDER) EXPENDITURES</b>	7,745,327	(4,313,515)	(2,862,266)	5,596,321	1,804,773
<b>Fund Balance, Beginning of Year</b>	<u>(5,408,273)</u>	<u>2,337,054</u>	<u>(1,976,461)</u>	<u>(4,838,727)</u>	<u>757,595</u>
<b>Fund Balance, End of Year</b>	<u>\$ 2,337,054</u>	<u>\$ (1,976,461) <sup>(1)</sup></u>	<u>\$ (4,838,727) <sup>(1)</sup></u>	<u>\$ 757,595</u>	<u>\$ 2,562,368</u>

**Five Year Revenue Test Using First In First Out Method**

Available Revenue Current Year <sup>(2)</sup>	\$ 2,337,054	\$ -	\$ -	\$ 757,595	\$ 1,768,293
Available Revenue Prior Fiscal Year (2-yr Old Funds)	-	-	-	-	794,075
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
<b>Total Revenue Available</b>	<u>\$ 2,337,054</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 757,595</u>	<u>\$ 2,562,368</u>

Result: Five Year Revenue test met in accordance with Government Code 66001.

**Notes:**

- (1) The Roadway Facility Fee Fund reports a negative fund balance in FY 2005/06 & 2006/07 due to timing issues which were corrected during the next few fiscal year(s). Several CIP projects have been funded in advance on the basis of fees being collected in ensuing years. This type of fiscal management is mandatory to support the infrastructure needed to accommodate the planned development.
- (2) In using the revenue and expenditure reports to determine whether the fees have been spent within five years of collection, the total expenditures and operating transfers out over the five year period must be added together, and that total must be subtracted from the earliest fund balance plus any operating transfer for that year. In a number of instances, this calculation shows that not only have fees collected five years ago been spent, but fees collected in ensuing years have also been spent; therefore, a negative fund balance is reported.

**City of Brentwood**  
**Parks and Trails Facility Fee Fund**

*Statement of Revenues, Expenditures and Changes in Fund Balance  
For Last Five Fiscal Years*

<u>Description</u>	<u>FY 2004/05</u>	<u>FY 2005/06</u>	<u>FY 2006/07</u>	<u>FY 2007/08</u>	<u>FY 2008/09</u>
<b>REVENUES</b>					
Fees	\$ 8,999,380	\$ 6,875,181	\$ 2,702,402	\$ 729,184	\$ 41,586
Interest	6,688	3,248	241,916	130,119	-
Other revenues	75,000	288,532	100,112	86,283	-
<b>Total Revenues</b>	<u>9,081,067</u>	<u>7,166,961</u>	<u>3,044,430</u>	<u>945,586</u>	<u>41,586</u>
<b>EXPENDITURES</b>					
Expenditures	13,218,454	6,048,269	2,078,527	2,868,797	(68,646)
<b>Total Expenditures</b>	<u>13,218,454</u>	<u>6,048,269</u>	<u>2,078,527</u>	<u>2,868,797</u>	<u>(68,646)</u>
<b>REVENUES OVER (UNDER) EXPENDITURES</b>	(4,137,386)	1,118,692	965,903	(1,923,211)	110,232
<b>Fund Balance, Beginning of Year</b>	<u>3,259,732</u>	<u>(877,654)</u>	<u>241,038</u>	<u>1,206,941</u>	<u>(716,270)</u>
<b>Fund Balance, End of Year</b>	<u>\$ (877,654) <sup>(1)</sup></u>	<u>\$ 241,038</u>	<u>\$ 1,206,941</u>	<u>\$ (716,270) <sup>(1)</sup></u>	<u>\$ (606,038) <sup>(1)</sup></u>

**Five Year Revenue Test Using First In First Out Method**

Available Revenue Current Year <sup>(2)</sup>	\$ -	\$ 241,038	\$ 1,206,941	\$ -	\$ -
Available Revenue Prior Fiscal Year (2-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
<b>Total Revenue Available</b>	<u>\$ -</u>	<u>\$ 241,038</u>	<u>\$ 1,206,941</u>	<u>\$ -</u>	<u>\$ -</u>

Result: Five Year Revenue test met in accordance with Government Code 66001.

**Notes:**

- (1) The Parks and Trails Facility Fee Fund reports a negative fund balance in FY 2004/05, FY 2007/08 & FY 2008/09 due to timing issues which are expected to be corrected once development activity increases. Several CIP projects have been funded in advance on the basis of fees being collected in ensuing years. This type of fiscal management is mandatory to support the infrastructure needed to accommodate the planned development.
- (2) In using the revenue and expenditure reports to determine whether the fees have been spent within five years of collection, the total expenditures and operating transfers out over the five year period must be added together, and that total must be subtracted from the earliest fund balance plus any operating transfer for that year. In a number of instances, this calculation shows that not only have fees collected five years ago been spent, but fees collected in ensuing years have also been spent; therefore, a negative fund balance is reported.

**City of Brentwood**  
**Wastewater Facility Fee Fund**

*Statement of Revenues, Expenditures and Changes in Fund Balance  
For Last Five Fiscal Years*

<u>Description</u>	<u>FY 2004/05</u>	<u>FY 2005/06</u>	<u>FY 2006/07</u>	<u>FY 2007/08</u>	<u>FY 2008/09</u>
<b>REVENUES</b>					
Fees	\$ 6,036,220	\$ 5,039,631	\$ 2,382,955	\$ 928,267	\$ 226,982
Interest	157,477	484,064	1,006,111	1,123,681	902,615
Other revenues	-	-	-	15,116	-
<b>Total Revenues</b>	<u>6,193,697</u>	<u>5,523,695</u>	<u>3,389,066</u>	<u>2,067,065</u>	<u>1,129,597</u>
<b>EXPENDITURES</b>					
Expenditures	<u>2,517,030</u>	<u>2,475,111</u>	<u>2,620,042</u>	<u>1,148,569</u>	<u>2,947,741</u>
<b>Total Expenditures</b>	<u>2,517,030</u>	<u>2,475,111</u>	<u>2,620,042</u>	<u>1,148,569</u>	<u>2,947,741</u>
<b>REVENUES OVER (UNDER) EXPENDITURES</b>	3,676,666	3,048,584	769,024	918,496	(1,818,144)
<b>Fund Balance, Beginning of Year</b>	<u>(9,619,163)</u>	<u>(5,942,496)</u>	<u>(2,893,912)</u>	<u>(2,124,888)</u>	<u>(1,206,392)</u>
<b>Fund Balance, End of Year</b>	<u>\$ (5,942,496) <sup>(1)</sup></u>	<u>\$ (2,893,912) <sup>(1)</sup></u>	<u>\$ (2,124,888) <sup>(1)</sup></u>	<u>\$ (1,206,392) <sup>(1)</sup></u>	<u>\$ (3,024,536) <sup>(1)</sup></u>

**Five Year Revenue Test Using First In First Out Method**

Available Revenue Current Year <sup>(2)</sup>	\$ -	\$ -	\$ -	\$ -	\$ -
Available Revenue Prior Fiscal Year (2-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
<b>Total Revenue Available</b>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Result: Five Year Revenue test met in accordance with Government Code 66001.

**Notes:**

- (1) The Wastewater Facility Fee Fund reports a negative fund balance as a result of the notes payable associated with the Wastewater Treatment Plant Expansion. The liability by fiscal year was: \$19.5M in FY 2004/05; \$18.5M in FY 2005/06; \$17.7M in FY 2006/07; \$16.7M in FY 2007/08 and \$15.8M in FY 2008/09.
- (2) In using the revenue and expenditure reports to determine whether the fees have been spent within five years of collection, the total expenditures and operating transfers out over the five year period must be added together, and that total must be subtracted from the earliest fund balance plus any operating transfer for that year. In a number of instances, this calculation shows that not only have fees collected five years ago been spent, but fees collected in ensuing years have also been spent; therefore, a negative fund balance is reported.



**City of Brentwood**  
**Community Facility Fee Fund**

*Statement of Revenues, Expenditures and Changes in Fund Balance  
For Last Five Fiscal Years*

<u>Description</u>	<u>FY 2004/05</u>	<u>FY 2005/06</u>	<u>FY 2006/07</u>	<u>FY 2007/08</u>	<u>FY 2008/09</u>
<b>REVENUES</b>					
Fees	\$ 4,814,550	\$ 3,678,845	\$ 1,414,819	\$ 639,841	\$ 38,625
Interest	7,484	54,624	36,278	16,470	73,946
Other revenues	462,208	-	210,717	15,759	24,393
<b>Total Revenues</b>	<u>5,284,242</u>	<u>3,733,469</u>	<u>1,661,814</u>	<u>672,070</u>	<u>136,964</u>
<b>EXPENDITURES</b>					
Expenditures	3,177,140	3,144,124	4,044,966	433,091	171,838
<b>Total Expenditures</b>	<u>3,177,140</u>	<u>3,144,124</u>	<u>4,044,966</u>	<u>433,091</u>	<u>171,838</u>
<b>REVENUES OVER (UNDER) EXPENDITURES</b>	2,107,102	589,345	(2,383,151)	238,979	(34,874)
<b>Fund Balance, Beginning of Year</b>	<u>(375,412)</u>	<u>1,731,690</u>	<u>2,321,035</u>	<u>(62,116)</u>	<u>176,863</u>
<b>Fund Balance, End of Year</b>	<u>\$ 1,731,690</u>	<u>\$ 2,321,035</u>	<u>\$ (62,116) <sup>(1)</sup></u>	<u>\$ 176,863</u>	<u>\$ 141,989</u>

**Five Year Revenue Test Using First In First Out Method**

Available Revenue Current Year <sup>(2)</sup>	\$ 1,731,690	\$ 2,321,035	\$ -	\$ 176,863	\$ 136,964
Available Revenue Prior Fiscal Year (2-yr Old Funds)	-	-	-	-	5,025
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
<b>Total Revenue Available</b>	<u>\$ 1,731,690</u>	<u>\$ 2,321,035</u>	<u>\$ -</u>	<u>\$ 176,863</u>	<u>\$ 141,989</u>

Result: Five Year Revenue test met in accordance with Government Code 66001.

**Notes:**

- (1) The Community Facility Fee Fund reports a negative balance in FY 2006/07 due to timing issues which were corrected in FY 2007/08 using development revenue. Several CIP projects have been funded in advance on the basis of fees being collected in ensuing years. This type of fiscal management is mandatory to support the infrastructure needed to accommodate the planned development.
- (2) In using the revenue and expenditure reports to determine whether the fees have been spent within five years of collection, the total expenditures and operating transfers out over the five year period must be added together, and that total must be subtracted from the earliest fund balance plus any operating transfer for that year. In a number of instances, this calculation shows that not only have fees collected five years ago been spent, but fees collected in ensuing years have also been spent; therefore, a negative fund balance is reported.

**City of Brentwood**  
**Fire Facility Fee Fund**

*Statement of Revenues, Expenditures and Changes in Fund Balance  
For Last Five Fiscal Years*

<u>Description</u>	<u>FY 2004/05</u>	<u>FY 2005/06</u>	<u>FY 2006/07</u>	<u>FY 2007/08</u>	<u>FY 2008/09</u>
<b>REVENUES</b>					
Fees	\$ 1,046,877	\$ 759,991	\$ 403,337	\$ 178,187	\$ 27,891
Interest	3,237	21,153	44,129	40,464	38,829
Other revenues	-	-	-	-	-
<b>Total Revenues</b>	<u>1,050,114</u>	<u>781,144</u>	<u>447,466</u>	<u>218,651</u>	<u>66,720</u>
<b>EXPENDITURES</b>					
Expenditures	500,000	-	1,491,335	685,746	716
<b>Total Expenditures</b>	<u>500,000</u>	<u>-</u>	<u>1,491,335</u>	<u>685,746</u>	<u>716</u>
<b>REVENUES OVER (UNDER) EXPENDITURES</b>	550,114	781,144	(1,043,869)	(467,095)	66,004
<b>Fund Balance, Beginning of Year</b>	<u>922,278</u>	<u>1,472,392</u>	<u>2,253,536</u>	<u>1,209,667</u>	<u>742,572</u>
<b>Fund Balance, End of Year</b>	<u>\$ 1,472,392</u>	<u>\$ 2,253,536</u>	<u>\$ 1,209,667</u>	<u>\$ 742,572</u>	<u>\$ 808,576</u>

**Five Year Revenue Test Using First In First Out Method**

Available Revenue Current Year	\$ 1,050,114	\$ 781,144	\$ 447,466	\$ 218,651	\$ 66,720 <sup>(1)</sup>
Available Revenue Prior Fiscal Year (2-yr Old Funds)	422,278	1,050,114	762,201	447,466	218,651
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	422,278	-	76,455	447,466
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	75,739
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
<b>Total Revenue Available</b>	<u>\$ 1,472,392</u>	<u>\$ 2,253,536</u>	<u>\$ 1,209,667</u>	<u>\$ 742,572</u>	<u>\$ 808,576</u>

Result: Five Year Revenue test met in accordance with Government Code 66001.

**Notes:**

(1) The Fire Facility Fee Fund reports a fund balance of \$808,576 in FY 2008/09. Currently, there are two Fire Station CIP projects that will expend the remaining fund balance in the next few fiscal years.

**NOTE # 1 – BONDS**

**A. 2008 WATER REVENUE BONDS**

On November 13, 2008, the City issued \$45,530,000 in Water Revenue Bonds associated with the construction of the Surface Water Treatment Facility, with interest rates ranging from 4.5 to 5.5 percent, due July 1, 2038. The City has pledged future water customer revenues, net of specified operating expenses, through 2038 to repay the Water Revenue Bonds. The Water Facility Fee is responsible for 35% of the debt service attributable to this bond. The Water Enterprise will cover the first three years of debt service and the facility fee will begin to pay debt service in 2012/13. As of June 30, 2009, the Water Facility Fee Fund’s gross repayment obligation, including interest, totaled \$33,727,255. During FY 2008/09, the facility fee made no payments on the obligation. Future payments for these bonds are as follows:

<b>Year Ending</b>	<b>Principal</b>	<b>Interest</b>	<b>Total</b>
<b>June 30</b>			
2010	\$ -	\$ -	\$ -
2011	-	-	-
2012	-	-	-
2013	293,849	1,066,774	1,360,623
2014	308,096	1,050,909	1,359,005
2015-2019	1,789,805	4,950,964	6,740,769
2020-2024	2,343,665	4,286,989	6,630,654
2025-2029	3,063,149	3,424,064	6,487,213
2030-2034	4,014,150	2,281,171	6,295,321
2035-2038	4,122,785	730,885	4,853,670
<b>Total</b>	<b>\$ 15,935,500</b>	<b>\$ 17,791,755</b>	<b>\$ 33,727,255</b>

**NOTE # 1 – BONDS (Continued)**

**B. CIP 2001 REVENUE BONDS (ROADWAY)**

On September 27, 2001, the Brentwood Infrastructure Financing Authority issued \$32,080,000 in Brentwood Capital Improvement Revenue Bonds, Series 2001. A portion of the original bond issuance, \$5,940,000, is attributable to the refinance of the 1996 Roadway Bonds. Proceeds from the 1996 bonds were used to fund a portion of Balfour Road; Oak Street; O’Hara Avenue; Sand Creek Road; Lone Tree Way; Griffith Lane; the Walnut Boulevard extension and the Sand Creek Road extension. Total annual debt service payments, including interest at 3.0 percent to 5.375 percent, range from \$399,706 to \$413,038. During FY 2008/09, the facility fee paid \$413,038 in principal and interest payments on the obligation. Future payments for these bonds are as follows:

<b>Year Ending</b>			
<b>June 30</b>	<b>Principal</b>	<b>Interest</b>	<b>Total</b>
2010	\$ 180,000	\$ 231,156	\$ 411,156
2011	185,000	223,856	408,856
2012	195,000	216,134	411,134
2013	205,000	207,756	412,756
2014	210,000	198,675	408,675
2015-2019	1,205,000	836,103	2,041,103
2020-2024	1,550,000	485,934	2,035,934
2025-2027	1,130,000	86,500	1,216,500
<b>Total</b>	<b>\$ 4,860,000</b>	<b>\$ 2,486,116</b>	<b>\$ 7,346,116</b>

**NOTE # 2 – NOTES PAYABLE**

**A. STATE WATER RESOURCES LOAN (WASTEWATER)**

In December 2000, the City entered into a loan contract with the State of California’s State Water Resources Control Board for the purpose of financing the Wastewater Treatment Plant 5MGD Expansion project. Under the terms of the contract, the City has agreed to repay the State \$45,580,886 in exchange for receiving \$37,983,920 in proceeds used to fund the project. The difference between the repayment obligation and proceeds amounted to \$7,596,966 upon issue and represents in-substance interest on the outstanding balance. This in-substance interest amount has been recorded as a discount on debt at an imputed yield of 1.81% per year and is being amortized over the remaining life of the contract. The loan was originally split 60% new development and 40% existing. The first two payments were paid 100% by the facility fund, and the current balance has been revised to reflect those payments. The facility fund is now responsible for 56%. As of June 30, 2009, the Wastewater Facility Fee Fund’s gross repayment obligation totaled \$17,797,370 net of the unamortized discount of \$2,027,458. During FY 2008/09, the facility fee repaid \$982,428 on the obligation and amortized \$276,464 of the discount which was reported as interest expense.

<b>Year Ending</b>	<b>Principal</b>	<b>Interest</b>	<b>Total</b>
<b>June 30</b>			
2010	\$ 1,000,162	\$ 260,251	\$ 1,260,413
2011	1,018,216	243,745	1,261,961
2012	1,036,596	226,941	1,263,537
2013	1,055,308	209,834	1,265,142
2014	1,074,357	192,419	1,266,776
2015-2019	5,669,780	689,654	6,359,434
2020-2023	4,915,493	204,615	5,120,108
<b>Total</b>	<b>\$ 15,769,912</b>	<b>\$ 2,027,458</b>	<b>\$ 17,797,370</b>

**NOTE # 3 – DEFERRED IMPACT FEES**

**A. SILENT SECOND**

In April of 2002, the City established the Police Officer Recruitment Incentive Program (Silent Second). Under this program, the City defers a portion of the development infrastructure fees on a single family home for an officer who purchases a new home in the City of Brentwood. The facility fee funds receive payment for these deferred development fees at a rate of 5% of the original deferral amount per year over 20 years. The General Fund is obligated to make the annual 5% payments unless the officer’s employment with the City is terminated prior to full repayment of the deferred facility fees, at which time the remaining balance is immediately due and payable by the officer. As of June 30, 2009, the gross repayment obligation to the Water Facility Fund totaled \$256,825. During FY 2008/09, the Facility Fee received \$17,175 in payments on deferred fees and issued zero new deferred fee agreements.

<u>Receivable Fund</u>	<u>Balance June 30, 2008</u>	<u>New Loans</u>	<u>Payoffs</u>	<u>Balance June 30, 2009</u>
Water Facility Fee	\$ 274,000	\$ -	\$ (17,175)	\$ 256,825
<b>Total</b>	<u>\$ 274,000</u>	<u>\$ -</u>	<u>\$ (17,175)</u>	<u>\$ 256,825</u>

**NOTE # 3 – DEFERRED IMPACT FEES (Continued)**

**B. SAND CREEK SHOPPING CENTER**

On May 8, 2001, the City entered into a Deferred Fee agreement with the Sand Creek Crossing Shopping Center in the amount of \$1,530,029 for the payment of development fees associated with Master Plan Public Infrastructure Facility Improvements. These improvements consisted of the widening of Sand Creek Road and San Jose Avenue; the modification and installation of traffic signals; the improvements to storm drainage and the extension of water lines for Zone 1 and Zone 2. Under this agreement, the City’s General Fund is obligated to pay a portion of the development fees associated with this project. As of June 30, 2009, the City’s gross repayment obligation totaled \$1,198,313. This loan is scheduled to be repaid in 2018/19, with annual principal payments of \$120,974. The interest rate is set at the monthly LAIF rate for the life of the loan.

<u>Receivable Fund</u>	<u>Payable Fund</u>	<u>Amount</u>
Water Facility Fee	General Fund	\$ 33,450
Roadway Facility Fee	General Fund	839,387
Wastewater Facility Fee	General Fund	325,476
	<b>Total</b>	<u><u>\$ 1,198,313</u></u>

**NOTE # 3 – DEFERRED IMPACT FEES (Continued)**

**C. HOUSING ENTERPRISE**

The Housing Enterprise deferred development fees related to the construction of housing units which became rental units for the City’s Housing Program. During FY 2008/09, the Housing Enterprise made no payments on the obligation. Currently, the Housing rental program is anticipating the sale of these units; therefore, as the units are sold, the development fees will be paid in full.

<u>Receivable Fund</u>	<u>Payable Fund</u>	<u>Amount</u>
Water Facility Fee	Housing Enterprise	\$ 45,516
Roadway Facility Fee	Housing Enterprise	97,069
Parks and Trails Facility Fee	Housing Enterprise	66,496
Wastewater Facility Fee	Housing Enterprise	35,331
Community Facility Fee	Housing Enterprise	31,149
	<b>Total</b>	<u><u>\$ 275,561</u></u>



**NOTE # 3 – DEFERRED IMPACT FEES (Continued)**

**D. COMMERCIAL, OFFICE & INDUSTRIAL**

In 2000, the City enacted a Deferred Fee Payment Program for development fees associated with commercial, office and industrial development. This program allows for the deferral of a portion of the Water, Roadway, Wastewater, Community Facility and Fire Fees. Highlights of the plan include payment of 10% of development fees at permit issuance with the remaining balance, including administrative and interest charges set at 4%, collected as a special assessment on the developer’s property tax bill. In 2009 the program’s repayment schedule was changed from ten years to five years. Currently, there are three outstanding agreements.

<u>Developer</u>	<u>Receivable Fund</u>	<u>Principal Outstanding</u>
Brentwood Walnut B, LLC	Roadway Facility Fee	\$ 23,916
Lone Tree Brentwood, LLC	Water Facility Fee	110,003
Lone Tree Brentwood, LLC	Roadway Facility Fee	312,157
Lone Tree Brentwood, LLC	Wastewater Facility Fee	74,307
Lone Tree Brentwood, LLC	Community Facility Fee	35,281
Lone Tree Brentwood, LLC	Fire Facility Fee	6,706
Sand Creek Business Center, L.P.	Roadway Facility Fee	114,017
	<b>Total</b>	<b>\$ 676,387</b>

**NOTE # 3 – DEFERRED IMPACT FEES (Continued)**

**E. RESIDENTIAL**

In January of 2009, the City enacted a Deferred Fee Payment Program for development fees associated with residential development. This Council Approved program will be in effect for a 12 month period with a possible 6 month extension, dependant on market conditions, at the discretion of the City Engineer. This program allows for the deferral of the Water, Roadway, Parks and Trails, Wastewater and Community Facility development fees. During the 2008/09 fiscal year, fees associated with 19 units were deferred and three units were completed and the associated fees were paid in full. The outstanding fees are listed below.

<u>Developer</u>	<u>Receivable Fund</u>	<u>Principal Outstanding</u>
Discovery Builders	Water Facility Fee	\$ 74,724
Discovery Builders	Roadway Facility Fee	9,973
Discovery Builders	Parks and Trails Facility Fee	8,771
Discovery Builders	Wastewater Facility Fee	64,113
Discovery Builders	Community Facility Fee	58,563
	<b>Total</b>	<b>\$ 216,144</b>

**NOTE # 4 – DEVELOPMENT REIMBURSEMENTS**

**A. DEVELOPMENT REIMBURSEMENTS**

The Subdivision Map Act requires the City enter into a reimbursement agreement when a developer constructs excess improvements. Per the reimbursement agreement, the City shall reduce the facility fees collected from the developer in the form of facility fee credits for the costs associated with the design, financing, construction and installation of the excess improvements. The value of credits does not increase for inflation nor do they accrue interest. The total value of the credits, since inception of the program, is \$29,674,296. A total of \$418,575 was used as credits during FY 2008/09. Any remaining credits may be transferred by the developers to other projects located elsewhere in the City. Occasionally, credits may exceed the fees attributable to a development. In these limited situations, the reimbursement agreement requires the City to make annual installments from like development facility fee funds and no other. Currently, there are three outstanding agreements.

<u>Developer</u>	<u>Payable Fund</u>	<u>Credits Outstanding</u>
Braddock & Logan	Roadway Facility Fee	\$ 210,505
Braddock & Logan	Parks and Trails Facility Fee	18,375
Meritage	Water Facility Fee	50,966
Meritage	Roadway Facility Fee	126,302
Meritage	Parks and Trails Facility Fee	57,408
Meritage	Wastewater Facility Fee	37,558
William Lyon Homes	Water Facility Fee	410,599
William Lyon Homes	Parks and Trails Facility Fee	745
	<b>Total</b>	<b>\$ 912,458</b>

***NOTE # 5 – REFUNDS PAYABLE***

**A. REFUNDS OF DEVELOPER FEES**

When the City no longer needs the funds for the purposes collected, or if the City fails to make required findings or perform certain administrative tasks prescribed by AB1600, the City 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. At this time all fees being collected pursuant to the developer fee program have been earmarked for current or future capital projects necessary to maintain the current levels of service within existing service areas to serve new development.

City of Brentwood

Development Fee Project Identification

As of June 30, 2009

Project Number	Current Projects	Project Phase	Construction		Estimated Project Cost	Development Fees		
			Estimated Start Date	Estimated Completion Date		Funding To Date <sup>(1)</sup>	Budget To Date <sup>(1)</sup>	Estimated % Attributable to New Development
<b>Water Facility Fee</b>								
	Brentwood Boulevard Sewer and Water Main	Future	2012	2013	\$ 1,917,000	\$ -	\$ -	50%
37197	Development Services	Construction	2009	2010	450,000	97,290	97,290	22%
31640	John Muir Parkway Extension / Foothill Drive - Phase I	Construction	2010	2010	4,000,000	136,800	240,000	6%
31683	John Muir Parkway Extension - Phase II	Construction	2010	2010	3,550,000	200,000	200,000	6%
56381	RBWTP Maintenance and Capital Upgrades	Preliminary	2010	2015	510,000	62,421	113,921	22%
	Raw Water Conveyance System	Future	2020	2020	12,390,000	-	-	100%
30610	Sand Creek Road East A & B	Construction	2001	2005	21,580,002	2,423,800	2,423,800	11%
56290	Surface Water Treatment Facility Phases I & II	Construction	2005	2009	65,196,476	26,078,590	26,078,590	40%
56320	Underground Water System Corrosion Mitigation	Construction	2004	2012	196,259	120,058	120,058	61%
30560	Walnut Boulevard Widening	Construction	2007	2008	5,672,055	701,118	701,118	12%
56280	Water System Connections / Regulating	Design	2010	2010	297,700	231,700	297,700	100%
56380	Zone I Equalization Storage Reservoirs	Preliminary	2012	2014	2,499,800	13,300	13,300	100%
<b>Total Water Facility Fee</b>					<b>\$ 118,259,292</b>	<b>\$ 30,065,077</b>	<b>\$ 30,285,777</b>	
<b>Roadway Facility Fee</b>								
31681	American Avenue Improvements	Preliminary	2008	2010	\$ 1,037,500	\$ 118,122	\$ 148,496	62%
	Brentwood Boulevard / Guthrie Lane Traffic Signal	Future	2010	2011	240,000	-	234,600	98%
31620	Brentwood Boulevard Widening North - Phase I	Preliminary	2010	2012	6,300,000	250,000	350,000	6%
	Brentwood Boulevard Widening North - Phase II	Future	2012	2012	8,250,000	-	270,000	100%
	Brentwood Boulevard Widening North - Phase III	Future	2013	2014	6,900,000	-	-	100%
	Brentwood Boulevard Widening South	Future	2014	2015	1,281,992	-	-	100%
	CCWD Los Vaqueros Water Line Relocation	Future	2010	2011	330,000	-	330,000	100%
31500	City Wide Traffic Signal Interconnect Program	Design	2008	2010	315,000	193,000	315,000	100%
52220	Community Beautification	Construction	2004	2012	2,573,858	1,151,536	1,151,536	100%
37197	Development Services	Construction	2009	2010	450,000	146,520	146,520	33%
31640	John Muir Parkway Extension / Foothill Drive - Phase I	Construction	2010	2010	4,000,000	1,536,297	1,986,297	50%
31683	John Muir Parkway Extension - Phase II	Construction	2010	2010	3,550,000	-	303,750	9%
	Logan Way Extension	Future	2010	2011	305,700	-	-	100%
31340	Lone Tree Way - Union Pacific Undercrossing	Design	2011	2014	18,752,489	3,568,957	4,098,957	100%
	Oak Street and Garin Parkway Signal Installation	Future	2013	2014	300,000	-	-	95%
30610	Sand Creek Road East A & B	Construction	2001	2005	21,580,002	18,409,702	18,409,702	85%
31320	Signal Modifications and Upgrades	Construction	2001	2012	765,000	369,000	579,000	76%
30560	Walnut Boulevard Widening	Construction	2007	2008	5,672,055	2,900,487	2,900,487	51%
<b>Total Roadway Facility Fee</b>					<b>\$ 82,603,596</b>	<b>\$ 28,643,621</b>	<b>\$ 31,224,345</b>	
<b>Parks and Trails Facility Fee</b>								
	BUSD Joint Use Facility	Future	2019	2019	\$ 1,500,000	\$ -	\$ -	100%
52170	Creek Habitat Enhancement	Preliminary	2010	2010	1,289,025	15,775	15,775	69%
37197	Development Services	Construction	2009	2010	450,000	98,145	98,145	22%
52230	Empire Avenue Elementary School / Park	Preliminary	2010	2010	943,122	197,726	197,726	100%
	Sand Creek Park - Phase II	Future	2012	2013	3,556,000	-	-	100%
52200	Sand Creek Soccer Complex	Design	2010	2011	1,332,257	17,257	17,257	100%
<b>Sub-Total Parks and Trails Facility Fee</b>					<b>\$ 9,070,404</b>	<b>\$ 328,903</b>	<b>\$ 328,903</b>	

<sup>(1)</sup> These columns only reflect the Funding to Date and Budget to Date amounts for the Development Fees. Please refer to the 2009/10 - 2013/14 Capital Improvement Program for information on additional funding sources.

City of Brentwood

Development Fee Project Identification

As of June 30, 2009

Project Number	Current Projects	Project Phase	Construction		Estimated Project Cost	Development Fees		
			Estimated Start Date	Estimated Completion Date		Funding To Date <sup>(1)</sup>	Budget To Date <sup>(1)</sup>	Estimated % Attributable to New Development
<b>Parks and Trails Facility Fee (Continued)</b>								
52408	Summerset Park	Design	2010	2010	2,200,000	300,000	300,000	100%
	Sunset Park Soccer Field Expansion / Upgrade	Future	2011	2014	5,498,864	-	-	100%
	Trail Improvements	Future	2010	2014	50,000	-	-	100%
52120	Trails Project	Construction	2004	2014	2,675,922	201,118	227,629	96%
	Veterans Park Element - Phase II	Future	2010	2011	150,000	-	-	100%
	Windsor Way Park Expansion	Future	2010	2011	127,437	-	-	100%
<b>Sub-Total Parks and Trails Facility Fee</b>					<b>\$ 10,702,223</b>	<b>\$ 501,118</b>	<b>\$ 527,629</b>	
<b>Total Parks and Trails Facility Fee</b>					<b>\$ 19,772,627</b>	<b>\$ 830,021</b>	<b>\$ 856,532</b>	
<b>Wastewater Facility Fee</b>								
	Brentwood Boulevard Sewer and Water Main	Future	2012	2013	\$ 1,917,000	\$ -	\$ -	50%
37197	Development Services	Construction	2009	2010	450,000	58,095	58,095	13%
31640	John Muir Parkway Extension / Foothill Drive - Phase I	Construction	2010	2010	4,000,000	168,000	210,000	5%
31683	John Muir Parkway Extension - Phase II	Construction	2010	2010	3,550,000	-	140,000	4%
59160	Non-Potable Water Distribution System - Phase II	Construction	2009	2010	2,117,400	2,117,400	2,117,400	100%
59170	Non-Potable Water Distribution System - Phase III	Preliminary	2011	2014	14,302,000	1,100	2,000	100%
30610	Sand Creek Road East A & B	Construction	2001	2005	21,580,002	530,074	530,100	2%
30560	Walnut Boulevard Widening	Construction	2007	2008	5,672,055	200,450	200,450	4%
59180	Wastewater Treatment Plant - Solids System Expansion	Preliminary	2010	2010	3,824,218	868,000	3,824,218	100%
59140	Wastewater Treatment Plant Expansion - Phase II	Preliminary	2012	2013	46,852,500	174,500	13,159,181	28%
<b>Total Wastewater Facility Fee</b>					<b>\$ 104,265,175</b>	<b>\$ 4,117,619</b>	<b>\$ 20,241,444</b>	
<b>Community Facility Fee</b>								
37192	400 Guthrie Lane Parking Lot	Design	2010	2010	\$ 650,000	\$ 650,000	\$ 650,000	100%
37207	City Wide Sign / Identification Program	Preliminary	2010	2012	180,000	-	145,000	81%
37193	Civic Center Plaza	Design	2009	2011	1,115,035	1,115,035	1,115,035	100%
37080	Communication Tower	Construction	2007	2008	645,550	645,550	645,550	100%
37197	Development Services	Construction	2009	2010	450,000	49,950	49,950	11%
	Permanent Library	Future	2020	2020	10,000,000	-	-	100%
37206	Maintenance Service Center - Phase II	Design	2012	2014	12,720,000	220,000	220,000	100%
37205	New City Hall	Design	2009	2011	28,170,125	5,500,000	11,300,000	40%
<b>Total Community Facility Fee</b>					<b>\$ 53,930,710</b>	<b>\$ 8,180,535</b>	<b>\$ 14,125,535</b>	
<b>Fire Facility Fee</b>								
37030	Fire Station #53 (Shady Willow)	Design	2010	2011	\$ 4,564,400	\$ 2,518,877	\$ 3,120,400	100%
	Fire Station #54 (Replace DT)	Future	2010	2014	4,500,000	-	-	100%
<b>Total Fire Facility Fee</b>					<b>\$ 9,064,400</b>	<b>\$ 2,518,877</b>	<b>\$ 3,120,400</b>	
<b>Total Project Funding</b>					<b>\$ 387,895,800</b>	<b>\$ 74,355,750</b>	<b>\$ 99,854,033</b>	

<sup>(1)</sup> These columns only reflect the Funding to Date and Budget to Date amounts for the Development Fees. Please refer to the 2009/10 - 2013/14 Capital Improvement Program for information on additional funding sources.

**RESOLUTION NO. 2010-4**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD, MAKING CERTAIN FINDINGS AND DETERMINATIONS RELATED TO, AND ACCEPTING, THE 2008/09 PUBLIC FACILITIES FEE REPORT FOR THE AB1600 DEVELOPMENT FEES, AS REQUIRED BY CALIFORNIA GOVERNMENT CODE SECTION 66006(b) AND CALIFORNIA GOVERNMENT CODE SECTION 66001(d).**

**WHEREAS**, on December 8, 2009 the City Council received the Independent Auditors Report and Comprehensive Annual Financial Report for Fiscal Year 2008/09; and

**WHEREAS**, on June 9, 2009 the City Council approved Resolution 2009-132 adopting the 2009/10 Operating Budget; and

**WHEREAS**, on May 26, 2009 the City Council approved Resolution 2009-122 adopting the 2009/10 – 2013/14 Capital Improvement Program Budget; and

**WHEREAS**, on September 13, 2005 the City Council approved Resolution 2005-222 adopting the 2005/06 Development Fee Program to fund public facilities; and

**WHEREAS**, in accordance with California Government Code Section 66006(a), the City has established and maintained a separate capital facilities fund and maintained such separate capital facilities funds in a manner to avoid any commingling of the fees with other revenues and funds of the City, except for temporary investments, and has expended those fees solely for the purpose for which the fee was collected; and

**WHEREAS**, California Government Code Section 66006(b)(1) provides that the City shall make available to the public within one hundred eighty (180) days after the last day of each fiscal year a report; and

**WHEREAS**, California Government Code Section 66001(d) provides that for the fifth fiscal year following the first deposit into the account, and every five years thereafter, the City shall make findings with respect to that portion of the fund remaining unexpended, whether committed or uncommitted; and

**WHEREAS**, when findings are required by California Government Code Section 66001(d), they shall be made in connection with the public information required by California Government Code Section 66006(b); and

**WHEREAS**, California Government Code Section 66006(b)(2) requires that the governing body of the City review the information made available to the public at a regularly scheduled public meeting not less than 15 days after the information is made available to the public; and

**WHEREAS**, the City has complied with all of the foregoing provisions.

**NOW, THEREFORE BE IT RESOLVED**

**Section 1.** That the City Council does hereby find and determine that the foregoing recitals and determinations are true and correct.

**Section 2.** That the City Council of the City of Brentwood at a public meeting has reviewed the following information pursuant to California Government Code Section 66006(b)(1), as is required by California Government Code Section 66006(b)(2), including:

- (A) A brief description of the type of fee in the account or fund;
- (B) The amount of the fee;
- (C) The beginning and ending balance of the account or fund;
- (D) The amount of fees collected and the interest earned;
- (E) An identification of each public improvement on which fees were expended and the amount of the expenditure on each improvement, including the total percentage of the cost of the public improvement that was funded with fees;
- (F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, as identified in Section 66001(a)(2), and the public improvement remains incomplete;
- (G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan; and
- (H) The amount of refunds made pursuant to Section 66001(e) and any allocations pursuant to Section 66001(f).

**Section 3.** That the City Council of the City of Brentwood at a public meeting has reviewed the proposed findings, as required by California Government Code Section 66001(d), including:

- (1) Identify the purpose to which the fees is to be put;
- (2) Demonstrate a reasonable relationship between the fee and the purpose for which it is charged;
- (3) Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements; and
- (4) Designate the approximate dates on which the funding referred to in paragraph (3) is expected to be deposited into the appropriate account or fund.
- (5) In any action imposing a fee as a condition of approval of a development project by a local agency, the local agency shall determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

**Section 4.** That the City Council of the City of Brentwood hereby determines that all reportable fees, collections and expenditures have been received, deposited, invested and expended in compliance with the relevant sections of the California Government Code and all other applicable laws for the fiscal year 2008/09.

**Section 5.** That the City Council of the City of Brentwood hereby determines that no refunds and allocations of reportable fees, as required by California Government Code Section 66001, are deemed payable at this time.

**Section 6.** That the City Council of the City of Brentwood hereby determines that the City is in compliance with California Government Code Section 66000, *et seq.*, relative to receipt, deposit, investment, expenditure or refund of Reportable Fees received and expended relative to City Facilities for new development for the fiscal year 2008/09.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Brentwood at a regular meeting held on the 12<sup>th</sup> day of January 2010, by the following vote:

**AYES:** Becnel, Brockman, Richey, Stonebarger, Taylor

**NOES:**

**ABSENT:**

**ABSTAIN:**

*Robert Taylor*

Robert Taylor

Mayor

ATTEST:

*Margaret Wimberly*

Margaret Wimberly, CMC

City Clerk