



CITY OF EMERYVILLE

MEMORANDUM

DATE: December 15, 2015

TO: Carolyn Lehr, City Manager

FROM: Charles S. Bryant, Community Development Director

SUBJECT: Resolution Of The City Council Of The City Of Emeryville Approving The Annual Development Impact Fee Report For Fiscal Year 2014-2015

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution approving the Annual Development Impact Fee Report for Fiscal Year 2014-2015 dated December 1, 2015, which is attached as Exhibit A to the resolution.

DISCUSSION

The City of Emeryville has three development impact fees: (1) Transportation Facility Impact Fee, (2) Parks and Recreation Facility Impact Fee, and (3) Affordable Housing Impact Fee. The City is required by law to review its development impact fee program on an annual basis. California Government Code Section 66000 *et. seq.* (the "Mitigation Fee Act") requires each local agency to make public a report on developer fees within 180 days of the close of each fiscal year. The report is to include fee descriptions collected from developers, the amount of the fee, the beginning and ending balance of the account or fund and the amount of fees collected and the interest earned. The Mitigation Fee Act also requires each local agency to review the report at a public meeting not less than 15 days after the information is made available to the public.

The Annual Development Impact Fee Report for Fiscal Year 2014-2015, dated December 1, 2015, was made available to the public on November 20, 2015 as part of the agenda for the December 1, 2015 regular meeting of the City Council. A copy of the report is Exhibit A to the attached resolution. In accordance with the Mitigation Fee Act, the purpose of this item is to allow for public review and comment on the report at a public meeting prior to its approval by the City Council.

FISCAL IMPACT

There are no fiscal impacts associated with this report, as it is for reporting purposes only.

**APPROVED AND FORWARDED TO THE
EMERYVILLE CITY COUNCIL:**



Carolyn Lehr
City Manager

Attachment: Resolution including Exhibit A: Annual Development Impact Fee Report –
Fiscal Year 2014-2015, dated December 1, 2015

RESOLUTION NO. 15-157

Resolution Of The City Council Of The City Of Emeryville Approving The Annual Development Impact Fee Report For Fiscal Year 2014-2015

WHEREAS, in September 1990, the City Council of the City of Emeryville adopted Ordinance No. 90-008, adding Article 3 of Chapter 2 of Title 3 to the Emeryville Municipal Code, titled "Traffic Facilities Impact Fee Fund", which established the authority for imposing and charging a Traffic Facilities Impact Fee to be deposited into the Traffic Facilities Impact Fee Fund; and

WHEREAS, pursuant to that authority, the City Council adopted Resolution No. 98-167 on October 6, 1998, imposing a Traffic Impact Fee on all new development in the city to help fund various traffic facility improvements as more particularly described in Attachment 1a of the attached Annual Development Impact Fee Report for Fiscal Year 2014-2015; and

WHEREAS, on July 15, 2014, the City Council adopted Ordinance No. 14-008 adding Article 19 of Chapter 5 of Title 9 to the Emeryville Municipal Code, titled "Development Impact Fees", repealing Article 3 of Chapter 2 of Title 3, and establishing the authority for the City to impose fees on development projects for the purpose of mitigating the impacts that the projects may have upon the City's ability to provide public facilities including, but are not limited to, transportation facilities and parks and recreation facilities; and

WHEREAS, on July 15, 2014, the City Council adopted Resolution No. 14-105, establishing an updated and renamed Transportation Facility Impact Fee, approving and adopting a "Transportation Impact Fee Update" study ("Transportation Impact Fee Nexus Study"), and imposing an updated Transportation Impact Fee on all new development in the city to be deposited into Fund 250, the Transportation Facility Impact Fee Fund, to help fund a revised list of transportation improvement projects as more particularly described in Attachment 1b of the attached Annual Development Impact Fee Report for Fiscal Year 2014-2015; and

WHEREAS, on July 15, 2014, the City Council adopted Resolution No. 14-104, establishing a Parks and Recreation Facility Impact Fee, approving and adopting a "Parks and Recreation Facility Development Impact Fee Study" ("Parks Fee Nexus Study") and imposing a Parks and Recreation Facility Impact Fee on all new development in the city to be deposited into Fund 237, the Parks and Recreation Impact Fee Fund, to help fund a list of parks and recreation projects as more particularly described in Attachment 1c of the attached Annual Development Impact Fee Report for Fiscal Year 2014-2015; and

WHEREAS, on July 15, 2014, the City Council adopted Ordinance No. 14-009 amending Article 4 of Chapter 5 of Title 9 of the Emeryville Municipal Code, titled "Affordable Housing Set Aside Program", and retitling it "Affordable Housing Program", and establishing the authority for the City to impose fees on new rental residential projects and new nonresidential projects to mitigate the projects' impacts on the need for affordable housing in the city; and

WHEREAS, on July 15, 2014, the City Council adopted Resolution No. 14-103, establishing an Affordable Housing Impact Fee, approving and adopting a "Residential Nexus Study" and a "Non-Residential Jobs-Housing Nexus Study", and imposing an Affordable Housing Impact Fee on all new rental residential projects and new nonresidential projects in the city to be deposited into Fund 239, the Affordable Housing Impact Fee Fund, to mitigate the projects' impacts on the need for affordable housing in the city; and

WHEREAS, California Government Code Section 66000 *et. seq.* (the "Mitigation Fee Act") requires each local agency to make public a report on developer fees within 180 days of the close of each fiscal year, to include fee descriptions collected from developers, the amount of the fee, the beginning and ending balance of the account or fund and the amount of fees collected and the interest earned; and


WHEREAS, the Mitigation Fee Act also requires each local agency to review the report at a public meeting not less than 15 days after the information is made available to the public; and

WHEREAS, the Annual Development Impact Fee Report for Fiscal Year 2014-2015, attached as Exhibit A, provides the necessary information as required by the Mitigation Fee Act; and

WHEREAS, the report was made available to the public on November 20, 2015 in connection with the agenda for the regular City Council meeting held on Tuesday December 1, 2015, and for public comment at a properly noticed public meeting held on Tuesday, December 15, 2015; now, therefore, be it

RESOLVED, that the City Council of the City of Emeryville, after considering the public comment and the Annual Development Impact Fee Report for Fiscal Year 2014-2015, dated December 1, 2015, does hereby approve the Annual Development Impact Fee Report for Fiscal Year 2014-2015, dated December 1, 2015, attached hereto as Exhibit A.

ADOPTED by the City Council of the City of Emeryville at a regular meeting held on Tuesday, December 15, 2015.



MAYOR

ATTEST:

APPROVED AS TO FORM:



CITY CLERK



CITY ATTORNEY



CITY OF EMERYVILLE

MEMORANDUM

DATE: December 1, 2015

TO: Carolyn Lehr, City Manager

FROM: Charles S. Bryant, Community Development Director

SUBJECT: Annual Development Impact Fee Report – Fiscal Year 2014-2015

RECOMMENDATION

Staff recommends that the City Council accept this report as information only. No action is requested of the City Council at this time, as this report is required to be available to the public at least 15 days prior to City Council action. The report will be brought back for City Council consideration of approval at the December 15, 2015 meeting.

BACKGROUND

In 1989 the State Legislature passed the Mitigation Fee Act which added Section 66000 *et. seq.* to the California Government Code (the “Mitigation Fee Act”). Among other requirements the Mitigation Fee Act requires each local agency which has adopted fees pursuant to the Mitigation Fee Act to make public a report on collected developer fees within 180 days of the close of each fiscal year.¹ The Mitigation Fee Act also requires each local agency to review the report at a public meeting not less than 15 days after the information is made available to the public². The purpose of this item is to comply with this reporting requirement relative to City of Emeryville development impact fees for fiscal year 2014-2015. The City of Emeryville has three such fees: (1) Transportation Facility Impact Fee, (2) Parks and Recreation Facility Impact Fee, and (3) Affordable Housing Impact Fee. Each is discussed below.

Transportation Facility Impact Fee

Originally called the Traffic Facilities Impact Fee, this impact fee was established by Ordinance No. 90-08, adopted by Council in September 1990. This ordinance added Article 3 of Chapter 2 of Title 3 to the Emeryville Municipal Code, titled “Traffic Facilities Impact Fee Fund”, which established the authority for imposing and charging a Traffic Facilities Impact Fee to be deposited into the Traffic Facilities Impact Fee Fund. Thereafter, the City adopted a “Traffic Mitigation Fee Study”, subsequently amended by Resolution No. 98-167 on October 6, 1998, which established the existence of a reasonable relationship between the need for the public facilities and the impacts of the

¹ Government Code Section 66006(b)(1)

² Government Code Section 66006(b)(2)

types of development described in the Fee Study for which the Impact Fee was charged. The Fee Study also established that there was a reasonable relationship between the Traffic Impact Fee's use and the type of development for which the Traffic Impact Fees were charged.

On July 15, 2014, the City Council adopted Ordinance No. 14-008 adding Article 19 of Chapter 5 of Title 9 to the Emeryville Municipal Code, titled "Development Impact Fees", and repealing Article 3 of Chapter 2 of Title 3. This Article establishes the authority for the City to impose fees on development projects for the purpose of mitigating the impacts that the projects may have upon the City's ability to provide public facilities. Such facilities are divided into "public facility categories", and each category is to have a separate fee to be deposited into a separate and distinct "fee fund". Such categories may include, but are not limited to, transportation facilities, and parks and recreation facilities. The ordinance took effect on August 14, 2014, 30 days after its final passage.

Also on July 15, 2014, the City Council adopted Resolution No. 14-105, establishing an updated and renamed Transportation Facility Impact Fee. By this resolution, the City Council approved and adopted a "Transportation Impact Fee Update" study ("Transportation Impact Fee Nexus Study") prepared by Fehr and Peers. The Transportation Fee Nexus Study included a revised list of transportation improvement projects to be funded by the fee, based on the General Plan, which calls for a multi-modal transportation system, including public transit, pedestrians, bicycles, and automobiles. This nexus study established the existence of a reasonable relationship between the need for the public facilities and the impacts of the types of development described in the study for which the impact fee is charged, and that there is a reasonable relationship between the fee's use and the type of development for which the fee is charged. This resolution was effective on September 14, 2014, 60 days after its passage.

Because the updated and renamed Transportation Facility Impact Fee was adopted during fiscal year 2014-2015, this report covers the last two-and-a-half months of the prior Traffic Facilities Impact Fee (July 1, 2014 to September 13, 2014) and the first nine-and-a-half months of the updated Transportation Facility Impact Fee (September 14, 2014 to June 30, 2015). Projects included in the prior Traffic Facilities Impact Fee program are shown in Attachment 1a, while projects included in the updated and renamed Transportation Facility Impact Fee are indicated in Attachment 1b. Incomplete projects from the previous program have been carried forward into the new program. Revenues from both the prior and new programs are deposited into Fund 250, the Transportation Facility Impact Fee Fund.

Parks and Recreation Facility Impact Fee

As noted above, on July 15, 2014, the City Council adopted Ordinance No. 14-008 adding Article 19 of Chapter 5 of Title 9 to the Emeryville Municipal Code, titled "Development Impact Fees". Parks and recreation facilities are among the "public facility

categories” authorized by this Article. Also on July 15, 2014, the City Council adopted Resolution No. 14-104, establishing a Park and Recreation Facility Impact Fee. By this resolution, the City Council approved and adopted a “Park and Recreation Facility Development Impact Fee Study” (“Parks Fee Nexus Study”) prepared by Willdan Financial Services, including a list of parks and recreation projects to be funded by the fee, based on the General Plan and Parks and Recreation Strategic Plan. This nexus study established the existence of a reasonable relationship between the need for the public facilities and the impacts of the types of development described in the study for which the impact fee is charged, and that there is a reasonable relationship between the fee’s use and the type of development for which the fee is charged. This resolution was effective on September 14, 2014, 60 days after its passage. Projects included in the Parks and Recreation Facility Impact Fee program are shown in Attachment 1c. Revenue from this fee is deposited into Fund 237, the Parks and Recreation Impact Fee Fund.

Affordable Housing Impact Fee

On July 15, 2014, the City Council adopted Ordinance No. 14-009 amending Article 4 of Chapter 5 of Title 9 of the Emeryville Municipal Code, titled “Affordable Housing Set Aside Program”, and retitling it “Affordable Housing Program”. This Article establishes the authority for the City to impose fees on new rental residential projects and new nonresidential projects to mitigate the projects’ impacts on the need for affordable housing in the city. The ordinance took effect on August 14, 2014, 30 days after its final passage.

Also on July 15, 2014, the City Council adopted Resolution No. 14-103, establishing an Affordable Housing Impact Fee. By this resolution, the City Council approved and adopted a “Residential Nexus Study” and a “Non-Residential Jobs-Housing Nexus Study”, both prepared by Keyser Marston Associates. These nexus studies established the existence of a reasonable relationship between the impact fees and the affordable housing impacts attributable to the developments on which the fees are imposed. This resolution was effective on September 14, 2014, 60 days after its passage. Revenue from this fee is deposited into Fund 239, the Affordable Housing Impact Fee Fund.

DISCUSSION

The three development impact fees are subject to the reporting requirements of the Mitigation Fee Act, as follows:

1. Create separate capital facilities funds or accounts for each improvement funded with impact fees. Remit all interest income earned by the fees to the same fund; interest income must be spent solely on the purpose for which the fee was originally collected. A local agency must not co-mingle fees with any other revenue, except for temporary investment purposes. (California Government Code Section 66006(a)).

As noted above, separate funds have been established for each development impact fee as follows: Fund 250, Transportation Facility Impact Fee Fund; Fund 237, Parks and Recreation Impact Fee Fund; and Fund 239, Affordable Housing Impact Fee Fund. No funds are co-mingled, and all interest earned by each fund is remitted into its particular account and spent solely on the purpose for which the fee was originally collected. Revenues, expenditures, and fund balances of these three funds are shown in Attachments 2a, 2b, and 2c, respectively. It should be further noted that capital improvements funded by the Transportation Facility Impact Fee and the Parks and Recreation Facility Impact Fee, as listing in Attachments 1a, 1b, and 1c, are also identified in the City's Capital Improvement Program and separate project accounts are established by the Finance Department for each such project in order to properly account for its costs and funding sources.

2. Within 180 days after the close of the fiscal year, prepare a public report concerning each impact fee fund. Required contents of the report are as follows (California Government Code Section 66006(b)):

- (a) A brief description of the type of fee in the account.

The Transportation Facility Impact Fee Fund (Fund 250) contains fees imposed on development projects for the purpose of mitigating the impacts that the projects have upon the City's ability to provide transportation facilities. The Parks and Recreation Impact Fee Fund (Fund 237) contains fees imposed on development projects for the purpose of mitigating the impacts that the projects have upon the City's ability to provide parks and recreation facilities. The Affordable Housing Impact Fee Fund (Fund 239) contains fees imposed on new rental residential projects and new nonresidential projects to mitigate the projects' impacts on the need for affordable housing in the city.

- (b) The amount of the fee.

The City Council established the following fees for FY 2014-15 in relation to the maximum fee, or cap, that can justifiably be imposed on new development, as established by the various nexus studies described above:

- *Transportation Facility Impact Fee: 20% of the cap (cap is \$12,541 / trip)*
- *Parks and Recreation Facility Impact Fee: 25% of the cap (cap is \$8,048 / capita for residents; \$4,024 / capita for workers)*
- *Affordable Housing Impact Fee: \$20,000 per dwelling unit (approximately 56% of the cap of \$35,600) and \$4.00 per square foot*

for nonresidential projects (approximately 1.6% to 6.0% of the cap, which ranges from \$66.80 to \$244.90 per square foot for various uses.)

The nexus studies established fees for various use types. For ease of reference, the fees have been consolidated into a single table using the standardized use classifications from the Planning Regulations, as shown in Attachment 3. This table indicates each development impact fee for each use type, based on the nexus studies and the percentage of the caps as noted above, and the total fee for each use type.

- (c) The fund's beginning and ending balance for the fiscal year.

As noted in Attachments 2a, 2b, and 2c, the beginning balance on July 1, 2014 and the ending balance on June 30, 2015 for each of the three development impact fee funds were as follows:

	<u>July 1, 2014</u>	<u>June 30, 2015</u>
<i>Transportation Facility</i>	\$369,105	\$1,035,329
<i>Parks and Recreation Facility</i>	\$0	\$190,247
<i>Affordable Housing</i>	\$0	\$479,615

- (d) Amount of fees collected and interest earned and deposited into the fund for the fiscal year.

As noted in Attachments 2a, 2b, and 2c, the fees collected and interest earned for each of the three development impact fee funds for Fiscal Year 2014-2015 were as follows:

	<u>Fees</u>	<u>Interest</u>
<i>Transportation Facility</i>	\$671,769	\$3,205
<i>Parks and Recreation Facility</i>	\$193,914	\$293
<i>Affordable Housing</i>	\$479,168	\$447

- (e) A description of each expenditure from the fund for that year, including identification of the improvement being funded and the percentage of the cost of the public improvement that was funded with the fee.

Please refer to Attachments 2a, 2b, and 2c detailing fund activities under the heading of "EXPENDITURES".

- (f) An identification of the date by which construction of a public improvement will commence if the City determines that sufficient funds have been collected to complete financing on any incomplete project.

As of June 30, 2015, sufficient funds had not been collected to complete the financing on any incomplete projects. Note that the estimated construction dates of capital improvement projects to be funded by the Transportation Facility Impact Fee and Parks and Recreation Facility Impact Fee are contained in the City's Capital Improvement Program.

- (g) A description of any interfund transfers or loans.

There are currently no interfund transfers or loans.

- (h) Identification of any fees refunded or allocated for some other purpose.

No fees have been refunded or allocated for some other purpose in Fiscal Year 2014-2015.

3. The report is required to be reviewed by the City at a regularly scheduled public meeting not less than 15 days after the report is released to the public (California Government Code Section 66006(b)(2)).

This report is being released to the public no later than November 20, 2015 in connection with the agenda for the December 1, 2015 regular meeting of the City Council and is scheduled for approval by the City Council at its regularly scheduled meeting on December 15, 2015.

4. For the fifth fiscal year following the first deposit a development impact fee fund, and every five years thereafter, if fees remain unexpended, the local agency must make findings identifying the purpose to which the fee is to be put, demonstrate that there remains a reasonable relationship between the current need for the fees and the purpose for which it is charged, identify all sources and amounts of funding contemplated to complete financing of incomplete improvements, and designate the approximate dates on which the contemplated funding is expected to be deposited into the fund (California Government Code Section 66001(d)).

The first deposits into the updated Transportation Facility Impact Fee Fund and the new Parks and Recreation Facility Impact Fee Fund and Affordable Housing Impact Fee Fund occurred in Fiscal Year 2014-2015. Thus, the fifth fiscal year following these first deposits will be Fiscal Year 2019-2020. When the Fiscal Year 2019-2020 report is prepared, it will include the required information.

FISCAL IMPACT

This report is for informational purposes. There is no fiscal impact.

**APPROVED AND FORWARDED TO THE
EMERYVILLE CITY COUNCIL**



Carolyn Lehr
City Manager

Attachments:

1. Public Facilities Funded by Development Impact Fees:
 - a. Prior Traffic Facilities Impact Fee (up to September 13, 2014)
 - b. Current Transportation Facility Impact Fee (since September 14, 2014)
 - c. Parks and Recreation Facility Impact Fee
2. Revenues, Expenditures, and Fund Balances of Development Impact Fees:
 - a. Fund 250, Transportation Facility Impact Fee Fund
 - b. Fund 237, Parks and Recreation Impact Fee Fund
 - c. Fund 239, Affordable Housing Impact Fee Fund
3. City of Emeryville Development Impact Fees, Fiscal Year 2014-2015

APPENDIX B
ROADWAY IMPROVEMENT PROJECTS

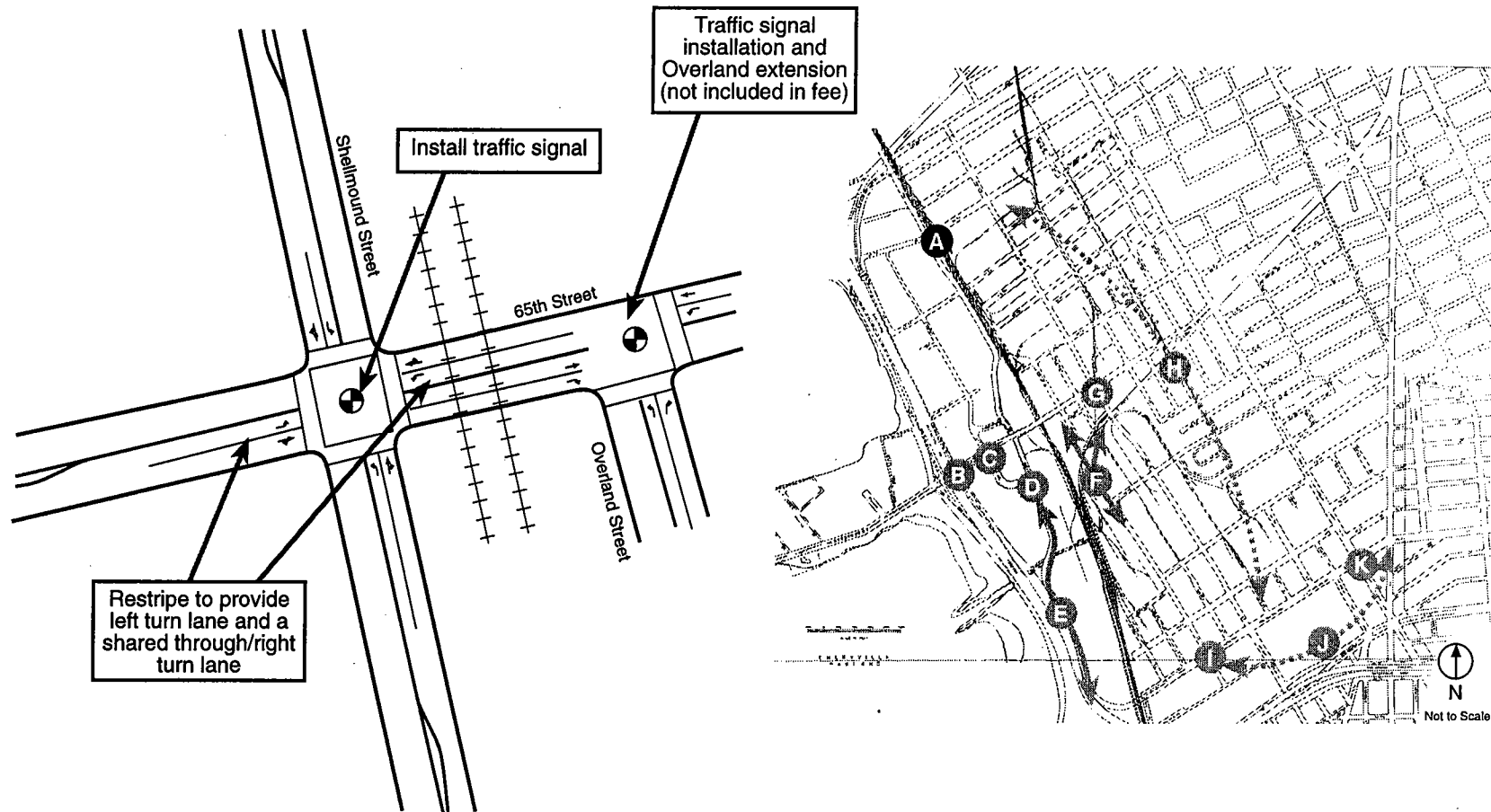


Figure A

1220-31-02

**65TH STREET AND SHELLMOUND STREET
INTERSECTION MODIFICATIONS**



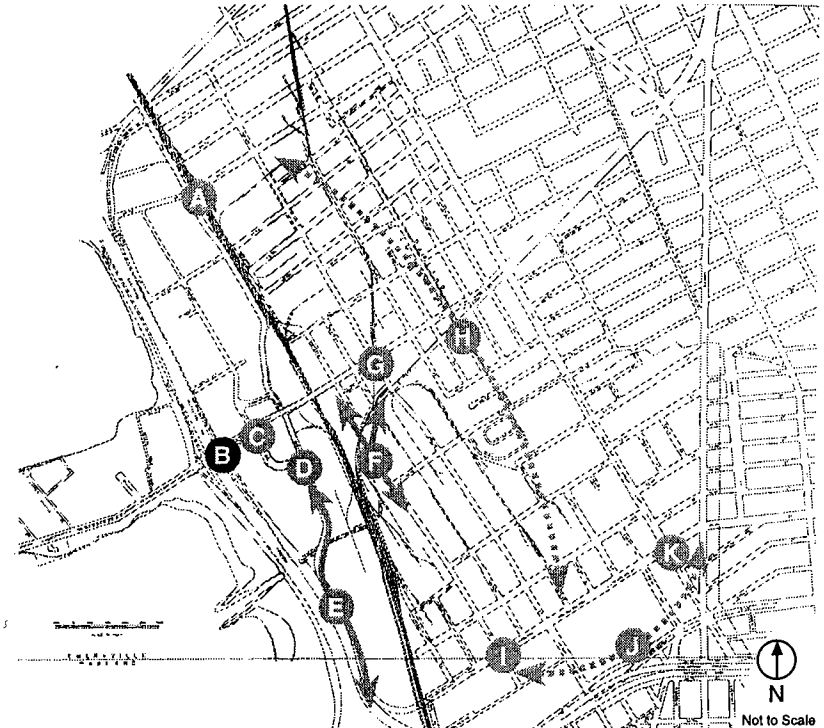
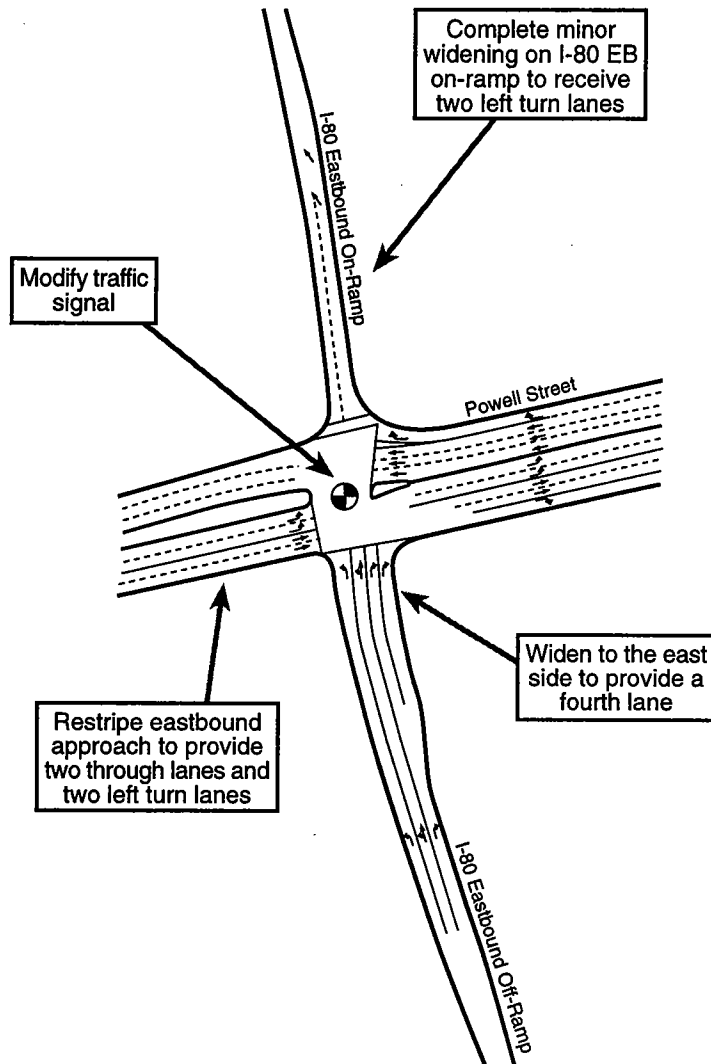


Figure B

1220-32-02

**POWELL STREET AND I-80 EASTBOUND OFF-RAMP
INTERSECTION MODIFICATIONS**



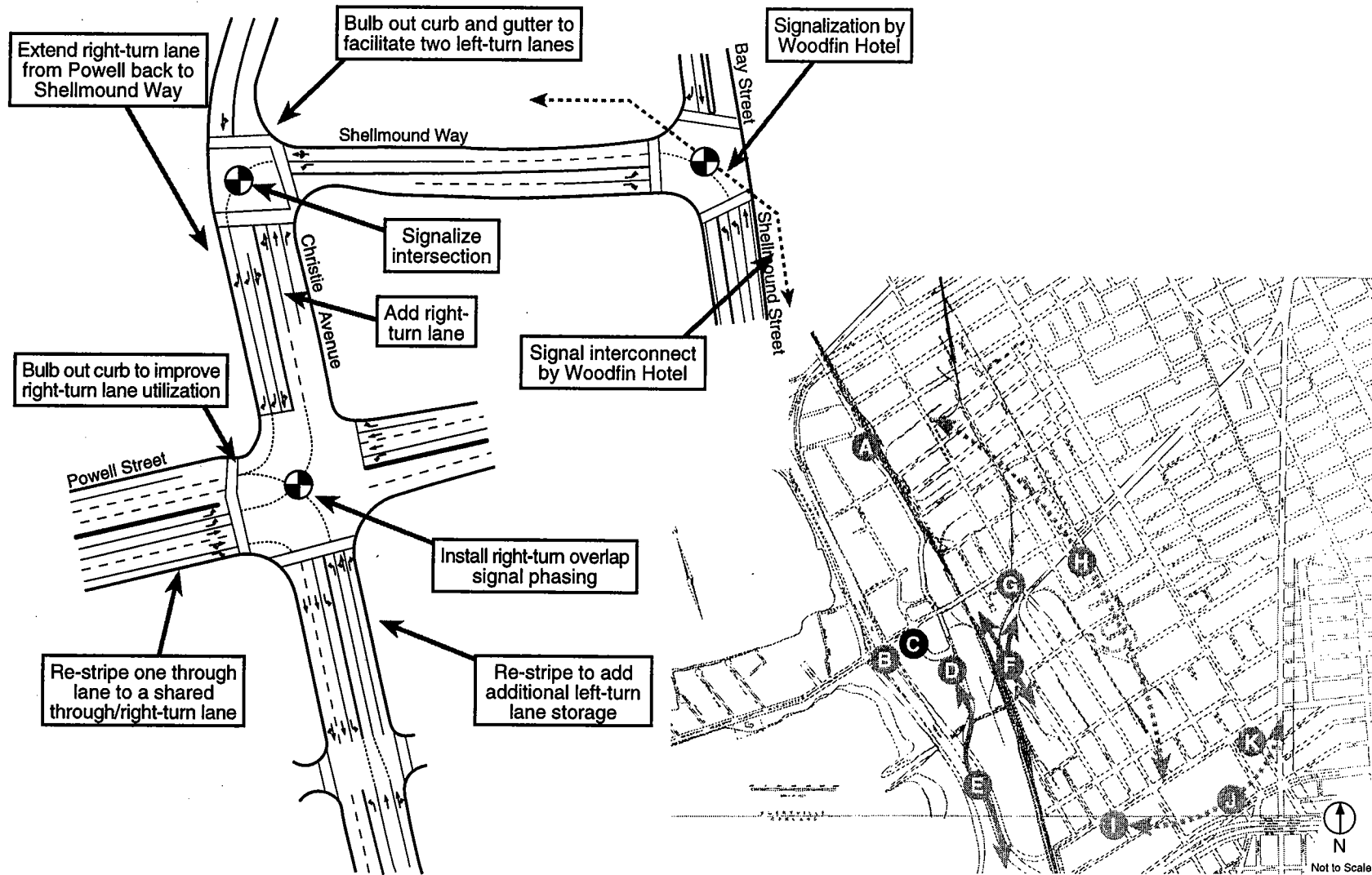


Figure C

1220-24-03

CHRISTIE AVENUE AND POWELL STREET INTERSECTION MODIFICATIONS



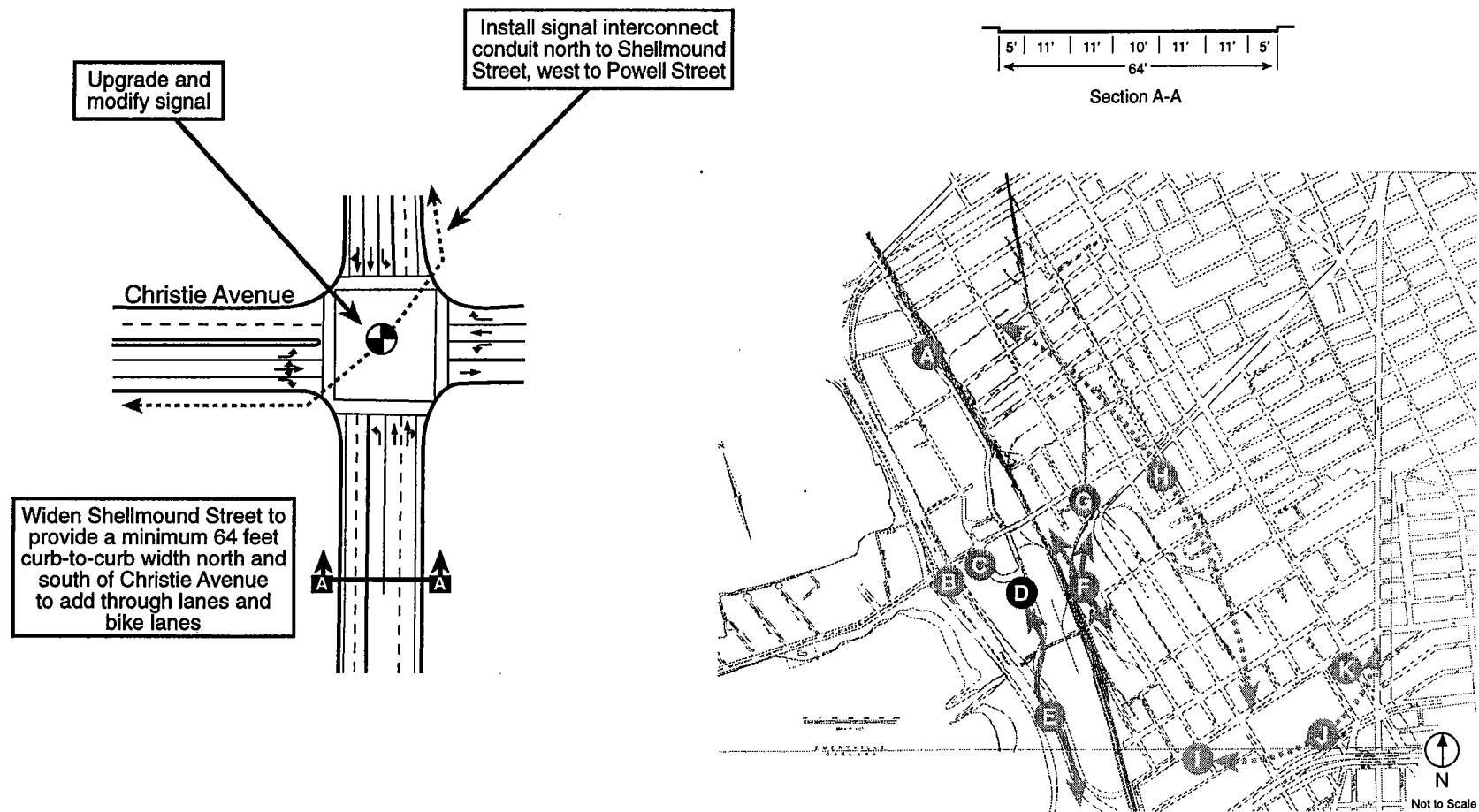


Figure D

1220-23-03

**SHELLMOUND STREET AT CHRISTIE AVENUE
INTERSECTION MODIFICATIONS**



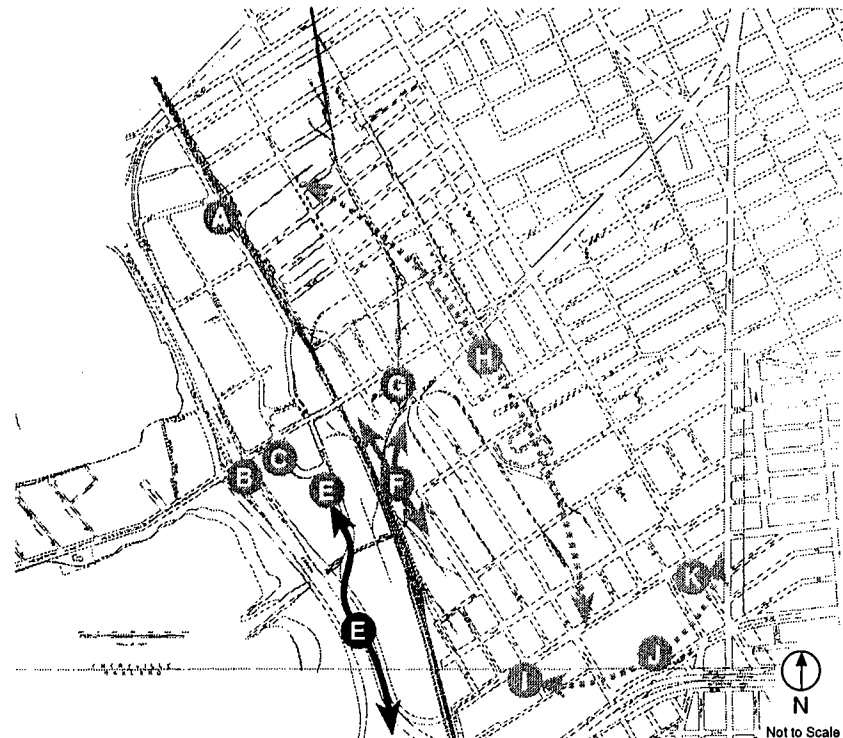
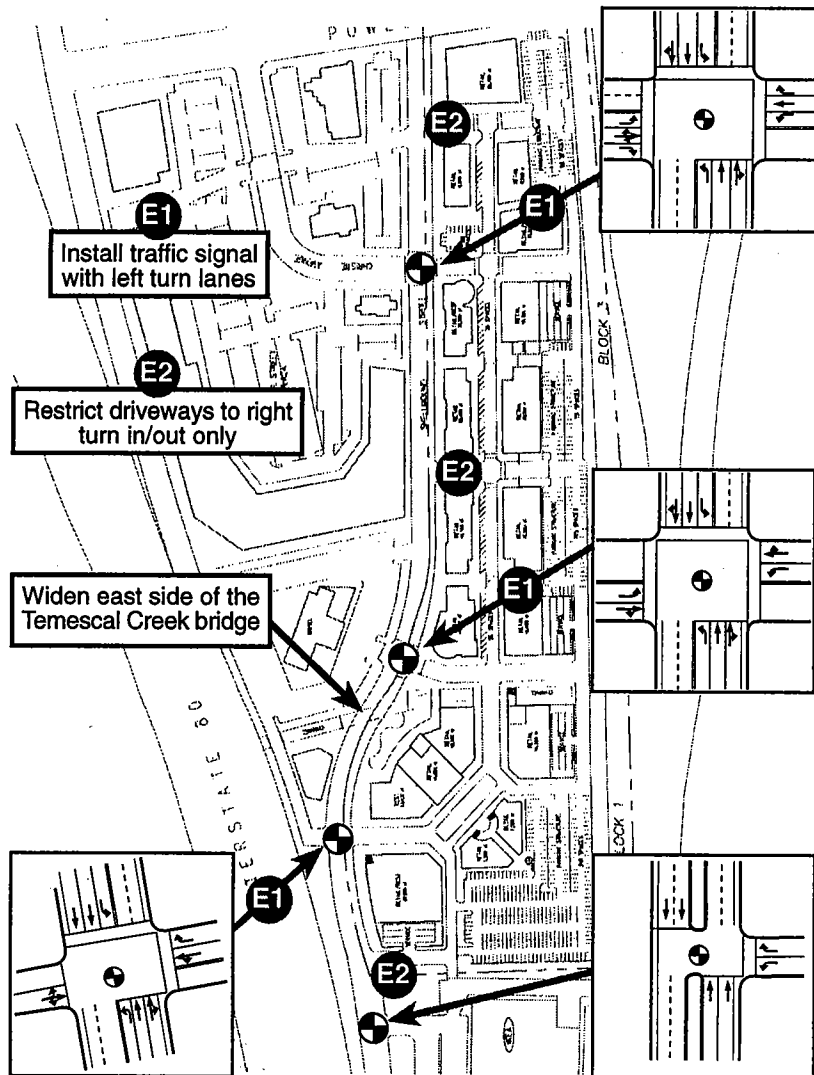


Figure E

1220-25-03

SHELLMOUND STREET CORRIDOR INTERSECTION MODIFICATIONS



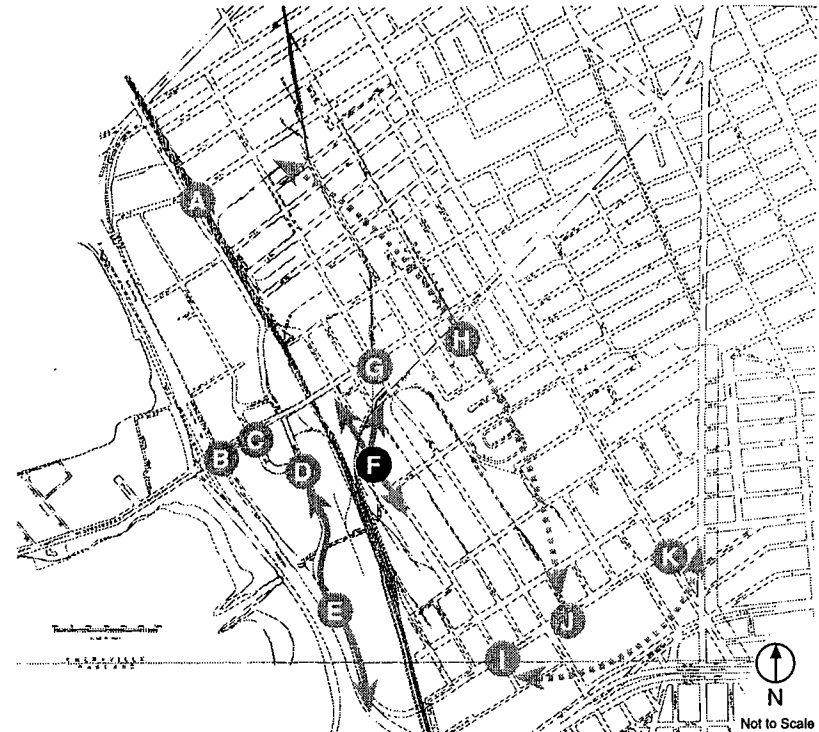
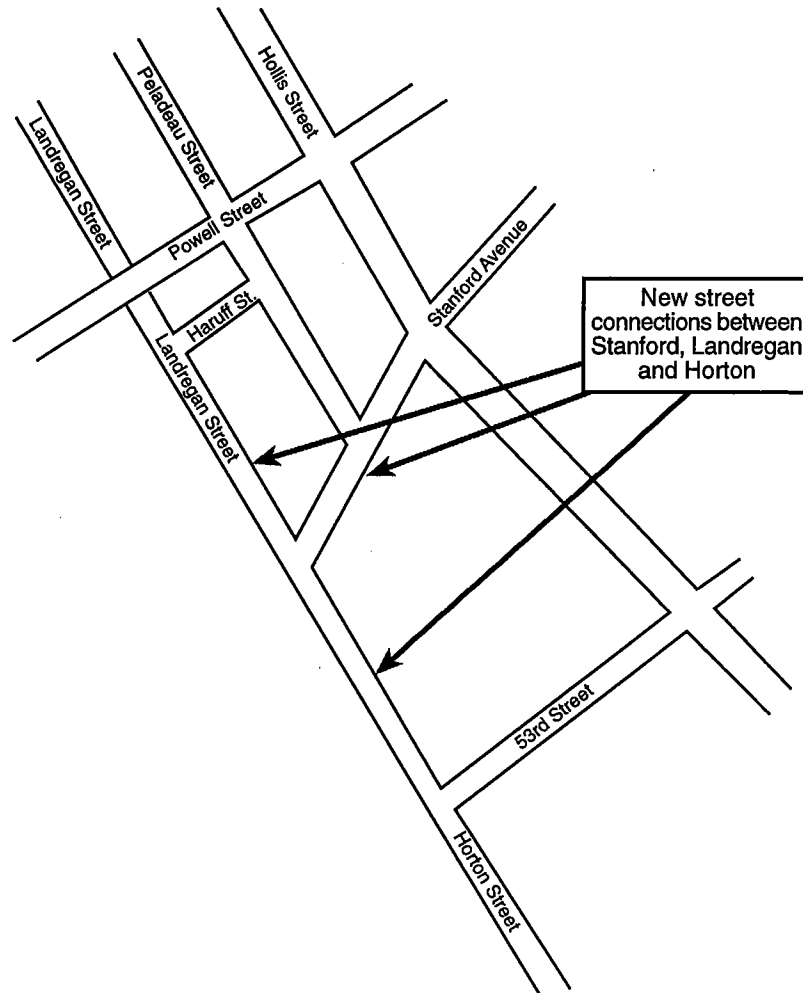
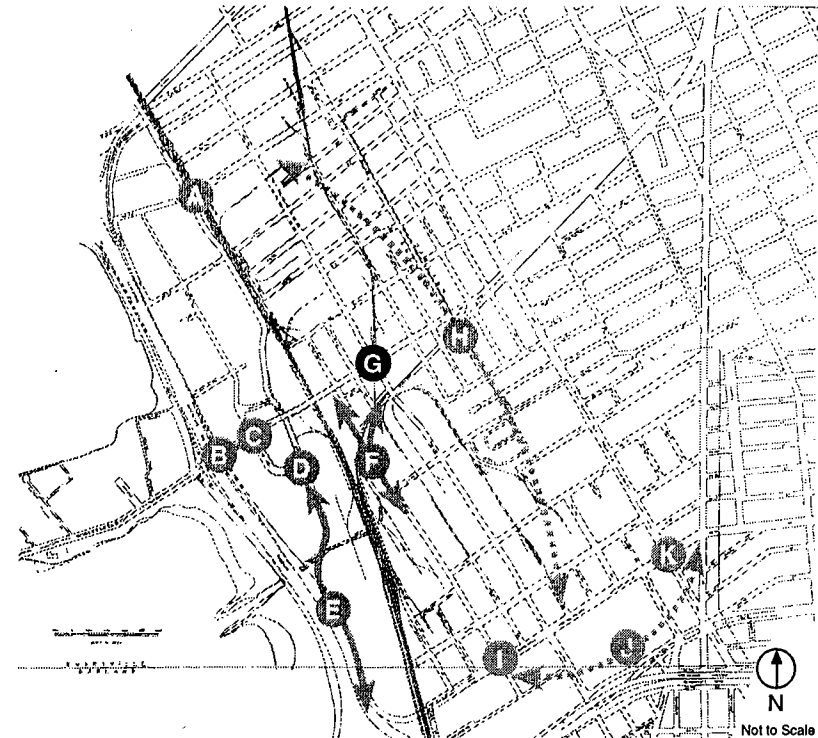
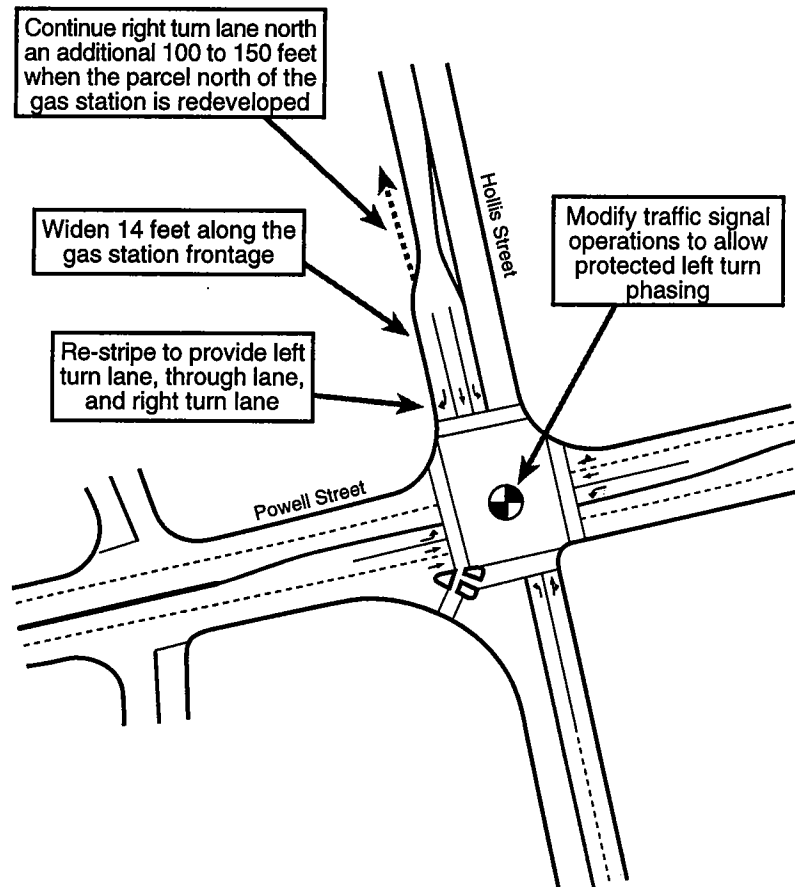


Figure F

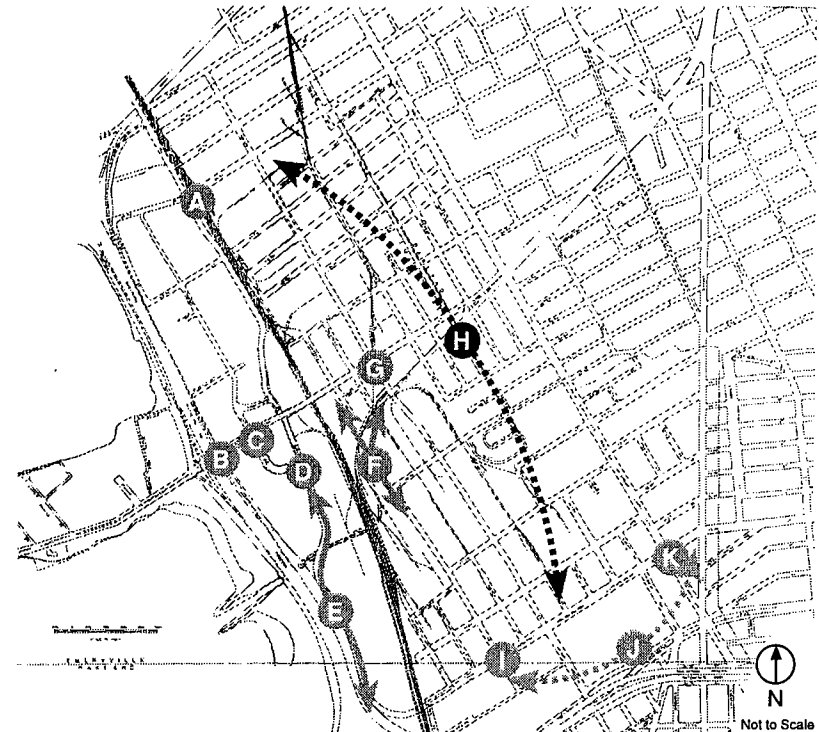
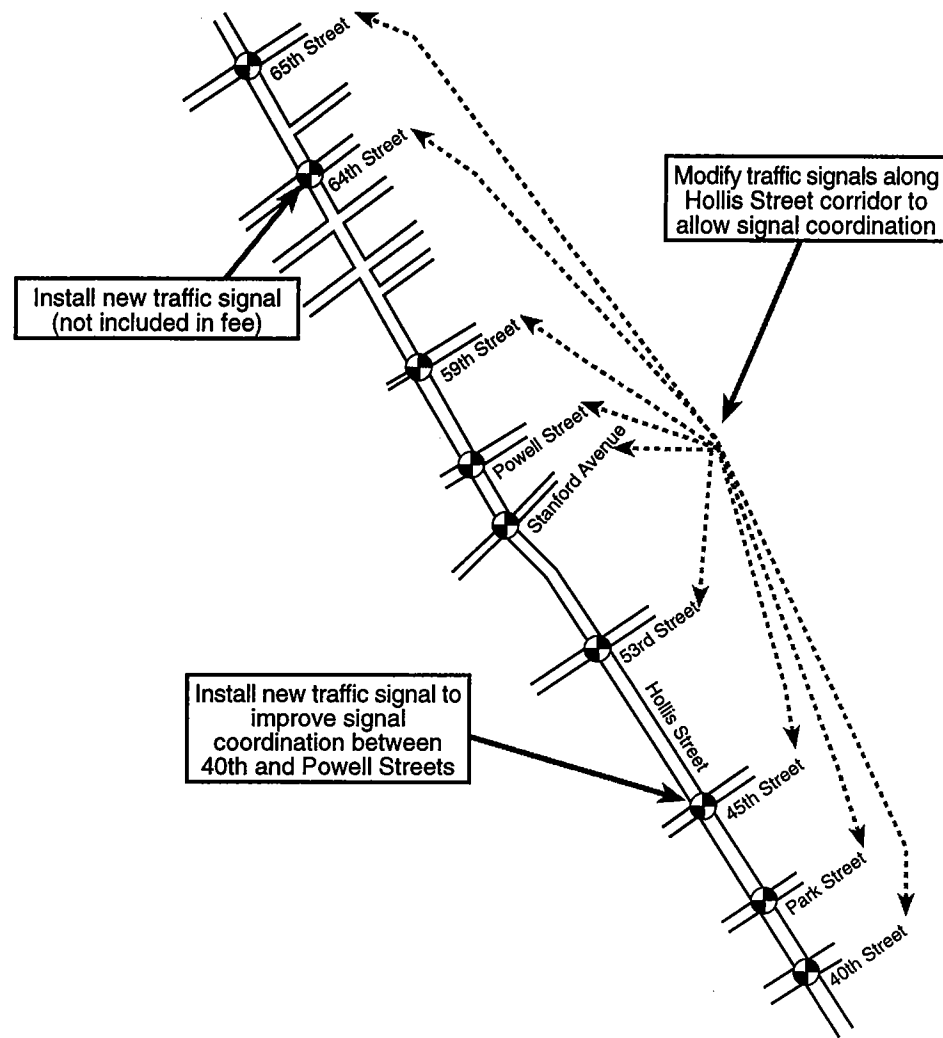
1220-37-02

**HORTON - LANDREGAN - STANFORD
CONNECTIONS**





<p>Figure G</p> <p>1220-22-03</p>	<p>POWELL STREET AND HOLLIS STREET INTERSECTION MODIFICATIONS</p>	
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<p>Figure H</p> <p>1220-35-02</p>	<p>HOLLIS STREET CORRIDOR SIGNAL INTERCONNECT</p>	
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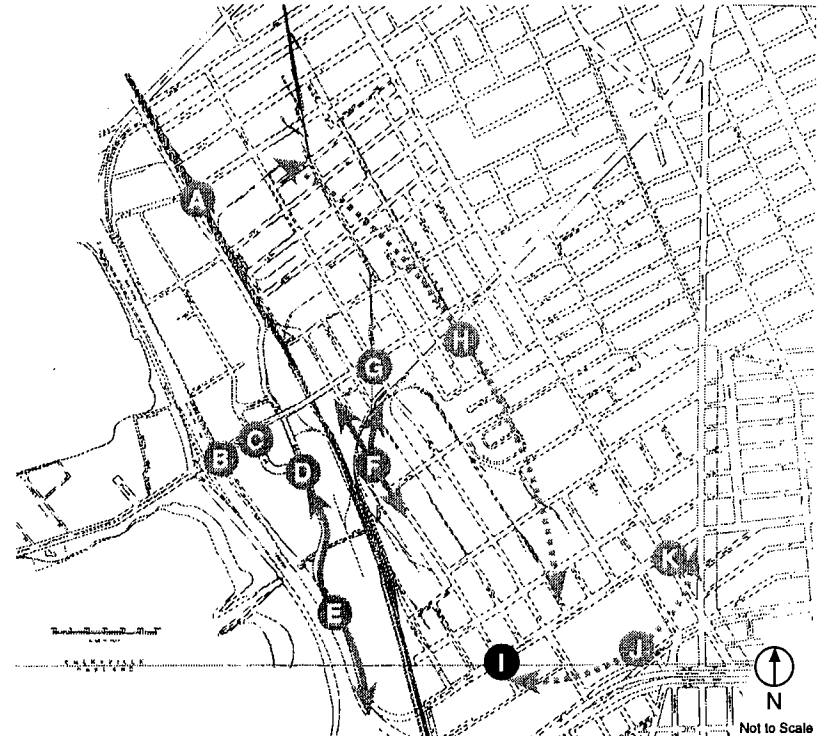
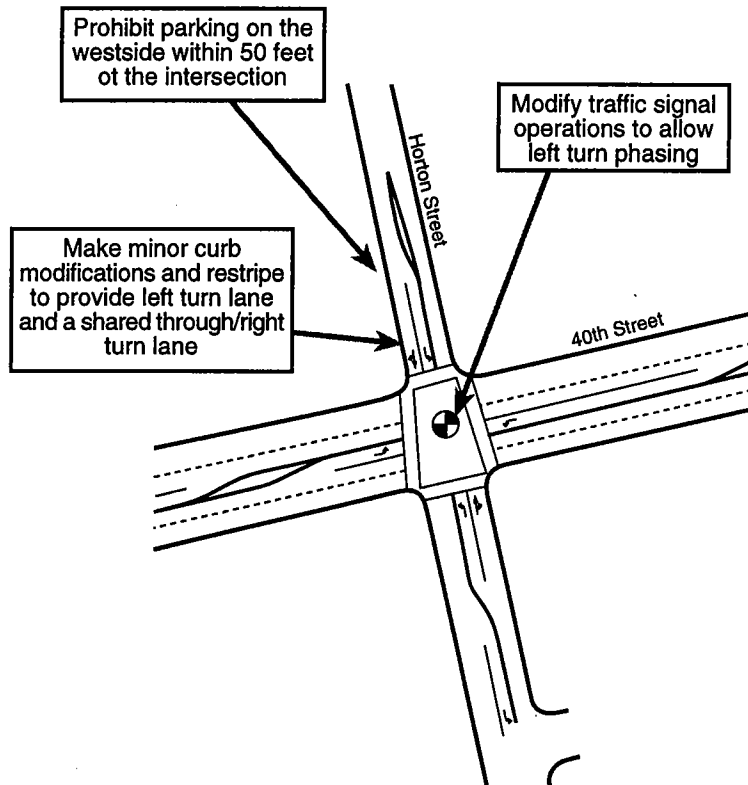


Figure I

1220-34-02

**40TH STREET AND HORTON STREET
INTERSECTION MODIFICATIONS**



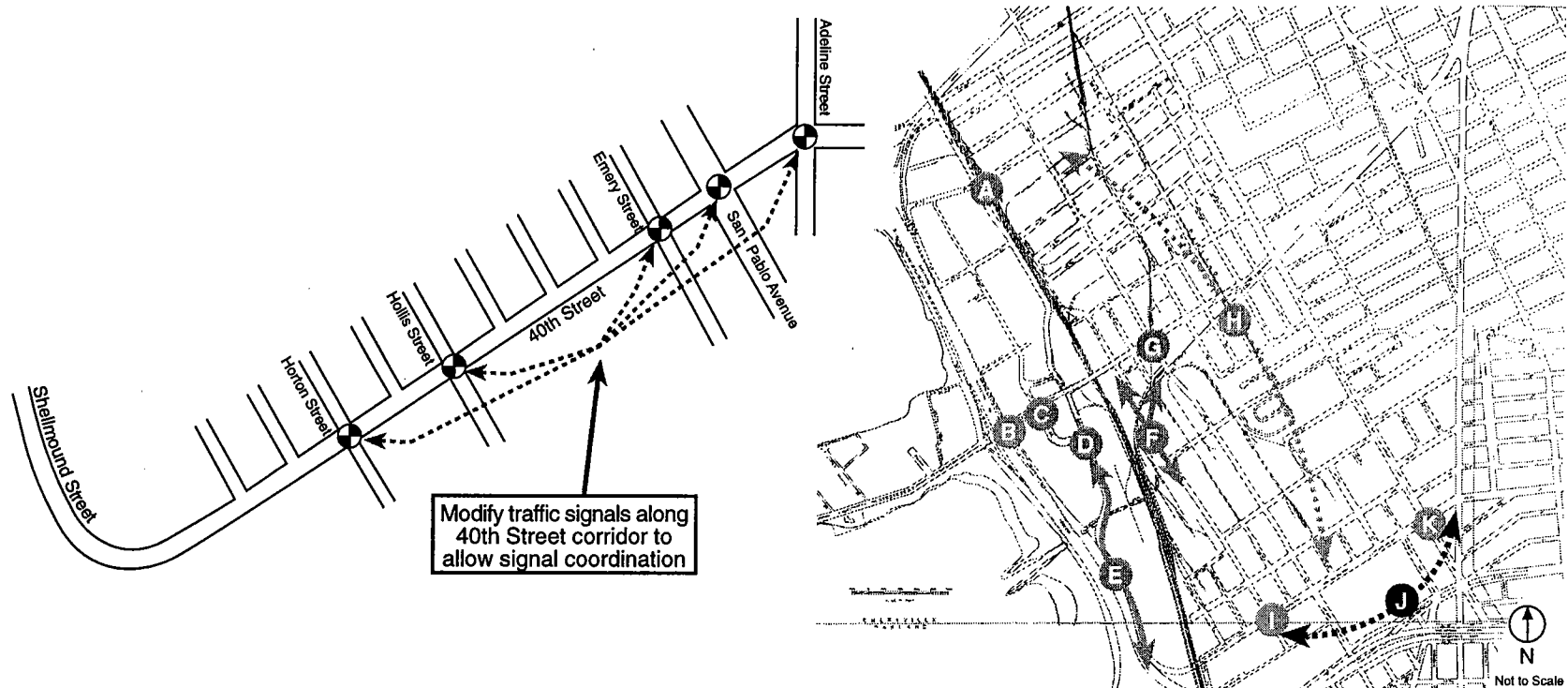


Figure J

1220-33-02

40TH STREET
SIGNAL COORDINATION



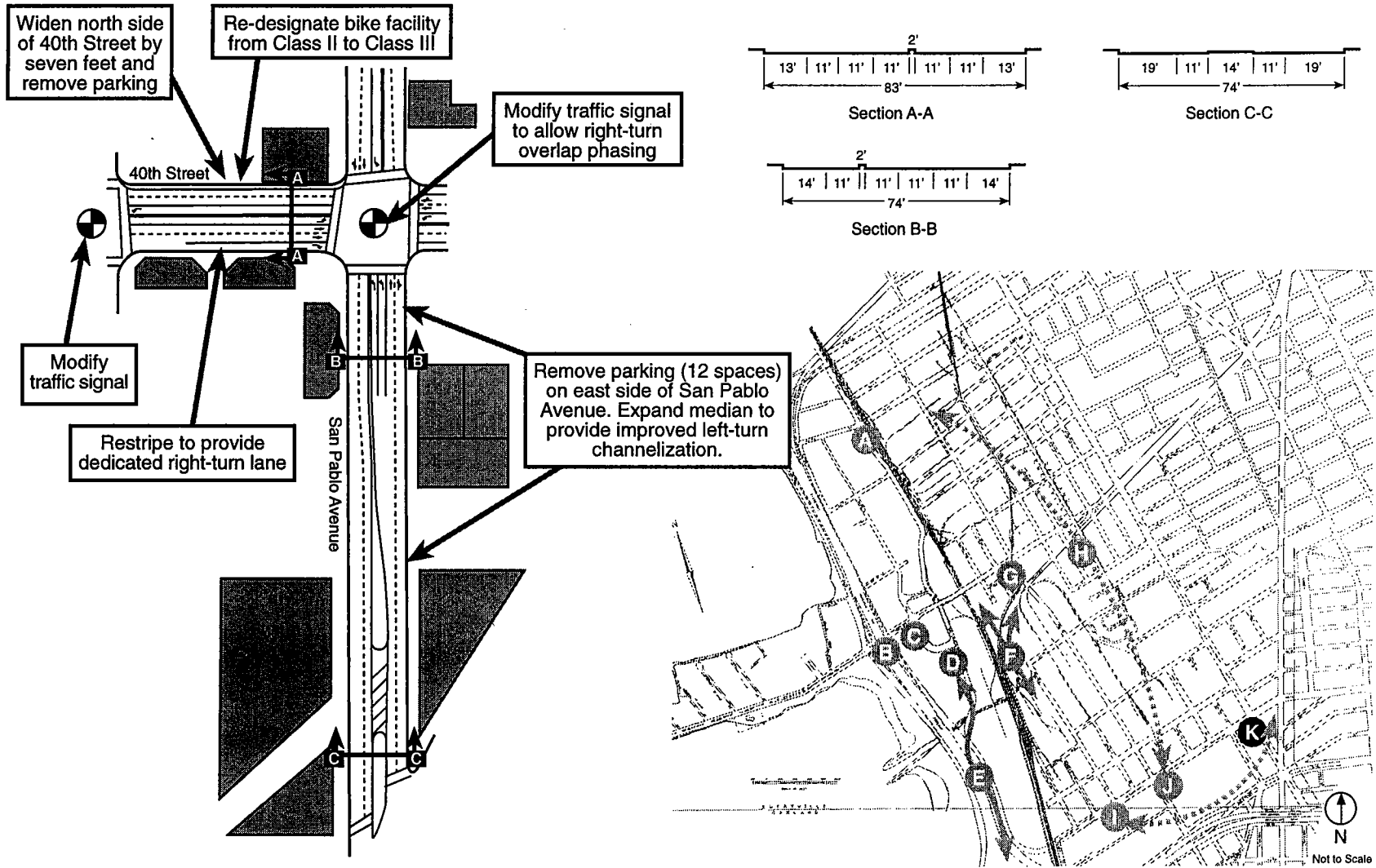


Figure K 1220-26-03	40TH STREET AND SAN PABLO AVENUE INTERSECTION MODIFICATIONS	
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TABLE 6
ALLOCATION OF PROJECT COSTS TO FEE PROGRAM

Map #	Project	Type	Total Cost	Percent of Cost to Include in Fee		Portion of Cost to include in Fee
				Existing/Other	Emeryville Growth	
1.	Citywide Transit Improvements	Transit	\$2,347,500	0%	100%	\$2,347,500
2.	Powell Street Multi-Modal Phase 1	Multi-modal	\$3,350,000	0%	100%	\$3,350,000
3.	Christie Bay Trail	Multi-modal (non-motorized)	\$480,000	0%	100%	\$480,000
4.	ECCL Path	Multi-modal (non-motorized)	\$750,000	0%	100%	\$750,000
5.	South Bayfront Bridge	Multi-modal (non-motorized)	\$14,549,000	0%	100%	\$14,549,000
6.	San Pablo Avenue Mid-block Crossing	Pedestrian	\$344,100	0%	100%	\$344,100
7.	Shorebird Park Connections	Multi-modal (non-motorized)	\$220,000	0%	100%	\$220,000
8.	Spur Alley Bicycle Treatments	Multi-modal (non-motorized)	\$900,300	0%	100%	\$900,300
9.	Railroad Quiet Zone	Multi-modal	\$4,035,000	0%	100%	\$4,035,000
10.	I-80/Powell Off Ramp Improvements	Automobile Capacity	\$450,000	0%	100%	\$450,000
11.	Christie Avenue/ Powell Street	Automobile Capacity	\$4,600,000	85%	15%	\$690,000
12.	Bicycle and Pedestrian Plan Implementation	Multi-modal (non-motorized)	\$300,000	0%	100%	\$300,000
13.	40th Street/Horton Street	Multi-Modal	\$59,500	0%	100%	\$59,500
14.	40th Street/Emery Street	Automobile Capacity	\$87,000	0%	100%	\$87,000
15.	Transit Center Plaza and Platform Extension	Pedestrian	\$1,042,100	80%	20%	\$208,420
16.	Public Parking and Bus Bays at Transit Center	Transit	\$8,431,000	50.2%	49.8%	\$4,200,048
17.	Doyle Street Bicycle Boulevard	Bicycle	\$275,000	0%	100%	\$275,000
18.	Hollis Street Sidewalk	Pedestrian	\$603,000	0%	100%	\$603,000
19.	Adeline/San Pablo/ Macarthur/Peralta "Star" Intersection	Multi-modal (non-motorized)	\$456,000	0%	100%	\$456,000
20.	Ped-Bike Bridge over I-80: 65th St to Frontage Rd	Multi-modal (non-motorized)	\$18,500,000	0%	100%	\$18,500,000
21.	Horton Street and Overland Avenue from 40th Street to 62nd Street	Bicycle	\$2,015,000	0%	100%	\$2,015,000



TABLE 6
ALLOCATION OF PROJECT COSTS TO FEE PROGRAM

Map #	Project	Type	Total Cost	Percent of Cost to Include in Fee		Portion of Cost to include in Fee
				Existing/Other	Emeryville Growth	
22.	Emeryville Greenway extension from Powell St south to Stanford Ave at Horton St	Multi-modal (non-motorized)	\$1,350,000	0%	100%	\$1,350,000
23.	40th Street/ Harlan Street Signalization	Multi-Modal	\$290,000	0%	100%	\$290,000
24.	Sherwin Area Improvements	Pedestrian	\$2,843,850	0%	100%	\$2,843,850
25.	Bike Sharing Program	Bicycle	\$600,000	0%	100%	\$600,000
26.	Bicycle Parking	Bicycle	\$200,000	0%	100%	\$200,000
27.	Traffic Signal Enhancements	Bicycle	\$490,000	0%	100%	\$490,000
28.	Emery-go-Round Bus Yard Acquisition	Transit	\$1,000,000	0%	100%	\$1,000,000
Total Project Costs			\$70,568,350			\$61,593,718
Contingency, Design Environmental Review and Other (40%)			\$28,227,340			\$24,637,487
Preparation of Transportation Fee Study			\$200,000			\$200,000
City Administrative Costs (2%)			\$1,979,914			\$1,728,624
Total Cost			\$100,975,604			\$88,159,829

Source: Fehr & Peers, 2014



Use of Fee Revenue

The City plans to use park facilities fee revenue to purchase parkland or construct improvements to add to the system of park and recreation facilities that serves new development. The City may only use impact fee revenue to provide facilities and intensify usage of existing facilities needed to serve new development.

The City intends to use the fee revenue to purchase and develop the planned and proposed facilities mapped and listed in the *Parks and Recreation Strategic Plan* (2011). **Table 3.9** displays the planned and proposed facilities identified in the *Strategic Plan*. In order to fully realize all of the planned and proposed facilities in the *Strategic Plan*, the City will need to fund approximately \$70.4 million in costs with non-fee funding sources.

Table 3.9: Planned and Proposed Park Facilities

Project	Proposed Acres	Planning Level Cost Estimate
<u>Planned Parks</u>		
Horton Landing Park	1.40	\$ 372,800
Christie Avenue Park	0.37	344,285
48th Street Community Garden	0.09	20,970
Subtotal	1.86	\$ 738,055
<u>Proposed Parks</u>		
Site 1: Doyle Hollis Park Expansion	6.75	\$ 38,930,888
Site 2: PG&E site West of Hollis between 45th and 53rd	6.24	36,776,183
Site A: I-80 ped-bike bridge touchdown in Ashby Interchange	0.25	1,329,075
Site B: West of Shellmound North of 65th	0.50	3,291,575
Site C: North of 65th, East of RR tracks	1.00	6,054,575
Site D: North of Powell, between Christie and I-80	0.50	3,000,325
Site E: Stanford Ave, Park expansion West to Hollis	0.80	4,315,950
Site F: Stanford Ave, Park expansion North to Powell	0.55	3,241,675
Site G: Powell St. Plaza West of Shellmound, South of Powell	1.00	5,897,300
Site H: Temescal Creek Park and Temescal Creek Greenway	0.08	65,856
Site J: On Park Ave, West of Hollis	0.50	3,204,200
Site K: East Bay Bridge Center, South of 40th, West of San Pablo	3.00	17,590,050
Site L: Triangle neighborhood East of San Pablo, North of 40th	0.50	3,250,800
Emeryville Greenway Expansions	4.71	25,797,972
Temescal Creek Greenway Expansions	1.32	7,135,761
Subtotal	27.70	\$ 159,882,185
Total - Planned and Proposed Park Facilities	29.56	\$ 160,620,240

Source: Table C-1, City of Emeryville Parks and Recreation Strategic Plan, January 18, 2011.

City of Emeryville
Transportation Facility Impact Fee Fund 250
Revenues & Expenditures
Through June 30, 2015

REVENUE:	FY10	FY11	FY12	FY13	FY14	FY15	Total FY92-FY15
Traffic Impact Fees (Pre-Sep 2014 projects)	356,440	8,366	99,062	7,707	22,089	279,871	6,018,936
Traffic Impact Fees-Residential (effective Sep 2014)						595	595
Traffic Impact Fees-Non-Residential (effective Sep 2014)						391,303	391,303
Interest	27,025	4,012	3,917	2,358	2,420	3,205	664,478
Reimbursements	(2,583,363)	-					(275,197)
General Fund Subsidy for New Study		236,982					236,982
Total	(2,199,898)	249,359	102,978	10,065	24,509	674,973	7,037,098

EXPENDITURES:

Powell St & I-80 E Off Ramp (Figure B)							34,959
Update Traffic Impact Fee Study		29,113	70,459	16,780	28,897	2,540	202,777
Shellmound Loop Improvements (Figure C, D)							1,967,995
Powell/Hollis Intersection Improvements (Figure G)							185,559
Hollis St Interconnect (Figure H)							73,049
Shellmound Signal Timing (Figure C, D)							142,984
40th Street Signal Design (Figure J)							17,403
40th & SPA Widening (Figure K)							7,965
Shellmound Street Striping (Figure C, D)							8,512
Horton Street Extension (Figure F)							2,047,791
65th Street Traffic Signal (Figure A)							1,225,898
Powell Streetscape Design	37,567	21,507	3,058	1,117	-	-	80,668
Christie Ave Bay Trail (Project Number 14254004)						6,210	6,210
Total	37,567	50,620	73,517	17,896	28,897	8,750	6,001,769
Revenues Over/(Under) Expenditures	(2,237,464)	198,739	29,461	(7,831)	(4,388)	666,224	1,035,329
Beginning Fund Balance, July 1	2,390,589	153,124	351,864	381,325	373,494	369,105	-
Ending Fund Balance, June 30	153,124	351,864	381,325	373,494	369,105	1,035,329	1,035,329

(References to Figures A, C, D, F, G, H, J and K above are those figures which are attached as Appendix B to the City of Emeryville Traffic Mitigation Fee Study dated September 24, 1998, adopted by the City Council pursuant to Resolution No. 98-167)

**City of Emeryville
Parks and Recreation Impact Fee Fund 237
Revenues & Expenditures
Through June 30, 2015**

REVENUE:	FY15
Park/Rec Impact Fees-Non-Residential	193,914
Interest	<u>293</u>
Total	194,207

EXPENDITURES:	
Stanford Ave Park (Project Number 15237026)	<u>3,960</u>
Total	<u>3,960</u>
Revenues Over/(Under) Expenditures	190,247
Beginning Fund Balance, July 1	-
Ending Fund Balance, June 30	<u><u>190,247</u></u>

**City of Emeryville
Affordable Housing Impact Fee Fund 239
Revenues & Expenditures
Through June 30, 2015**

REVENUE:	FY15
Affordable Hsg Impact Fee-Non-Residential Interest	479,168 <u>447</u>
Total	479,615

EXPENDITURES:

Total	<u>-</u>
Revenues Over/(Under) Expenditures	479,615
Beginning Fund Balance, July 1	-
Ending Fund Balance, June 30	<u><u>479,615</u></u>



City of Emeryville
Development Impact Fees
 Fiscal Year 2014-2015 (valid through June 30, 2015)

Use Type	Affordable Housing	Park and Recreation Facility	Transportation Facility	TOTAL IMPACT FEES
Residential Use Types				
Single Unit	\$0	\$3,742	\$2,508	\$6,250 / dwelling unit
Two Unit and Multi-Unit				
<i>Rental - Apartment</i>	\$20,000	\$3,602	\$1,555	\$25,157 / dwelling unit
<i>In TH Transit Hub Overlay Zone</i>	\$20,000	\$3,602	\$1,505	\$25,107 / dwelling unit
<i>Owner - Condominium</i>	\$0	\$3,602	\$1,304	\$4,906 / dwelling unit
<i>In TH Transit Hub Overlay Zone</i>	\$0	\$3,602	\$1,254	\$4,856 / dwelling unit
<i>Owner - Townhome</i>	\$0	\$3,742	\$1,304	\$5,046 / dwelling unit
<i>In TH Transit Hub Overlay Zone</i>	\$0	\$3,742	\$1,254	\$4,996 / dwelling unit
Domestic Violence Shelter	\$0	\$1,409	\$552	\$1,961 / bed
Group Residential	\$0	\$1,409	\$552	\$1,961 / bed
Mobile Home Park				
<i>Rental</i>	\$20,000	\$3,602	\$1,555	\$25,157 / dwelling unit
<i>Owner</i>	\$0	\$3,742	\$1,304	\$5,046 / dwelling unit
Residential Care Facility	\$4.00	\$5.00	\$1.86	\$10.86 / square foot
Supportive Housing	\$0	\$1,409	\$552	\$1,961 / bed
Transitional Housing	\$0	\$1,409	\$552	\$1,961 / bed
Commercial and Institutional				
Adult Oriented Businesses				
<i>Retail</i>	\$4.00	\$2.01	\$4.68	\$10.69 / square foot
<i>Performance</i>	\$4.00	\$1.51	\$96.99	\$102.50 / square foot
Animal Care and Sales				
<i>Grooming</i>	\$4.00	\$1.81	\$3.64	\$9.45 / square foot
<i>Kennel/Animal Care</i>	\$4.00	\$2.82	\$13.93	\$20.75 / square foot
<i>Pet Stores</i>	\$4.00	\$2.01	\$4.68	\$10.69 / square foot
<i>Veterinary Services</i>	\$4.00	\$1.81	\$11.84	\$17.65 / square foot
Arts and Entertainment				
<i>Gallery</i>	\$4.00	\$0.30	\$0.45	\$4.75 / square foot
<i>Indoor Entertainment</i>	\$4.00	\$1.21	\$12.32	\$17.53 / square foot
<i>Outdoor Entertainment</i>	TBD	TBD	TBD	TBD
Banks and Financial Institutions	\$4.00	\$2.01	\$10.65	\$16.66 / square foot
Business Services	\$4.00	\$2.01	\$18.59	\$24.60 / square foot
Colleges and Trade Schools	\$0.00	\$1.81	\$6.37	\$8.18 / square foot
Community Assembly	\$0.00	\$0.50	\$6.87	\$7.37 / square foot
Day Care Centers	\$0.00	\$2.82	\$13.93	\$16.75 / square foot
Eating and Drinking Establishments				
<i>Bars/Nightclubs/Lounges</i>	\$4.00	\$5.03	\$8.53	\$17.56 / square foot
<i>Restaurants</i>				
Quality (ITE Land Use 931)	\$4.00	\$5.03	\$5.64	\$14.67 / square foot
High Turnover (ITE Land Use 932)	\$4.00	\$5.03	\$7.41	\$16.44 / square foot
Fast Food (ITE Land Use 933)	\$4.00	\$5.03	\$32.79	\$41.82 / square foot
Fast Food with Drive-Thru (ITE Land Use 934)	\$4.00	\$5.03	\$40.95	\$49.98 / square foot
<i>Mobile Food Vendors</i>	\$0.00	\$0.00	\$0.00	\$0.00
Emergency Shelters	\$0	\$1,409	\$552	\$1,961 / bed
Funeral Homes, Mortuaries and Mausoleums	\$4.00	\$0.50	\$1.38	\$5.88 / square foot

Use Type	Affordable Housing	Park and Recreation Facility	Transportation Facility	TOTAL IMPACT FEES
Health Care				
<i>Clinics and Medical Offices</i>	\$4.00	\$3.66	\$8.95	\$16.61 / square foot
<i>Hospitals</i>	\$4.00	\$2.92	\$2.33	\$9.25 / square foot
<i>Medical Laboratories (non research)</i>	\$4.00	\$1.81	\$7.90	\$13.71 / square foot
Instructional Services				
<i>Individual/ Small Group Instruction</i>	\$4.00	\$0.60	\$2.43	\$7.03 / square foot
<i>Group Instruction</i>	\$4.00	\$0.60	\$2.43	\$7.03 / square foot
Libraries and Museums				
<i>Libraries</i>	\$4.00	\$1.41	\$18.31	\$23.72 / square foot
<i>Museums</i>	\$4.00	\$0.30	\$0.45	\$4.75 / square foot
Live/Work Unit	\$4.00	\$1.51		\$5.51 / square foot plus
plus			\$1,630	\$1,630 / unit
Lodging				
<i>Hotels and Motels</i>	\$4.00	\$1.01		\$5.01 / square foot plus
plus			\$1,053	\$1,053 / room
<i>Bed & Breakfast</i>	\$0.00	\$0.00	\$0.00	\$0.00 / square foot
Major Public Services	\$4.00	TBD	TBD	TBD / square foot
Marina	\$0	\$1,006	\$476	\$1,482 / berth
Motor Vehicle Sales and Services				
<i>Cleaning (Self-Service Car Wash - ITE Land Use 947)</i>	\$4.00			\$4.00 / square foot plus
plus		\$252	\$6,948	\$7,200 / stall
<i>Rentals</i>	\$4.00	\$1.51	\$2.51	\$8.02 / square foot
<i>Sales and Leasing</i>	\$4.00	\$1.31	\$6.57	\$11.88 / square foot
<i>Repair and Service</i>	\$4.00	\$1.01	\$11.19	\$16.20 / square foot
<i>Service Station</i>	\$4.00			\$4.00 / square foot plus
plus		\$252	\$6,958	\$7,210 / pump
<i>Towing and Impounding</i>	\$4.00	\$1.01	\$12.54	\$17.55 / square foot
Offices				
<i>General/Government/Walk-In Clientele</i>	\$4.00	\$3.66	\$3.74	\$11.40 / square foot
<i>Corporate Headquarters (ITE Land Use 714)</i>	\$4.00	\$3.66	\$3.54	\$11.20 / square foot
Parking	\$0.00	\$0.00	\$0.00	\$0.00 / square foot
Personal Services	\$4.00	\$2.01	\$3.64	\$9.65 / square foot
Public Safety Facilities	\$0.00	\$2.01	\$3.03	\$5.04 / square foot
Recreation				
<i>Gaming</i>	\$4.00	\$2.01	\$33.69	\$39.70 / square foot
<i>All Other</i>	\$4.00	\$2.01	\$8.85	\$14.86 / square foot
Repair Services	\$4.00	\$1.31	\$2.43	\$7.74 / square foot
Retail				
<i>Food and Beverage Sales</i>				
<i>Supermarket (ITE Land Use 850)</i>	\$4.00	\$2.01	\$10.70	\$16.71 / square foot
<i>Convenience Market (ITE Land Use 851)</i>	\$4.00	\$2.01	\$39.44	\$45.45 / square foot
<i>All Other</i>	\$4.00	\$2.01	\$4.68	\$10.69 / square foot
Schools	\$0.00	\$1.01	\$3.01	\$4.02 / square foot
Social Service Facilities	\$0.00	\$3.22	\$3.74	\$6.96 / square foot

Use Type	Affordable Housing	Park and Recreation Facility	Transportation Facility	TOTAL IMPACT FEES
Industrial				
Arts-Industrial - All	\$4.00	\$1.31	\$2.43	\$7.74 / square foot
Commercial Kitchens	\$4.00	\$1.31	\$2.43	\$7.74 / square foot
Construction and Maintenance	\$4.00	\$0.70	\$0.80	\$5.50 / square foot
Crematories	\$4.00	\$2.21	\$1.83	\$8.04 / square foot
Food Production and Assembly - All	\$4.00	\$1.31	\$2.43	\$7.74 / square foot
Hazardous Waste Facilities - All	\$4.00	\$2.21	\$1.83	\$8.04 / square foot
Laundry and Dry Cleaning Services	\$4.00	\$1.31	\$2.43	\$7.74 / square foot
Manufacturing				
<i>Pharmaceutical</i>	\$4.00	\$1.01	\$2.43	\$7.44 / square foot
<i>Custom</i>	\$4.00	\$1.01	\$1.63	\$6.64 / square foot
<i>Light</i>	\$4.00	\$1.01	\$2.43	\$7.44 / square foot
<i>General</i>	\$4.00	\$1.01	\$1.83	\$6.84 / square foot
<i>Heavy</i>	\$4.00	\$1.01	\$1.83	\$6.84 / square foot
Recycling Facilities - All	\$4.00	\$2.21	\$1.83	\$8.04 / square foot
Research and Development	\$4.00	\$2.52	\$2.68	\$9.20 / square foot
Salvage and Wrecking	\$4.00	\$2.21	\$1.83	\$8.04 / square foot
Storage and Distribution				
<i>Indoor and Outdoor</i>	\$4.00	\$0.70	\$0.80	\$5.50 / square foot
<i>Personal</i>	\$4.00	\$0.04	\$0.65	\$4.69 / square foot
Agricultural				
Community Gardens	\$0.00	\$0.00	\$0.00	\$0.00
Indoor Agriculture	\$4.00	\$1.31	\$2.43	\$7.74 / square foot
Outdoor Agriculture	\$4.00	\$1.31	\$2.43	\$7.74 / square foot
Animal Husbandry	\$4.00	\$1.31	\$2.43	\$7.74 / square foot
Communication, Transportation and Utilities				
Communication Facilities				
<i>Transmission Towers</i>	\$0.00	\$0.00	\$0.00	\$0.00
<i>Equipment within Buildings</i>	\$4.00	\$0.05	\$0.23	\$4.28 / square foot
Transportation and Delivery Services				
<i>Bus/Rail Passenger Stations</i>	\$4.00	TBD	TBD	TBD / square foot
<i>Truck/Rail Freight Terminals</i>	\$4.00	\$1.31	\$2.08	\$7.39 / square foot
<i>Human-Powered</i>	\$4.00	\$0.70	\$0.80	\$5.50 / square foot
<i>Light Fleet</i>	\$4.00	\$0.70	\$0.80	\$5.50 / square foot
Utility Services	\$4.00	\$7.34	\$1.91	\$13.25 / square foot